

Our Pendle Our Future



# Pendle Local Plan 4<sup>th</sup> Edition (2021-2040)

[www.pendle.gov.uk](http://www.pendle.gov.uk)

Borough of  
**Pendle**

**Cover Photos (clockwise from top):**

- Pendle Hill at sunset (Lee Johnson)
- The Shuttle, Nelson Town Centre (Andy Ford / Eightimaging)
- Lomeshaye Business Park (Barnfield Construction)
- Booths, Barrowford (Pendle Council)
- Spring Mill, Fence (Skipton Properties)

## Foreword

To be updated.

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## Guiding change in Pendle



## **Part One:** An introduction the Local Plan and Pendle

## Guiding change in Pendle

## Guiding change in Pendle

### 1. Spatial planning

#### Guiding change in Pendle

- 1.1 In England the planning system is plan-led.
- 1.2 In Pendle the Local Plan will guide development up to 2040. It shows how the borough will continue to change to meet the needs of our community.
- 1.3 The purpose of the planning system is to contribute to the achievement of sustainable development, which helps to address the widespread concern that our existing way of life is placing an increasing burden on the planet.
- 1.4 The most widely accepted definition of sustainable development is found in [Our Common Future](#) (commonly referred to as the Bruntland Report),<sup>1</sup> which describes it as being:

*"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."*

- 1.5 The UK Government sets out what it considers sustainable development to be in the [National Planning Policy Framework](#) (NPPF).<sup>2</sup>

#### The Development Plan

- 1.6 The Local Plan is the key document in the statutory<sup>3</sup> Development Plan for Pendle.
- 1.7 The Development Plan is made up of a number of documents, which are used to guide the nature and location of development in a particular area. The policies in these documents make sure that decisions taken in the determination of planning applications are rational and consistent. The Development Plan for Pendle includes the following documents:
  - Pendle Local Plan
  - Joint Lancashire Minerals and Waste Local Plan
  - Neighbourhood Plans – in areas where these have been prepared and adopted
- 1.8 Decisions about whether to grant or refuse planning permission must be taken in accordance with the Development Plan unless material considerations<sup>4</sup> indicate otherwise.<sup>5</sup>

#### The Pendle Local Plan

- 1.9 As the local planning authority, the Government requires Pendle Council to prepare a Local Plan. Its purpose is to provide a locally distinctive approach to balancing the environmental, social and economic aspects of development.

<sup>1</sup> Published by the World Commission on Environment and Development in April 1987.

<sup>2</sup> All references to the NPPF relate to the version published on 20 July 2021, unless otherwise stated.

<sup>3</sup> Statutory in this context refers to written law introduced by the national government.

<sup>4</sup> A material consideration is a matter that should be taken into account when deciding a planning application or at an appeal against a planning decision.

<sup>5</sup> As set out in [section 70\(2\) of the Town and Country Planning Act 1990](#) and [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#).

## Guiding change in Pendle

## Legal requirements

- 1.10 The purpose and content of Local Plans is set out in various Acts of Parliament and Statutory Instruments:
- [The Town and Country Planning Act 1990](#)
  - [Planning and Compulsory Purchase Act 2004](#)
  - [Planning Act 2008](#)
  - [Localism Act 2011](#)
  - [Housing and Planning Act 2016](#)
- 1.11 The Government also issues legally binding Regulations. These outline the detailed requirements to support the duties set out in these Acts. Those influencing the preparation and content of Local Plans are [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#), as amended.
- 1.12 The NPPF provides a framework for the preparation of locally distinctive plans, which must be positively prepared, justified, effective and consistent with national policy.<sup>6</sup> Chapter 3 establishes clear expectations on how Local Plans should be prepared.
- 1.13 A change to the justified test of soundness, introduced in July 2019, removed the requirement for the Local Plan to represent the ‘most appropriate strategy’. Taking into account the reasonable alternatives it must represent an ‘appropriate strategy.’ It should be based on an adequate and proportionate evidence base, which is up-to-date and takes account of relevant market signals (paragraph 31).
- 1.14 The NPPF should be read in conjunction with the Government’s [Planning policy for traveller sites](#) (2012) and the [National planning policy for waste \(2014\)](#).
- 1.15 [Planning Practice Guidance](#) (PPG) sets out how to apply the planning policies in the NPPF. It was first published on 6 March 2014 and is regularly updated by the Government. The [guidance on plan-making](#) makes clear that the Local Plan must:
- be positively prepared in cooperation with the local community, key stakeholders and other interested parties;
  - set out broad locations and specific allocations of land for different purposes;
  - highlight areas where particular opportunities or considerations apply (e.g. protected areas within the natural and historic environment);
  - establish criteria-based policies to be taken into account by officers when considering planning applications for new development; and
  - illustrate the geographical application of policies in the plan on the Policies Map.
- 1.16 The Sustainability Appraisal (SA) process considers how the Local Plan helps to achieve relevant environmental, economic and social objectives. It then judges the plan proposals against any reasonable alternatives. This process also meets the legal requirement for Strategic Environmental Assessment (SEA).

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<sup>6</sup> See ‘tests of soundness’ Paragraph 35, NPPF (2021)

## Guiding change in Pendle

- 1.17 Should scoping reveal that the Local Plan is likely to affect certain habitats or species a Habitat Regulations Assessment (HRA) may also be needed.

### Plan content

- 1.18 Three previous versions of the Pendle Local Plan have been adopted by the Council.

	Title	Date of adoption
1	Pendle Local Plan	January 1999
2	Replacement Pendle Local Plan 2001-2016	May 2006
3	Pendle Core Strategy 2011-2030 <sup>7</sup>	December 2015

- 1.19 This is the fourth edition of our Local Plan. It establishes an [ambitious vision](#) for the future of Pendle. Our long-term strategy for development in the borough, which identifies where growth should take place up to 2040, is set out in our:

- [Key objectives](#)
- [Spatial strategy](#)<sup>8</sup>
- [Strategic planning policies](#)
- [Development management policies](#)
- [Site allocations](#)

- 1.20 Our strategic planning policies address the key priorities for the area. They provide a positive response to our future growth and development needs and establish a framework for the preparation of [neighbourhood plans](#).

- 1.21 Our development management policies and site allocations describe where, when and how development will happen during the lifetime of the Local Plan and offer guidance on what it should look like. Their key objectives are to:

- Promote sustainable development.
- Stimulate economic and housing growth.
- Address climate change.
- Preserve and enhance the natural and historic environment.
- Encourage high quality design.
- Improve connectivity between places.
- Embrace community engagement.

- 1.22 When adopted, the Local Plan becomes part of the [Development Plan](#) for the borough. The policies and site allocations within it will provide the starting point when considering whether an application for planning permission should be approved.

<sup>7</sup> This was the first document in a new two-part Local Plan. It updated the borough's strategic planning policies. At a meeting on 9 December 2021, the Council passed a motion to stop work on Local Plan Part 2: Site Allocations and Development Policies due to concerns that the growth projections were no longer valid following Brexit and the COVID-19 pandemic.

<sup>8</sup> A spatial strategy addresses development and the use of land within an area.

## Guiding change in Pendle

## Joint Lancashire Minerals and Waste Local Plan

- 1.23 The Government requires Lancashire County Council, as the minerals and waste planning authority, to prepare a local plan to address the provision of minerals and the management of waste.
- 1.24 This plan is prepared jointly with the two unitary authorities of Blackpool Council and Blackburn-with-Darwen Borough Council.
- 1.25 The purpose of the Minerals and Waste Local Plan is to:
- avoid the county's finite mineral resources from being unknowingly or unnecessarily sterilised.
  - ensure a steady supply of minerals for construction.
  - facilitate the recycling of waste and reduce the demand for landfill.
  - allocate sites for future mineral extraction or the treatment of waste.

## Neighbourhood Plans

- 1.26 To give local communities an opportunity to influence development in their area, the Localism Act 2011 enabled Parish and Town Councils to prepare neighbourhood plans for their area. The Legislation governing the production and content these plans is set out in the following documents.
- [Localism Act 2011](#)
  - [The Neighbourhood Planning \(General\) Regulations 2012](#)
  - [The Neighbourhood Planning Act 2017](#)
- 1.27 Where a simple majority of people voting in a public referendum are in favour of adopting a neighbourhood plan, it becomes part of the Development Plan. Its policies can then be used to help determine applications for planning permission within the area it covers.
- 1.28 Up-to-date information on those areas of the borough where developers must consider the policies in an adopted neighbourhood plan is provided on the Pendle Council website:
- [www.pendle.gov.uk/neighbourhoodplans](http://www.pendle.gov.uk/neighbourhoodplans)

## Weight in decision-taking

- 1.29 Planning policies can be used to help determine applications for planning permission *before* they have been formally adopted. As a “rule of thumb” the more advanced a plan is the greater the weight that can be given to the policies within it.<sup>9</sup>
- 1.30 The correct interpretation of weight is fundamental to the planning process. Although a matter of planning judgement, paragraph 48 of the NPPF identifies the weight that may be given to policies in emerging plans in decision-taking.
- 1.31 It is also important to appreciate the level of weight to be applied to the policies in the Local Plan, when measured against the principles and policies in the NPPF.

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<sup>9</sup> In this context ‘weight’ refers to the extent to which policies and principles should be taken into consideration when determining applications for planning permission.

## Guiding change in Pendle

### Pre-application advice

1.32 To reduce the possibility of submitting an invalid planning application, you are advised to book an informal pre-application discussion with a planning officer. For a small fee they will:

- Verify the list of local and national requirements.
- Help you understand how planning policies, and other requirements, may affect your proposals.
- Highlight any potential issues, which may require further consideration.

**Note:**

The Pendle Local Plan should be read as a whole alongside the accompanying **Policies Map** and any other documents that form part of the Development Plan for Pendle.

## Guiding change in Pendle



## A look at Pendle today

### 2. A spatial portrait

#### A look at Pendle today

- 2.1 Planning is based on the simple premise that we need to understand where we are now (“the baseline”) before we can decide where we want to be in the future (“the vision”). It is then just a matter of coming up with a plan to get there, without losing the essential character of the area.

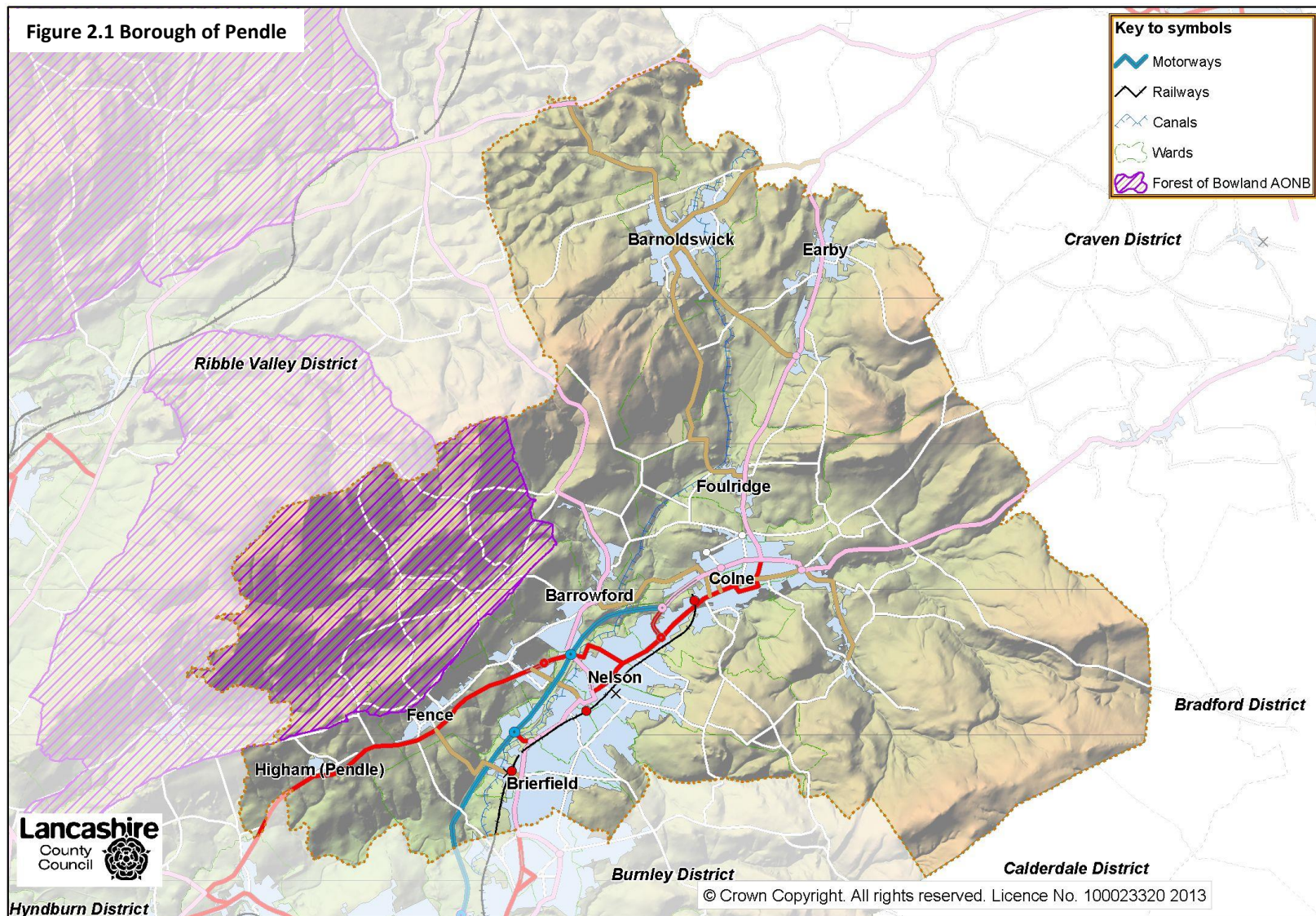
#### What makes Pendle locally distinctive?

- 2.2 With an increasing number of new homes being built by national housebuilders and large retail chains dominating our high streets, there is an increasing concern that towns and villages throughout the country are losing their identity.
- 2.3 How people interact with the unique physical, social and economic characteristics of an area are what makes it locally distinctive. This brief overview considers the key characteristics of our borough and its towns and villages. It helps to establish a baseline for the Local Plan.

#### Location and Topography

- 2.4 Pendle is situated in north-west England, on the boundary between Lancashire and Yorkshire. It covers an area of 169 km<sup>2</sup> and had a population of 95,800 in 2021.
- 2.5 The borough’s administrative centre and largest settlement is Nelson, with a population of 33,800. Together with the settlements of Brierfield, Barrowford and Colne, and neighbouring Burnley immediately to the south, it forms part of a continuous built-up area with a combined population of over 150,000. Beyond this densely populated urban corridor, remote rural landscapes reach far beyond the borough boundary.
- 2.6 Travel in a north westerly direction and you will encounter small tranquil villages in the shadow of Pendle Hill. These form part of the Forest of Bowland Area of Outstanding Natural Beauty (AONB), which extends beyond the borough boundary into the picturesque Ribble Valley.
- 2.7 To the north-east the Yorkshire Dales National Park lies just beyond the small towns of Barnoldswick and Earby. They were part of the West Riding of Yorkshire until 1974 and many residents in this largely rural area, known as West Craven, continue to maintain a strong affinity with the White Rose County.
- 2.8 To the south and east the remote South Pennine Moors stretch as far as High Peak in Derbyshire. Their peatland, bogs and wetlands support habitats that are an internationally important breeding ground for upland birds and have been designated a Site of Special Scientific Interest (SSSI).

Figure 2.1 Borough of Pendle



## A look at Pendle today

### Democracy

- 2.9 Pendle Borough Council is a product of local government reorganisation in 1974. The authority takes its name from Pendle Hill, whose distinctive silhouette features prominently in the corporate logo.
- 2.10 Pendle is one of twelve district councils in the county of Lancashire. Together with Blackburn-with-Darwen, Burnley, Hyndburn and Rossendale it forms part of the Pennine Lancashire sub-region.
- 2.11 Following boundary changes in May 2021, the borough has 12 electoral wards and 33 councillors.
- 2.12 There are also 19 parish and town councils covering the whole of the borough.

**Figure 2.2 Pendle in context**





## A look at Pendle today

## Population

- 2.13 The most recent projections suggest there will be limited population growth over the next 20 years. Pendle has an ageing population, but the birth rate is relatively high. Outward migration amongst young people, and those of working age, is not compensated for by corresponding domestic or international inward migration.
- 2.14 The ethnicity of the non-UK born population is consistent with that across Pennine Lancashire. The largest minority group is of Pakistani heritage, but there is also a relatively large East European community.
- 2.15 In 2019, the English Indices of Deprivation ranked Pendle just outside the 10% most deprived places in the country. Fuel poverty, which is driven by low wages and high energy prices, and obesity are of particular significance locally.

## Housing

- 2.16 There are approximately 41,000 dwellings in Pendle and 88.6% are owner occupied or private rented. The largest proportion of homes are terraced properties, built during the industrial revolution. The borough has the highest proportion of dwellings in Council Tax Band A in Lancashire at 61.5% in 2021.
- 2.17 Average property prices are lower than the national average at £125,426 in April 2022. Prices vary significantly across the Borough with the cheapest properties being in the urban areas of the M65 Corridor. But affordability is an issue. The current affordability ratio of 4.7 is below the national average and but is declining at a fast rate due to high demand in the rural areas, the limited variety of housing stock and relatively low wages.
- 2.18 Delivering new housing is a significant challenge. Large areas of the borough are designated as Green Belt and many areas of open countryside are valued for their landscape character and importance for biodiversity. The development of Greenfield land, both within and adjacent to our urban areas, is not viable without third party intervention, and previously developed (Brownfield) land is largely unviable.

## Economy and skills

- 2.19 There are around 33,500 employee jobs in Pendle. The majority work for small and medium sized enterprises, with only 10 of the borough's 2,950 businesses employing more than 250 people.
- 2.20 In the late 19<sup>th</sup> century Pendle had an influential role in the industrial revolution and the birth of the factory system. The borough is still an important centre for manufacturing and home to several well-known businesses. At its facility in the small town of Barnoldswick, Rolls-Royce plc manufactures wide chord fan blades that have powered commercial aircraft around the world since the early 1970s. It is a vital component in the country's largest aerospace cluster, which extends as far west as BAE Systems at Warton on the Fylde coast.

## A look at Pendle today

- 2.21 Despite the large number of highly skilled jobs that are available, overall annual salaries are lower than both the regional and national averages. This disparity is even more apparent amongst the borough's residents, with commuters into the area occupying many of the highest paid jobs. Overall, there is a net outflow of commuters to neighbouring areas; the two-way relationship with Burnley being particularly strong.
- 2.22 Tourism has become increasingly important for the area. Visitors are attracted by spectacular rural landscapes, our rich industrial heritage and diverse cultural history. Pendle is a popular destination for walkers and cyclists. Our award-winning Walking Festival was one of the first of its kind in the country. In 2010 Pendle Hill hosted British Cycling's National Road Championships and each July the medieval market town of Colne – a stage finish in the 2015 Tour of Britain – hosts the Colne Grand Prix, part of British Cycling's Elite Circuit Series.
- 2.23 Boundary Outlet Stores, founded in Colne in 1983, is the borough's largest employer. The current store is the largest designer outlet in the country. In contrast, small scale independent retailers typify our high streets, with both Colne and Barnoldswick recently winning accolades in the Great British High Street of the Year.

### Education

- 2.24 Educational attainment sits short of the UK and regional average but is steadily improving. Three of the borough's secondary schools were completed as recently as 2008/09 as part of the Building Schools for the Future programme.
- 2.25 Higher education training and qualifications are provided by Nelson and Colne College. It is the number one ranked college in the country for A Levels and student satisfaction and number one in Lancashire for 16-18 Advanced Apprenticeships. The University of Central Lancashire maintains a campus in nearby Burnley.

### Infrastructure and connectivity

- 2.26 The M65 motorway terminates to the west of Colne. It joins the wider motorway network at Preston offering connections to major destinations such as Manchester and Liverpool, Birmingham, London and Glasgow. Travelling east the A682, A56 and A6068 offer onward connections into Yorkshire. The A56 offers the lowest crossing of the Pennine watershed, joining the A59 west of Skipton, which links with the A1(M) motorway east of Harrogate.
- 2.27 The focus for public transport in Pendle is Nelson Interchange, which offers direct connections between trains and local bus services. It is one of three railway stations in Pendle, the others being Brierfield and Colne. The hourly train service terminates at Preston, where passengers can make onward connections with trains on the West Coast mainline, serving London, the West Midlands and Scotland, and cross-country services. The intermediate stops at Burnley and Blackburn also offer onward connections to Manchester, Bradford, Leeds, York and Clitheroe.
- 2.28 The Council is a member of [SELRAP](#)<sup>10</sup> and supports their efforts to reinstate the former railway line between Colne and Skipton, which closed in 1970.

<sup>10</sup> The Skipton East Lancs. Rail Action Partnership

## A look at Pendle today

- 2.29 The Burnley Bus Company (part of Transdev Blazefield) operates a 10-minute frequency during the day on the Mainline between Burnley, Nelson and Colne. To the east services reach Trawden, Barnoldswick, Earby, Skipton and Keighley, whilst to the west they terminate in Padiham, Accrington or Clitheroe. The Witch Way (X43) formerly connected the borough with Manchester via a fast and frequent luxury express bus service. Today this service terminates in Burnley with a more limited service to Nelson. In 2021, Transdev, in partnership with Lancashire County Council, enhanced the rural bus network by increasing the frequency of services between Pendle, Burnley and the Ribble Valley.
- 2.30 Gigabit fibre broadband, capable of speeds of 1 Gbps and above, is available to 72% of premises in Pendle. Ultrafast broadband (300 Mbps or greater) and Superfast broadband (30 Mbps or greater) are available to 73% and 98% of premises, respectively. The fastest maximum average speed available from a broadband provider in March 2023 was 1,130 Mbps.<sup>11</sup>

## Our key spatial issues

### Spatial areas

- 2.31 The physical topography and available data reveal three clearly distinguishable spatial areas in Pendle.
- 2.32 The M65 Corridor contains the contiguous settlements of Brierfield, Nelson, Barrowford and Colne.
- Almost two thirds of the borough's population live here.
  - High density of development, with large residential areas formed of terraced properties.
  - High levels of deprivation and obesity in inner urban areas.
  - Low levels of viability.
  - Focus for service sector employment, with a large number of employment opportunities in accessible locations.
- 2.33 To the north rural West Craven is
- Largely rural in character, with population focussed in small towns of Barnoldswick and Earby.
  - Balanced mix of residential properties.
  - Limited connectivity with the M65 Corridor.
  - Lower levels of deprivation and obesity.
  - High concentration of skilled employment in the aerospace sector.
- 2.34 Between these two areas is an extensive tract of open countryside containing numerous villages and hamlets.
- Small, isolated settlements with little or no service provision.
  - Hinterlands for Nelson and Colne, but some linkages with centres of population outside the borough e.g. Burnley and Clitheroe.

<sup>11</sup> Local Broadband Information: <https://labs.thinkbroadband.com/local/pendle,E14000875>

## A look at Pendle today

- Relatively poor transport connections but improving connectivity due to advances in broadband.
- Very low levels of deprivation and obesity.

### Key challenges

- 2.35 The spatial portrait, evidence base documents, stakeholder engagement and public feedback have all helped to highlight the issues that are of greatest concern to our community.
- 2.36 The key challenges that we need to address through the Local Plan are:
- A shortage of development land, restricting opportunities for future growth because:
    - The Green Belt is tightly drawn around the urban areas in the M65 Corridor.
    - The local topography – deeply incised river valleys and steep slopes leading up to high moorland fells – is challenging.
    - Areas of flood plain, whilst not extensive, are susceptible to rapid and violent flood events following heavy rainfall.
    - Low levels of economic viability in the inner urban areas, limit the opportunity to regenerate previously developed land and place a high demand on Greenfield sites.
  - Population projections show an increasing need to cater for the needs of an ageing population.
  - Despite relatively low house prices, lower than average household incomes mean that there is a significant need for affordable housing throughout the borough.
  - Obesity levels are significantly higher than the regional and national averages, particularly amongst young children in the M65 Corridor.
  - The local economy continues to be dependent on employment in manufacturing, which is increasingly susceptible to fluctuations in global markets.
  - The aerospace sector is increasingly vulnerable to new measures that are being introduced to help combat climate change. Businesses in this locally important sector are already diversifying into greener markets.

### Spatial interventions

- 2.37 All these issues can be addressed under the following four headings, which are the primary focus for our spatial interventions:
1. To protect and enhance the built and natural environment, managing the causes and impacts of climate change.
  2. To deliver a range and mix of housing appropriate to the needs of the borough.
  3. To create a strong and dynamic economy.
  4. To address our infrastructure requirements, creating sustainable urban and rural communities.

## A look at Pendle today



## The Pendle of tomorrow

### 3. Our spatial vision

#### The Pendle of tomorrow

- 3.1 Places matter, but how people interact with them is equally important.
- 3.2 If we are to create confident communities, where people can aspire to reach their full potential and enjoy healthy, active lifestyles, our residents should be able to access:
- A secure, affordable and energy efficient home which meets their housing need.
  - A job in a strong and growing local economy.
  - Green, inclusive and connected neighbourhoods.
  - Good quality education and training.
  - A vibrant town centre.
- 3.3 We need to stretch our expectations if Pendle is to be recognised as a great place to live, learn, work, play or visit. To deliver our aspirations will require a positive and proactive approach to new development, which:
1. Supports economic recovery and success.
  2. Provides essential infrastructure and improves connectivity.
  3. Protects and enhances our high-quality landscapes and biodiversity.
  4. Creates more sustainable communities and better places to live.
  5. Responds positively to the impacts of climate change.
- 3.4 But we also want to limit our use of natural resources to ensure that Pendle is carbon neutral by 2030.

#### Our vision for Pendle

- 3.5 Our Spatial Vision is the result of extensive engagement with stakeholders and the local community. It has been at the heart of policy and plan-making in Pendle since the Pendle Core Strategy was adopted on 17 December 2015. It has been updated to reflect how we would like to see Pendle in 2040.

## Spatial Vision

By 2040 **Pendle** is attractive, dynamic and carbon neutral.

Improved connectivity allows us to do business with the rest of the world. Better transport links across the Pennines and south towards Manchester, have helped to foster a strong, diverse local economy and made Pendle a more attractive place to live.

The conservation and enhancement of our historic environment has provided a focus for regeneration. New open spaces enhance the setting for our historic buildings and make a positive contribution to landscape and townscape character. They also promote increased use of the public realm helping to foster community cohesion, maintain local identity and create a sense of pride and place.

Green spaces and woodland continue to make a positive contribution to local biodiversity and ecological networks. They help with mitigation and adaptation to climate change and create attractive neighbourhoods where residents are encouraged to live healthy and active lifestyles.

In the **M65 urban area** a diversified economy helps to stimulate growth and improve resilience to economic downturns. Improvements in education and training have created a more knowledgeable and skilled workforce, generated additional entrepreneurial activity and attracted new businesses to the area. Increased levels of investment have helped to revitalise Nelson town centre, complementing the attractive retail and leisure destinations of Barrowford and Colne. A balanced housing market offers an appropriate mix of good quality housing, providing for affordable homes and aspirational moves. Greening urban spaces has improved the quality of life for residents, enhanced the visitor experience and reduced flood risk. They have also promoted active travel, helping to reduce levels of obesity and pollution.

A better-connected **West Craven** has stronger links with the M65 Corridor and beyond, helping to retain key businesses and facilitate the diversification of the local economy. Improved transport and communication links ensure that Barnoldswick continues to be a focus for advanced manufacturing centred on the aerospace industry.

Protecting and enhancing our high-quality landscapes and important habitats has seen our **rural areas** become an increasingly attractive destination for tourism and leisure. The diversification of traditional agricultural enterprises and the emergence of new rural businesses has created additional employment opportunities. High speed broadband facilitates home-working, allowing business to be carried out in remote rural areas. New affordable housing gives young people the opportunity to live in the communities where they were brought up, whilst reducing the need to travel has supported the provision of local services in our larger villages, creating more sustainable rural communities. High in the hills, natural flood management measures have helped to reduce flood risk and made a positive contribution to biodiversity.

Pendle in 2040 is prosperous and accessible. Its towns and villages are healthy, safe and vibrant places to live making them attractive places to learn, work or visit.

## The Pendle of tomorrow

### Our key objectives

- 3.6 The Local Plan seeks to provide certainty for investors and developers, whilst remaining innovative in the approaches that it takes.
- 3.7 Our eleven key objectives (Table 3.1) provide the link between our spatial vision and the planning policies and site allocations that will guide development in Pendle up to 2040. These objectives establish our broad direction of travel by addressing the key spatial issues identified in Chapter 2 and what needs to happen going forward if we are to successfully deliver our vision for the future of Pendle.

**Table 3.1 Local Plan Objectives**

Objective	Description
<b>1</b>	Establish a hierarchy of settlements to assist regeneration by directing growth to the most sustainable locations and promoting the re-use of existing buildings and Brownfield sites.
<b>2</b>	Ensure that infrastructure capacity can support both new and existing development, thereby helping to create sustainable communities.
<b>3</b>	Promote high-quality design in new buildings, streets and public spaces, to create fully accessible, attractive and safe places to live, learn, work, play and visit.
<b>4</b>	Respond to the causes and potential impacts of climate change through a process of prevention, mitigation and adaptation.
<b>5</b>	Deliver quality housing that is both appropriate and affordable for current and future residents, contributing to the creation of a balanced housing market.
<b>6</b>	Strengthen the resilience of the local economy by facilitating economic growth, particularly where it supports diversification and regeneration.
<b>7</b>	Increase the choice, variety and quality of our retail and leisure offer by promoting uses that contribute to the creation of a well-balanced, safe and socially inclusive town centres.
<b>8</b>	Reduce inequalities by ensuring that new community facilities and their services are accessible to all, and that new development promotes wider improvements to health and well-being.
<b>9</b>	Protect, enhance and improve access to our green spaces, sport and recreation facilities improving health and wellbeing through the promotion of more active lifestyles; encouraging a greater appreciation of the enjoyment they provide and the valuable contribution that they make to biodiversity, landscape character, the local economy and carbon reduction.
<b>10</b>	Ensure that new development respects our natural and historic environments by seeking to protect, maintain and enhance those sites and habitats (including their wider settings), which are highly valued for the positive contribution they make to the character of our landscape, townscape, or biodiversity.
<b>11</b>	Deliver a safe, sustainable transport network that improves connectivity, reduces the need to travel by car, supports long-term growth and contributes to an improved environment.

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Directing future growth and development

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**Monitoring framework**

- 3.8 It is essential to understand whether planning interventions are having the desired effect.<sup>12</sup> Monitoring the effectiveness of policies in the Local Plan forms part of the Councils corporate performance framework by:
- Outlining the purpose and value of monitoring, evaluation and reporting.
  - Focusing on locally important issues and links to corporate goals.
  - Drawing out what actions are necessary to achieve our spatial vision.
  - Illustrating the effectiveness of planning policy.
  - Demonstrating value for money.
  - Indicating where to focus future activity.
  - Assisting councillors in their scrutiny function.
  - Helping people to understand the impact of their own engagement in the planning process.
  - Showing our community what the Council and its partners are doing.
- 3.9 The monitoring framework in [Appendix 10](#) provides the basis for the annual reporting on planning performance in the [Authority Monitoring Report](#) (AMR). It shows the interrelationships between different Local Plan policies and demonstrates that our key spatial issues (Chapter 2) and key objectives (Chapter 3) are often addressed by more than one policy.

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<sup>12</sup> [Monitoring that matters: Towards a better AMR](#) (Planning Advisory Service, 2011)

## **Part Two: Our Strategic Goals**

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## Directing future growth and development

## Directing growth and development

### 4. Spatial strategy

#### Directing growth and development

- 4.1 Our spatial strategy establishes the key principles that will guide development in the Borough up to 2040. It is the basis for the Council's promotion of, and support for, a sustainable pattern of development across Pendle. This approach places residents close to the essential goods and services that they need helping to ensure that they can be accessed using sustainable modes of transport (e.g. walking and cycling).
- 4.2 The distribution of development is guided by the settlement hierarchy and translated into specific site allocations. These address local housing need and the potential for economic growth, whilst protecting and enhancing the natural and historic environment and promoting low carbon development.
- 4.3 A flexible approach acknowledges that we expect to experience significant changes in how we work, travel and live up to 2040, as a result of anticipated technological, economic and environmental changes.
- 4.4 Our strategic goals and spatial strategy will help to support progress towards the 17 [Sustainable Development Goals](#) adopted by all the United Nations (UN) Member States in 2015. These goals are an urgent call for all countries – developed and developing – to act as a global partnership. They recognize that addressing deprivation must go hand-in-hand with strategies to improve health and education, reduce inequality, and promote economic growth – whilst tackling climate change and protecting the natural environment. A number of these UN goals underpin the [Environmental Improvement Plan 2023](#).

#### Strategic planning policies

- 4.5 The NPPF requires the development plan to include strategic policies to address the priorities for the development and use of land in the borough for a minimum of 15 years from the date of adoption.
- 4.6 The policies in Chapter 4 represent the strategic planning policies for Pendle. They establish an overall strategy for the pattern and scale of development, with its broad location illustrated on the Key Diagram. They also address the quality of design we expect to see in new developments to help promote the construction of attractive buildings, which are also energy efficient and resilient to climate change.
- 4.7 Our strategic cross boundary issues have been identified during the quarterly meetings of the Lancashire Development Plan Officer Group (DPOG), and meetings with neighbouring planning authorities to specifically to address such matters.

## Directing growth and development

**SP01: Presumption in favour of sustainable development****Policy Text**

1. When considering development proposals, the decision maker will take a positive approach that reflects the presumption in favour of sustainable development contained in the Framework. They will work proactively with applicants to jointly find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
2. Planning applications that accord with the policies in the Pendle Local Plan and, where relevant, with policies in neighbourhood plans, will be approved without delay, unless material considerations indicate otherwise.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:
  - (a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
  - (b) Specific policies in the Framework indicate that development should be restricted.

**Policy Justification**

- 4.8 The purpose of the Pendle Local Plan is to promote sustainable development in the borough. This policy embraces two key planning principles and embeds them within the Pendle Local Plan.
1. The presumption in favour of sustainable development as defined in the Framework.
  2. The statutory requirement for decision taking in Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that the statutory Development Plan must be the starting point in the consideration of planning applications for the development or use of land.
- 4.9 The policy seeks to secure development, which is consistent with this approach, helping to deliver sustainable development without delay.



## Directing growth and development

**SP02: Spatial strategy****Policy Text**

1. The settlement hierarchy and the role of individual settlements in accommodating future growth and development, is set out in Table SP02a below.

**Table SP02a Settlement Hierarchy**

Tier	Role	Settlements
1. Main Towns	Provide the focus for future growth and will accommodate the majority of new development.	<ul style="list-style-type: none"> <li>• Barnoldswick</li> <li>• Colne</li> <li>• Nelson</li> </ul>
2. Local Service Centres	Play a supporting role to the Main Towns, with new development serving a localised catchment.	<ul style="list-style-type: none"> <li>• Barrowford</li> <li>• Brierfield</li> <li>• Earby</li> </ul>
3. Rural Service Centres	Provide the focus for development in those areas outside the boundaries of the settlements in Tiers 1 and 2.	<ul style="list-style-type: none"> <li>• Fence</li> <li>• Foulridge</li> <li>• Kelbrook and Sough</li> <li>• Trawden</li> </ul>
4. Rural Villages	Only development which addresses an identified local need will normally be permitted.	<ul style="list-style-type: none"> <li>• Barley</li> <li>• Blacko</li> <li>• Higham</li> <li>• Laneshaw Bridge</li> <li>• Newchurch-in-Pendle and Spen Brook</li> <li>• Roughlee and Crow Trees</li> <li>• Salterforth</li> </ul>

2. The following villages and hamlets do not have a defined settlement boundary and are situated within the open countryside (see [Policy DM09](#)).
  - Bracewell
  - Winewall
  - Wycoller
3. Settlement boundaries are defined on the Policies Map. Within a settlement boundary there is a presumption in favour of sustainable development. Proposals will be supported where they:
  - (a) Are of a nature and scale that is proportionate to the role and function of the settlement.
  - (b) Re-use vacant buildings or previously developed land that is not of high environmental value, subject to complying with other Development Plan policies.

## Directing growth and development

- (c) Are a site-specific allocation within a document that forms part of the Development Plan to meet future needs or support growth ([Policy SP03](#)).
4. Outside a defined settlement boundary policies relevant to the open countryside apply (see [Policy DM09](#)). Development will only be permitted for exceptions that are identified in either the NPPF, or an adopted document that forms part of the Development Plan.
  5. The selection of sites for development or allocation should ensure that land and other resources are used effectively ([Policy DM21](#)).

### Policy Justification

- 4.10 Paragraph 11 of the NPPF requires plans and decisions to apply a presumption in favour of sustainable development. Paragraph 15 states that plans should seek to “*actively manage patterns of growth*” to promote the use of public transport, walking and cycling. They should also “*focus significant development in locations which are or can be made sustainable.*”
- 4.11 Settlement boundaries do not define the extent of the built-up area. They are used to define where certain planning policies will and will not be applied. These policies are then used to direct development to the most sustainable locations in the borough. In doing so they help to protect the character of our countryside, villages and towns.
- 4.12 There is usually a presumption in favour of sustainable development within a settlement boundary ([Policy SP01](#)). Land and buildings outside the settlement boundary are in the open countryside. Here development is subject to stricter planning policies ([Policy DM09](#) and [Policy DM26](#)) and will only be permitted where the proposal:
- Requires a countryside location.
  - Meets an essential local need.
  - Supports rural diversification and sustainability of the countryside.
- 4.13 The settlement boundaries in this Plan are largely carried over from the Replacement Pendle Local Plan (2001-2016), adopted in May 2006. Where necessary amendments have been made to address any:
- Development that has taken place after 2006.
  - Site allocations set out in this Plan, or another adopted development plan document.
  - Minor mapping errors.
- 4.14 The approach for defining settlement boundaries remains sound. The following principles have guided how they have been drawn:
- The settlement boundary encloses the main built-up areas (ribbon development along a road is typically excluded); including any integral open spaces (e.g. parks and allotments).
  - Grounds that are functionally related to a school, sports centre or community hall are normally included within the settlement boundary.

## Directing growth and development

- Buildings primarily associated with an area of open space, which is wholly, or predominantly, in the open countryside (e.g. club houses and changing facilities) are not normally included within the settlement boundary.
  - Natural greenspaces adjoining the built-up area are not normally included within the settlement boundary, unless the parcel of land is enclosed by clearly defined boundaries (e.g. major road, railway line, canal).
- 4.15 Any sites in the open countryside that are allocated for development, during the lifetime of this Plan, will be brought within a settlement boundary during the next review.
- 4.16 The spatial strategy considers the tensions between economic growth, our current dependence on making journeys by car and the need to reduce carbon emissions.
- 4.17 Focusing development in urban areas seeks to:
- Create complete, compact and connected communities (also referred to as 20-minute neighbourhoods) by supporting our established network of community facilities and services and enhancing the prospects of improving them.
  - Promote urban renewal through the redevelopment of derelict (brownfield) sites and the conversion of vacant buildings.
  - Support regeneration initiatives which improve the quality of the built environment.
- 4.18 Promoting sustainable patterns of development provides a positive response to the Council's declaration of a Climate Emergency.<sup>13</sup> It helps to promote walking and cycling and reduce the number of individual journeys that need to be made by car ([Policy SP10](#)).
- 4.19 In the Forest of Bowland Area of Outstanding Natural Beauty (AONB), including land within the defined settlement boundary of Barley, Newchurch-in-Pendle with Spen Brook and Roughlee with Crow Trees, which are 'washed over' by the AONB designation, proposals will also be examined in accordance with [Policy DM11](#).
- 4.20 This strategy meets the requirements of the NPPF having been informed by consultation feedback and an extensive evidence base covering a wide variety of issues including infrastructure requirements, Habitats Regulations Assessment (HRA) considerations and Sustainability Appraisal (SA).

<sup>13</sup> Pendle Council is one of many local government administrations across the world to declare a Climate Emergency. This declaration is an acknowledgement that global warming exists. It is also an acceptance that the actions taken to date are not enough to limit the changes that it has generated. The decision stresses the need to adopt measures that try to mitigate or stop human-caused global warming.

## Directing growth and development

**SP03: Distribution of development****Policy Text**

1. Over the plan period new development will be focussed on the larger and more sustainable settlements of Pendle. In support of this approach, the following pattern of development will be maintained:
  - M65 Corridor Urban Area – Approximately 70% of net delivery.
  - West Craven Sub Area – Approximately 20% of net delivery.
  - M65 Corridor Rural Area – Approximately 10% of net delivery.
2. New housing will be distributed according to the role of each settlement ([Policy SP02](#)). Allocations are made through [Policy AL01](#) and [Policy AL02](#) in broad alignment with this strategy and addressing any residual needs not already met by completed development, committed supply or windfall development.<sup>14</sup>

**Policy Justification**

- 4.21 The NPPF requires Local Plans to provide a planning strategy for the pattern and scale of development to meet future growth and respond to changing circumstances for at least 15 years. Essentially it is about making sure that the right amount and type of development takes place at the right time.
- 4.22 [Policy SP03](#) has been informed by an update of the Scoping Report and Methodology, first consulted on in 2017. This report examines the role and sustainability of each settlement in Pendle. It confirms that the larger towns of Pendle have the greatest range of services, shops and employment opportunities available. This spatial distribution gives clarity on where future development and growth will take place in Pendle up to 2040. It sets out our broad approach to development, as illustrated on [the key diagram](#).
- 4.23 This strategic framework sets the context for the more detailed locational, thematic and site allocation policies contained in the local plan and any adopted neighbourhood plans. These policies seek to allocate Brownfield sites for regeneration and renewal; identify suitable Greenfield sites to accommodate sustainable growth, where needed, and ensure that development respects those areas that have been identified for protection in the long-term.
- 4.24 Our proposed distribution reflects the settlement hierarchy established in [Policy SP02](#). It is a non-settlement-specific response to how future growth will be delivered across Pendle. It is based on an understanding the capacity of the settlements to adapt and accommodate the amount of development proposed and what, if any, new infrastructure may be required to support that development. In doing so it takes account of any historic, cultural or environmental sensitivities that may be present. This information then influences choices of how much development should go where.

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<sup>14</sup> See Table 8.1

## Directing growth and development

**SP04: Retail and town centre hierarchy****Policy Text**

1. The boundaries of the borough's town and local shopping centres are defined on the Policies Map.
2. New retail development, and other main town centre uses, should be in scale with the position a settlement holds in the retail hierarchy, as set out in the table below.

**Table SP04a Retail Hierarchy**

Tier	Role
<b>1. Town Centres</b> Barnoldswick Colne Nelson	Provide the focus for retail and leisure development in Pendle serving communities within the wider borough and beyond. They are the most accessible locations in Pendle, supporting the largest range of services, job opportunities and sources of recreation.
<b>2. Local Shopping Centres</b> Barrowford Brierfield	Provide important access to lower order retail and services for their communities and the immediate area around them. They help to reduce the need to journey by car, increase opportunities for social interaction and support local jobs.
<b>3.</b> Earby	

3. Major developments, relating to the provision of a main town centre use, should be located in one of the three Town Centres.
4. In rural locations the provision of new retail and service facilities should address an identified need within the relevant local community or meet the requirements of [Policy DM45](#).
5. In rural areas proposals for retail and service provision in Use Class F2 should accord with [Policy DM35](#).

**Policy Justification**

- 4.25 The retail and leisure hierarchy seeks to ensure that residents throughout the borough can meet their everyday needs close to where they live and, when necessary, purchase those goods needed on a less frequent basis in a sustainable manner.
- 4.26 Ensuring that residents have good access to an appropriate range of goods and services, to minimise the length and number of journeys that need to be made by car, is a driving principle behind the retail and town centre hierarchy.
- 4.27 Nelson, Colne and Barnoldswick fall within the definition of a Town Centre, as set out in Annex 2 of the NPPF. Nelson and Colne are the main centres for services, comparison and convenience retail and are accessible to large proportion of the population. Barnoldswick is smaller and less well served by public transport, but it plays an important role in providing a range of goods and services for a large rural catchment in the north of the borough.

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Directing growth and development

- 4.28 The Local Shopping Centres of Brierfield, Barrowford and Earby continue to play a supporting role. They are characterised by small independent businesses providing a limited range of goods and services that primarily cater for the everyday needs of their local populations. Only Barrowford has a supermarket, this being located on an edge-of-centre site.
- 4.29 The Pendle Sustainable Settlements Study (2022) highlights that few rural settlements continue to serve a retail function. Those shops that remain primarily offer goods to meet the everyday needs of their local community or tourists.
- 4.30 The settlement hierarchy identifies four Rural Service Centres, which have the capacity and population to support additional retail and service provision, should the need arise. Proposals for retail and leisure uses that are not located within a designated Rural Service Centre, will only be supported where they are sustainable, serve an identified local need, or a niche tourism market, in line with the requirements set out in [Policy DM35](#) and [Policy DM45](#).
- 4.31 The Pendle Retail and Leisure Capacity Study (2023) has considered the overall capacity of the borough to accommodate new floorspace for convenience and comparison retail and leisure up to 2040. It has concluded that there is no need for additional floorspace within the plan period with projected demand met by current vacant stock.

## Directing growth and development

**SP05: Green Belt****Policy Text**

1. The boundary of the Green Belt in Pendle is defined on the Policies Map.
2. Development in the Green Belt is considered inappropriate except where a proposal complies with the requirements of the NPPF (paragraphs 149 and 150).
3. Proposals for inappropriate development will only be approved where 'very special circumstances,' as set out in the NPPF, can be shown to exist.<sup>15</sup>

**Major Developed Sites**

4. The following sites fall within the definition of a Major Developed Site within the Green Belt:
  - (a) Burnley Wastewater Treatment Works, Wood End Road, Reedley
5. Redevelopment or limited infilling at the Burnley Wastewater Treatment Works, which is associated with its continued use, will not be considered inappropriate development in the Green Belt subject to compliance with the provisions set out in the NPPF and provided that:
  - (a) New development is limited in height to that of existing buildings.
  - (b) No major increase in the developed area of the site is proposed.
  - (c) Any increase in the overall footprint, or any change in the location of buildings, can be shown to have positive environmental benefits in terms of reductions in visual intrusion, traffic generation and/or levels of emissions (noise and odour).
  - (d) Mature vegetation along the site boundary and in areas surrounding the site is maintained.

**Policy Justification**

- 4.32 The main reason for designating land as Green Belt is to prevent urban sprawl by keeping land permanently open, thereby helping to preserve the unique character of rural communities. The NPPF identifies five purposes for including land in Green Belt (paragraph 138). These are:
1. To check the unrestricted sprawl of large built-up areas.
  2. To prevent neighbouring towns merging into one another.
  3. To assist in safeguarding the countryside from encroachment.
  4. To preserve the setting and special character of historic towns.
  5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

<sup>15</sup> Very special circumstances will not exist unless the potential harm is clearly outweighed by other considerations (NPPF, paragraph 148).

## Directing growth and development

- 4.33 It is the openness of land in the Green Belt that is its main characteristic. Indeed much of the land in the Green Belt is not made up of green fields. In the [Levelling Up White Paper](#) (2022) and the [Environmental Improvement Plan 2023](#), the government has committed to “greening the Green Belt” by identifying areas for nature restoration.
- 4.34 Whilst they are not reasons for designation, land in the Green Belt can also:
- Provide access to, and preserve key views of, the countryside from urban settlements.
  - Maintain a strong rural landscape character by retaining the physical separation, setting, scale and character of rural villages.
  - Offer opportunities for leisure and recreation.
  - Help to combat the effects of climate change by capturing carbon, preventing flooding in urban areas and protecting the water supply.
- 4.35 The Green Belt in Pendle forms part of the wider North West Green Belt, which adjoins the South and West Yorkshire Green Belt. The first planning document to identify areas of Pendle for inclusion in the Green Belt was the North East Lancashire Structure Plan (1979). But it was not until the adoption of the first Pendle Local Plan (1999) that detailed Green Belt boundaries were formally designated.
- 4.36 In 2021, the Green Belt covered approximately 12% of all land in the borough (2,036 hectares). It is situated between the following settlements:
- a. Padiham and Burnley (north of the A671) and Barrowford
  - b. Nelson and Barrowford
  - c. Barrowford and Colne
  - d. Colne and Foulridge
  - e. Colne and Laneshaw Bridge
  - f. Colne and Trawden
- 4.37 This policy seeks to protect Green Belt land in Pendle from inappropriate forms of development, to maintain its openness and prevent neighbouring towns and villages from merging into one another.
- 4.38 To address a commitment in the Core Strategy, the Council commissioned an independent assessment of the Green Belt in 2017. The [Pendle Green Belt Assessment](#) looked at how parcels of Green Belt land – both on an individual and collective basis – performed against the five purposes of Green Belt. The same methodology was also used to consider if any adjoining parcels of land also contributed to the purposes of including land in the Green Belt.<sup>16</sup> The assessment provides clear and robust conclusions on the relative value of each parcel of land.

<sup>16</sup> Eight parcels outside the Green Belt were assessed. These included those identified in Policy 3A of the Replacement Pendle Local Plan 2001 – 2016. This policy protected three parcels of land from development during the plan period. But “*should long term pressure for development after 2016 prove that the areas will not be required for development, consideration will be given for their inclusion within the Green Belt.*”



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## Directing growth and development

- 4.39 The Council has subsequently considered whether ‘exceptional circumstances’ now exist to release land from within the Green Belt, to meet our updated development needs, or to include sites that have previously been excluded.
- 4.40 Evidence, presented in the Pendle Housing and Economic Development Needs Assessment (2023), demonstrates that the need to allocate land for development has reduced since the Core Strategy was adopted in 2015. The supply of specific deliverable sites<sup>17</sup> on land outside the Green Belt can meet the borough’s residual housing and employment needs up to 2040, whilst also providing a sustainable pattern of development consistent with [Policy SP02](#). Whilst some parcels of land met one or more of the five purposes of including land within the Green Belt, the ‘exceptional circumstances’ required to justify their inclusion cannot be met.
- 4.41 The Green Belt boundary, as shown on the accompanying Policies Map, has been amended in the vicinity of Greenfield, to the west of Colne. This change addresses a mapping error, which has endured since the publication of the Pendle Local Plan (First Stage Deposit) in September 2003. This incorrectly omitted an area of land bounded by the Leeds and Liverpool Canal, Wanless Water, Colne Water and Greenfield Road from the Green Belt, as depicted on the Proposals Map accompanying the Pendle Green Belt Subject Plan (1987), the Pendle Green Belt Local Plan (1990) and the Pendle Local Plan (1999). As amended, the existing Green Belt boundaries are capable of enduring beyond the end of the plan period.
- 4.42 Some major development sites in the Green Belt pre-date its formal designation. The NPPF is not prescriptive on how development at these sites should be considered by decision makers, so the policy addresses appropriate development at these locations.

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<sup>17</sup> The NPPF glossary states that to be considered deliverable sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years.

## Directing growth and development

**SP06: Towards net zero carbon****Policy Text**

1. Where buildings are to be replaced with brand new structures, developers should consider the alternatives to wholesale or partial demolition. Where appropriate, major development proposals, should conduct a detailed review of the carbon impact of the various development options before applying for planning permission.<sup>18</sup>
2. All developments should be designed to reduce the extent and impacts of climate change. To help promote zero carbon development, premises should meet the highest technically feasible and financially viable standards and minimise their effects on climate change across the whole life cycle of the development.
3. Small-scale renewable and low carbon energy generation should be incorporated into the design of new developments where appropriate, feasible and viable.
4. Developments that include the following design measures will be supported:
  - (a) Passive design, which uses layout, fabric and form to reduce or remove mechanical cooling, heating and ventilation.
  - (b) Reducing the need for artificial lighting, by employing measures that maximise sunlight and daylight and avoid overshadowing.
  - (c) Greater energy efficiency, including sensitive energy efficiency improvements to existing buildings.

**Domestic development**

5. Developers should seek to meet independently accredited energy and sustainability standards, such as the Passive House Standard and the BRE Home Quality Mark.
6. Residential and mixed-use developments incorporating ten dwellings or more, or in excess of 1,000m<sup>2</sup> gross floorspace, will be required to submit an energy statement. This should show how, subject to viability, the energy hierarchy has been used to make the fullest contribution to reducing greenhouse gas emissions.

**Non-domestic development**

7. Non-domestic developments, excluding conversions and extensions of less than 500m<sup>2</sup>, should achieve a minimum standard of BREEAM 'Excellent' (or any future national equivalent), where viability evidence indicates that this is feasible.

**Generation of Renewable and Low Carbon Energy**

8. Proposals for renewable and low carbon energy generation will be supported in principle, where they meet the requirements of [Policy DM03](#) and do not, either individually or cumulatively:
  - (a) Cause unacceptable harm to the AONB or wider landscape character, the natural, historic or cultural environment, biodiversity, adjoining land uses and residential amenity.
  - (b) Create conditions that have an adverse impact on highway safety, or the efficient operation of the highway network.

<sup>18</sup> Major developments are those providing more than 1,000 square metres of new floorspace.

## Directing growth and development

9. All proposals for renewable and low carbon energy should be supported by evidence that considers their impact on the wider environment. This assessment should be proportionate to the scale of the proposal, and the potential for any adverse or cumulative impacts. Appropriate measures must be taken to eliminate, or reduce to an acceptable level, any adverse impacts that are identified, prior to starting the construction and/or operational phases.
10. Where appropriate, planning applications should be accompanied by a satisfactory scheme to restore sites to at least their original condition when they have reached the end of their operational life.

### Policy Justification

- 4.43 On 11 July 2019 Pendle Council declared a [Climate Emergency](#). We are committed to securing a reduction in the use of fossil fuels and support the generation of energy from renewable and low carbon (RLC) sources.
- 4.44 The Council has a legal duty through Section 19 of the Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008, to ensure that, taken as a whole, plan policy contributes to the mitigation of, and adaptation to, climate change.<sup>19</sup>
- 4.45 When it signed the Kyoto Protocol in 1992, the UK pledged to cut greenhouse gas emissions, to help limit the extent of climate change. In 2016, the government agreed to introduce more ambitious reductions targets by signing the [Paris Agreement](#). This commits UN member states to pursue measures that will limit the increase in global average temperature to no more than 1.5°C above pre-industrial levels; recognizing that this would substantially reduce the risks and impacts of climate change.
- 4.46 The [Climate Change Act 2008](#) established the legal framework to deliver an 80% reduction in greenhouse gas emissions below 1990 levels by 2050. [The Climate Change Act 2008 \(2050 Target Amendment\) Order 2019](#) replaced this commitment with 100% reduction target, [committing the UK to a legally binding target of net zero emissions by 2050](#)
- 4.47 The UK has reduced greenhouse gas emissions by 42% since 1990, whilst continuing to grow the economy. Clean growth is at the heart of the government's [Industrial Strategy](#).
- 4.48 To meet the 2050 target requires three significant changes:
  1. Making existing places, and the buildings within them, much more energy efficient.
  2. Ensuring that new development is zero carbon.
  3. Reducing private car mileage by around 15-20% by 2040.
- 4.49 Every planning approval that fails to embrace these three changes is a missed opportunity for climate action.

<sup>19</sup> See <https://www.legislation.gov.uk/ukpga/2008/29/section182/2020-10-29>

## Directing growth and development

### Embodied and operational carbon

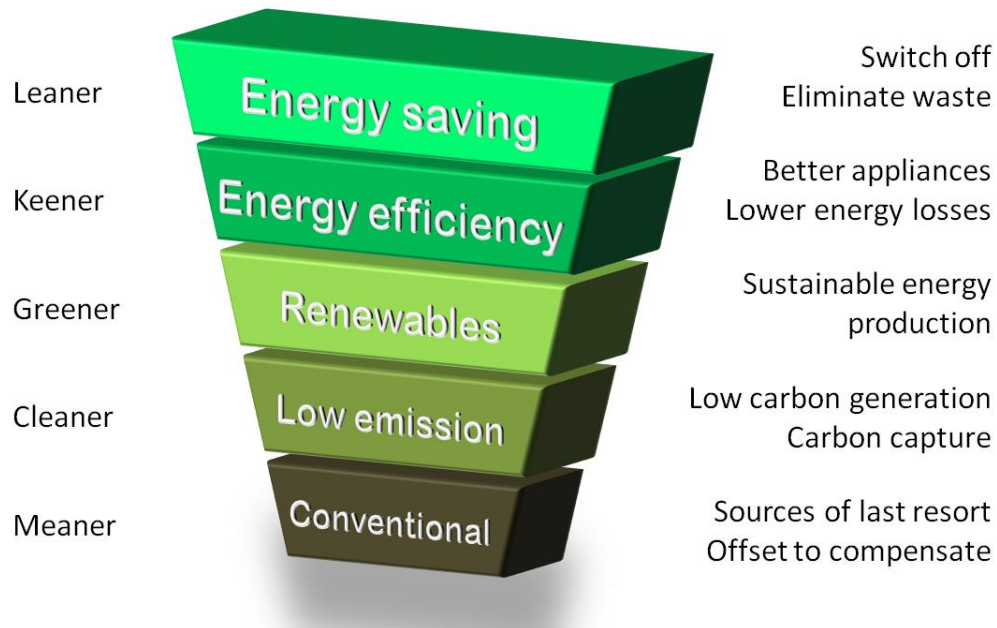
- 4.50 Understanding the difference between embodied and operational carbon is crucial when planning and designing greener alternatives.
- 4.51 Embodied carbon refers to the carbon footprint of a development before it becomes operational. It accounts for all CO<sub>2</sub> emissions generated during the construction process, including the manufacturing, extraction and transportation of materials. In the case of rebuilds, demolition adds to the embodied carbon of a site. The CO<sub>2</sub> produced during the demolition process, when recycling the waste and/or transporting it to landfill, must also be measured.
- 4.52 Operational carbon results from the ongoing operation of a development. Sources include lighting, power, heating, ventilation, air conditioning, lifts and automatic doors.
- 4.53 Advances in reducing operational carbon suggest that embodied carbon will account for nearly 50% of the overall carbon footprint of new construction between now and 2050. Concrete, widely used in construction, is the largest contributor to embodied carbon in the built environment, with cement production creating 7% of the world's CO<sub>2</sub> emissions.
- 4.54 To help reduce levels of embodied carbon, rather than demolishing existing buildings, and replacing them with brand new structures, the opportunities for full or partial refurbishment should be carefully considered.

### Energy efficiency

- 4.55 The 2014 [housing standards review](#) sought to rationalise the large number of codes, standards and regulations that existed, whilst still delivering on quality, sustainability, safety and accessibility. [Written Ministerial Statement \(HCWS488\)](#) issued in March 2015 announced a new approach to the setting of housing standards, with energy and carbon emission performance integrated into building regulations. The 2015 report [Fixing the Foundations](#) announced that the government would keep energy efficiency standards under review.
- 4.56 Approximately two thirds of Pendle's CO<sub>2</sub> emissions are associated with domestic and industrial energy use. The priority is for new developments to include energy conservation measures to prevent the unnecessary use of energy and ensure that it is consumed efficiently. Energy should be generated from RLC sources in preference to fossil fuels.
- 4.57 [Policy DM01](#) and [Policy DM16](#) require new developments to make a positive contribution to meeting UK climate change targets. Use of the energy hierarchy (Figure 4.1) is encouraged to reduce carbon dioxide (CO<sub>2</sub>) emissions.
- 4.58 The [Clean Growth Strategy](#) (Department for Business, Energy and Industrial Strategy, 2017) emphasises that a shift away from fossil fuels for heating alongside reductions in energy demand through energy efficiency measures and improvements to the fabric efficiency of buildings, will also reduce running costs.

## Directing growth and development

**Figure 4.1 The Energy Hierarchy**



Source: Philip R Wolfe, Creative Commons Licence [CC BY-SA 3.0](https://creativecommons.org/licenses/by-sa/3.0/)

- 4.59 The Clean Growth Strategy highlighted the importance of ensuring that new development can accommodate low carbon heating, as the cost of retrofitting is between three and ten times higher than delivering them in a new building. To drive forward the decarbonisation of heat and minimise the retrofit burden, all new development in Pendle should seek to use low carbon heat efficiently.

### Commercial generation of renewable energy

- 4.60 Electrification will play a major role in decarbonising heat and providing air quality benefits. The emergence of new commercial scale technologies is helping to decarbonise the national grid and increase security in UK energy supply.
- 4.61 In principle, the Council supports commercial-scale proposals to generate energy from RLC sources, provided that any adverse (cumulative) impacts can be satisfactorily addressed.
- 4.62 Consideration will be given to the wider social, economic and environmental benefits of providing RLC energy. Depending on the scale and location of the proposal some, or all, of the following surveys may be required in support of a planning application. These will help to assess the nature and severity of any adverse impacts and identify appropriate mitigation measures. Pendle Council can advise on those that are appropriate.
- Landscape and visual impact study
  - Zone of theoretical visibility
  - Noise impact assessment
  - Tree survey
  - Ecology assessment

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- Shadow flicker study
  - Aviation impacts study
  - Electronic communications study
  - Archaeology and heritage study
  - Transport assessment
  - Hydrology study, including flood risk assessment
  - Contaminated land study
- 4.63 The [UK Net Zero Strategy: Build Back Greener](#) (2021) outlines how the UK will meet its legally binding targets. The strategy identifies biomass, wind and solar PV as the key renewable energy technologies that can help to create a balanced UK energy mix.
- 4.64 Evidence shows that there is little, or no, potential for commercial scale renewable energy in Pendle at this time.
- 4.65 The [South Pennines Renewable and Low Carbon Energy Study](#) (2010) suggested that commercial wind development could be feasible in parts of the borough. However, development in the locations identified would result in unacceptable adverse effects for:
- The Forest of Bowland AONB, and its setting ([Policy DM11](#))
  - The South Pennine Moors SSSI, which includes internationally important habitats for upland birds ([Policy SP08](#) and [Policy DM08](#))
  - Weets Hill and Bleara Moor, where substantial areas of moorland area designated as Biological Heritage Sites (BHS) ([Policy SP08](#))
- 4.66 On this basis it has been concluded that there are no suitable areas of search for commercial wind farms in Pendle.
- 4.67 Solar PV is free, versatile and scalable. Projects can be developed and installed very quickly, with deployment possible on domestic and commercial buildings and, where appropriate, on the ground.
- 4.68 The deployment of commercial scale solar PV across the UK has become increasingly visible but continues to maintain the highest public approval of all renewable energy technologies.
- 4.69 In an average year, the UK receives as much as 60% of the solar energy received at the equator. The UK Solar Irradiation Map produced by the Meteorological (Met) Office shows that in Pendle the total average solar irradiation falling on a one square metre horizontal surface, measured in kilo-watt hours (kWh), ranges from 801 kWh / m<sup>2</sup> in the south-west of the borough to 900 kWh / m<sup>2</sup> in the north-east of the borough. These are relatively low compared to the south of the country where figures in excess of 1,000 kWh / m<sup>2</sup> are readily achieved.

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- 4.70 The UK Biomass Strategy, due to be published in 2022, has been delayed. It is intended to set out how sustainable biomass could be best used across the economy to help achieve net zero. Biomass is expected to remain essential in developing hydrogen at scale and will continue to evolve into other critical roles. Measures to improve the efficiency of biomass energy have focussed on using waste biomass from food, organic waste, animal waste, agricultural waste and production wastes as an alternative source for energy production.
- 4.71 [Policy DM03](#) considers the planning requirements for small scale RLC energy generation. But it is worth noting here that the [Forest of Bowland Small Scale Hydro Power Feasibility Study](#) (2010) considered the potential to introduce small-scale hydro power generation schemes across the borough. The study concluded that there were no technically feasible opportunities in Pendle.

## Directing growth and development

**SP07: Water management****Policy Text****Water quality**

1. Developers should ensure that water quality is not compromised and, seek improvements to the aquatic environment in order to help achieve the objectives set out in the Water Framework Directive and River Basin Management Plan for the Ribble or Humber catchment, as applicable.
2. Where there is a potential risk of contamination, the use of infiltration-based systems may not be appropriate.
3. Groundwater Source Protection Zones will be protected from development that could compromise their integrity.
4. New development should employ sustainable drainage systems (SuDS) to intercept, attenuate and remove pollutants from surface water before it is discharged in accordance with the requirements of [Policy DM02](#).
5. Development at the Burnley Wastewater Treatment Works, which accords with the requirements of Policy SP05, will be supported.

**Water supply infrastructure**

6. Development in the vicinity of reservoirs and their associated infrastructure, which provide drinking water, or supply water to the Leeds and Liverpool Canal, should not compromise their physical integrity or effective maintenance.

**Water efficiency**

7. Water is a scarce resource and should be re-used where practicable (see [Policy DM01](#) and [Policy DM16](#)). To reduce pressure on the water supply and the need to abstract water from rivers, groundwater and other sources, new buildings should:
  - (a) Be designed to be water efficient, in accordance with [Part G of the Building Regulations](#)
  - (b) Seek to promote rainwater capture

**Flood risk**

8. Development should be delivered in an environmentally sensitive way ([Policy DM02](#)), which:
  - (a) Limits flood risk through careful location, design and surface water management.
  - (b) Seeks to locate critical infrastructure and highly vulnerable uses in areas that are not at significant risk of flooding.
  - (c) Supports the replacement of existing buildings and infrastructure at risk of flooding.
  - (d) Improves the flood resistance and resilience of premises in areas at significant risk of flooding.
  - (e) Protects, maintains and secures flood management infrastructure.



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### Policy Justification

- 4.72 Water is a sensitive and often scarce resource. It needs to be carefully managed, as it is essential to health, quality of life, biodiversity and some business processes.
- 4.73 Water supply and wastewater treatment are not a significant constraint on development in Pendle, although some investment is required to improve functionality.
- 4.74 Long-term predictions suggest that climate change will reduce river flows during dry summer periods by up to 50% compared to current conditions. Such a scale of change will place stress on the river system, so it is important that new development uses water efficiently to help reduce this.
- 4.75 The [Water Framework Directive](#) (2000) has been retained in UK law following our exit from the European Union. It manages water in natural river basin districts, rather than by administrative boundaries. To prevent deterioration of the water environment and improve water quality it sets challenging targets for the ecological and chemical status of surface waters. Working towards these targets requires a combination of measures, including minimising pollution from developments, investing in wastewater treatment and delivering individual water quality improvement projects.
- 4.76 [Water for life and livelihoods: The North West river basin management plan](#) (2016) seeks to address the pressures facing the water environment in the region.
- 4.77 The Environment Agency has identified Groundwater Source Protection Zones, to ensure that groundwater sources used for public drinking water are not adversely affected by contamination.
- Inner protection zones – water takes 50 days or less to reach the groundwater source from any point below the water table.
  - Outer protection zones – water takes less than 400 days.
  - Source catchment protection zone – relates to the entire area from which there is discharge to the groundwater source.
- 4.78 While the NPPF does not set specific policy in relation to water efficiency and sustainable water management, the overarching climate change policies and principles are relevant.

### Water quality

- 4.79 A healthy water environment is vital for biodiversity, human health and wellbeing. They offer habitats for a wide range of wildlife, protect against flooding and provide beautiful places for recreation and reflection.
- 4.80 Freshwater ecosystems are under threat throughout the world. In England, numerous stresses are being placed on their biodiversity, whilst dangers to river-users are being posed by harmful bacteria introduced in sewage discharges.

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- 4.81 SuDS are designed to control surface water run off close to where it falls, using a combination of built and nature-based techniques they mimic natural drainage as closely as possible and are designed to account for the predicted impacts of climate change. They also provide benefits for water quantity, water quality, biodiversity and amenity. They should always be prioritised over 'grey' drainage components.
- 4.82 Water pollution remains a major impediment to achieving targets established under the [Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017](#), which requires surface water to reach 'good ecological status' by 2027.
- 4.83 Issued in 2018, the government's [25 Year Environment Plan](#)<sup>20</sup> pledges to secure clean and plentiful water by '*improving at least three quarters of our waters to be close to their natural state as soon as is practicable*'. The [Environment Act 2021](#), required a long-term target for the improvement of water to be established by no later than 31 October 2022. The upgrading of wastewater treatment works, announced in the [Environmental Improvement Plan 2023](#), the first five year review of the 25 Year Environment Plan, seeks to address nutrient pollution. Together with incentives to support a shift to sustainable agricultural techniques, this will benefit sensitive natural habitats affected by nutrient neutrality.
- 4.84 Groundwater is a valuable source of freshwater. If compromised, the consequences for human health, agriculture, and the economy can be far reaching and span generations. The challenge and cost of cleaning up polluted groundwater, or treating it in perpetuity, is far greater than protecting it in the first place. Once polluted, the restoration of aquifers to a state fit for use is difficult, expensive, and very slow. As such development in designated Groundwater Protection Zones will not normally be appropriate.
- 4.85 Water contamination arising from the use of phosphates in agriculture is not an issue in Pendle.

### Water supply

- 4.86 In a national context there are very significant water needs arising from multiple pressures:
- Climate change
  - Population growth
  - Environmental improvement
  - New resilience expectations
- 4.87 Generally deficits are greater towards the south and east of the country.
- 4.88 In March 2020, the Environment Agency published the [National Framework for Water Resources](#). This identifies strategic water needs for England and its regions across all sectors up to and beyond 2050.
- 4.89 United Utilities is a member of [Water Resources West](#) (WRW), a multi-sector collaboration committed to aligning water resources planning activity. The WRW region spans the North West, the Midlands and the cross-border catchments between Wales and England.

<sup>20</sup> A Green Future: Our 25 Year Plan to Improve the Environment (HM Government, 2018)

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- 4.90 Pendle forms part of United Utilities Strategic Resource Zone (SRZ), which covers much of the North West region. The SRZ is centred on major aqueducts, which deliver water from the Lake District to Keswick, Penrith, South Cumbria, Lancashire and Greater Manchester, and from Lake Vyrnwy reservoir and the River Dee regulating reservoirs, to Cheshire and Merseyside.
- 4.91 The latest forecasts suggest that there is a surplus of water in the SRZ. The potential to make surplus water from the SRZ available to other parts of the country by 2040 is a key component of a regional water resources plan being prepared by WRW.

### Water efficiency

- 4.92 Demand reduction is the starting point and expected under government policy.
- 4.93 Abstraction provides water for the public supply, agriculture and industry. Unsustainable levels of abstraction impact the ecology and resilience of our rivers, wetlands and aquifers.
- 4.94 Protecting river flow and groundwater levels is essential to supporting healthy ecology, enhancing natural resilience to drought, and ensuring that rivers continue to support wellbeing and recreation.
- 4.95 The Environment Agency defines areas of either surface water which includes rivers, lakes, reservoirs and transitional waters (estuaries), or groundwater (underground aquifers) as water bodies. These are typically smaller units than catchments.
- 4.96 More water is licensed for abstraction than is typically used. This can create a risk that future growth in abstraction could cause environmental damage, even if it is within licensed constraints. The Environment Agency is actively seeking to reduce non-public water abstractions.
- 4.97 The current status of water bodies and their objectives are updated in River Basin Management Plans.
- 4.98 The collection and re-use of grey water also helps to lower the demand for mains water supply. It also reduces metered bills and surface water runoff. Grey water stored in water butts can be used to wash a car or water the garden. Their provision in new developments is strongly encouraged.

### Flood risk

- 4.99 Flood risk is an important influence on development in Pendle. Some of the most accessible, economically important and socially deprived areas in the borough are at a significant risk of flooding.
- 4.100 It is unrealistic to adopt a development strategy that places significant restrictions on additional investment in these areas. Such an approach could result in the abandonment of existing communities and constrain the future success of key economic areas. The emphasis is therefore placed on ensuring that flood risk is appropriately managed through a combination of measures ([Policy DM02](#)).

## Directing growth and development

**SP08: Natural environment****Policy Text**

1. All development should seek to create better places for people and wildlife. It should protect and enhance biodiversity, geodiversity and landscape character by ensuring that:
  - (a) Statutory and non-statutory sites are protected and enhanced.
  - (b) A net gain for biodiversity is secured and long-term management agreements for new or existing habitats are put in place ([Policy DM04](#)).
  - (c) The Lancashire Nature Recovery Network<sup>21</sup> is protected, enhanced and wherever possible expanded.
  - (d) The extent, multi-functional role and quality of the borough's green infrastructure network, and the connections to it, are positively addressed ([Policy DM05](#)).
  - (e) Protected landscapes ([Policy DM11](#)) and valued landscape features ([Policy DM10](#)) are safeguarded.
2. All development proposals must:
  - (a) Demonstrate that the mitigation hierarchy (i.e. avoid, mitigate, compensate) has been followed.
  - (b) Avoid any negative impact on irreplaceable habitats such as:
    - i. Ancient semi-natural woodland
    - ii. Ancient and veteran trees
    - iii. Upland peat bogs
  - (c) Have a neutral or positive impact on air quality ([Policy DM13](#)) and water quality ([Policy SP07](#)).
  - (d) Safeguard the established interest of a protected wildlife or geodiversity site, in accordance with the following criteria:

**Table SP08a Protected Sites**

Hierarchy / Site Designations	Criteria
<b>International Protection</b> <ul style="list-style-type: none"> <li>• Special Protection Area (SPA) <sup>1</sup></li> <li>• Special Area of Conservation (SAC) <sup>2</sup></li> <li>• Candidate SPA and SAC <sup>1, 2</sup></li> <li>• Ramsar Wetland <sup>3</sup></li> </ul> <p><i>Statutory protection under the Wildlife &amp; Countryside Act 1981 (as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019), which implements the Birds Directive (1), the Habitats Directive (2) and the Ramsar Convention (3)</i></p>	<p>Development will only be permitted where it is necessary for the management of the site, or there is an imperative reason of over-riding public interest and there is no alternative solution.</p> <p>Development within an Impact Risk Zone (<a href="#">Policy DM08</a>) will be expected to mitigate any adverse impacts on the SPA or SAC.</p>

<sup>21</sup> To be defined in the Lancashire Local Nature Recovery Strategy.

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<p><b>National Protection</b></p> <ul style="list-style-type: none"> <li>• Site of Special Scientific Interest (SSSI)<sup>1, 2</sup></li> <li>• National Nature Reserve (NNR)<sup>1, 2, 3</sup></li> </ul> <p><i>Statutory protection under The National Parks and Access to the Countryside Act 1949 (1), The Wildlife &amp; Countryside Act 1981 (2) and The Countryside and Rights of Way Act 2000 (3)</i></p>	<p>Development will only be permitted where the benefits of the proposal clearly outweigh any negative impacts. Consideration will be given to the extent and significance of any damage to the special interest of the site and the broader network of SSSIs.</p>
<p><b>Local Sites (Appendix 2)</b></p> <ul style="list-style-type: none"> <li>• Local Nature Reserves (LNR)</li> <li>• Biological Heritage Sites (BHS)</li> <li>• Local Geodiversity Sites (LGS)</li> <li>• Sites of Local Natural Importance (LNI)</li> </ul> <p><i>Non-statutory county or local wildlife sites protected by local planning policies.</i></p>	<p>Development will only be permitted where the benefits of the proposal outweigh the need to safeguard the nature conservation value of the site.</p>
<p><b>Priority Habitats and Species</b></p> <p><i><a href="#">Habitats and species of principal importance in England</a> are protected by local planning policies. The lists are published by the Government as a legal duty under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.</i></p>	<p>Where there is reason to believe that habitats or species of principal importance<sup>22</sup> are present, the application must be accompanied by a survey assessing their presence.</p> <p>Consideration should be given to the likely extent and significance of any impacts. Where appropriate, development proposals should make adequate provision to address any harm that is identified.</p> <p>There is a minimum requirement to achieve at least a 10% biodiversity net gain increase from the pre-development biodiversity value (<a href="#">Policy DM04</a>).</p>

3. Major developments are encouraged to achieve the Building with Nature Design Award.

4. Proactive management of the upland areas (heather moorland and peat bog habitats) for the benefit of carbon sequestration, biodiversity and natural flood management will be supported, subject to compliance with other policy requirements in this plan.

## Policy Justification

- 4.101 Natural capital refers to our natural resources and the benefits that they provide. It presents the environment as an asset rather than a constraint.
- 4.102 Biodiversity describes the variety of animal and plant life to be found in a particular area.

<sup>22</sup> As identified by Natural England

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- 4.103 Whilst certain sites and species are protected, elsewhere the mechanisms to value, maintain, enhance and create wildlife habitats are limited. Healthy natural habitats sustain more wildlife. They also help to reduce the risk of flooding and improving people's health and wellbeing. The NPPF requirement for local plans to take a strategic approach to maintaining and enhancing our networks of habitats and green infrastructure (GI) is a key to achieving biodiversity net gain (BNG).
- 4.104 The Government has also committed to protect and improve 30% of all UK land by 2030 to combat biodiversity loss and adapt to climate change.<sup>23</sup> To reflect the [25 Year Environment Plan](#) (2018), the NPPF requires new development to avoid any harm to designated habitats and species, and to enhance the natural environment by providing a net gain for biodiversity ([Policy DM04](#)).
- 4.105 [Section 40](#) of The Natural Environment and Rural Communities Act 2006 (the NERC Act) extended the biodiversity duty set out in the Countryside and Rights of Way Act 2000 (the CROW Act) to ensure that local authorities have due regard to the conservation of biodiversity. [Section 41](#) refers to a published [list of habitats and species](#) which are of principal importance for the conservation of biodiversity in England.
- 4.106 The varied geology, topography, soils and climatic conditions found in Pendle support an extensive range of natural resources, including examples of UK priority species and habitats.
- 4.107 Our network of green infrastructure was first identified in the [Pendle Green Infrastructure Strategy](#) (2019). The strategy highlights that approximately 90% of the all the land in the Borough qualifies as some form of green infrastructure (Table 2.1, page 12). It also recognises that our network of multi-functional green spaces should continue to be protected and enhanced as they offer benefits for BNG, reducing flood risk and promoting active travel ([Policy DM06](#)).
- 4.108 A robust ecological network helps to address the priorities of the [Lancashire Biodiversity Action Plan](#) (2015), in particular the key issues of habitat fragmentation and species isolation ([Policy DM05](#)). The [Pendle Biodiversity Audit](#) (2010) confirms that 3,083 ha of land in the borough benefits from a formal ecological designation. But much of our natural resource lies outside formally designated sites.
- 4.109 Directing development away from important or sensitive sites helps to avoid harming our most valued natural resources. Applying the hierarchy set out in paragraph 175 of NPPF, ensures that the level of protection to be afforded to our natural resources is commensurate with their importance and their designation.
- 4.110 The South Pennine Moors Site of Special Scientific Interest (SSSI) is a site of international importance.<sup>24</sup> Major developments located within one of the impact risk zones, surrounding the SSSI must be accompanied by a Habitat Regulations Assessment (HRA). The HRA will determine if the proposals are likely to have implications for the conservation objectives of the SSSI. Where these are identified an Appropriate Assessment must be carried out. This assessment must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt.

<sup>23</sup> The Ten Point Plan for a Green Industrial Revolution (HM Government, November 2020)

<sup>24</sup> In Pendle the boundary of the SSSI is coincidental with that for the Special Protections Area (SPA) and the Special Area of Conservation (SAC).

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- 4.111 The degree of importance afforded to sites of sub-regional or local importance will depend on a wide range of factors including their vulnerability and contribution towards the borough-wide ecological network. Where any impacts are identified it will be necessary for these to be appropriately mitigated, and for this mitigation to incorporate a level of net gain for biodiversity.
- 4.112 Policies in this Local Plan and the Lancashire Local Nature Recovery Strategy, together with the future designation of Nature Recovery Networks, will help to make space for nature to allow it to recover and become more abundant.
- 4.113 The Council will work with its partners, where appropriate, to help establish coherent ecological networks across the borough, by identifying gaps between habitats and promoting opportunities to provide links for species migration, including across administrative boundaries. This may also require the identification of buffer zones to protect the integrity of the borough's ecological network.
- 4.114 Strategic areas identified as being suitable for biodiversity net gain are shown as Environmental Opportunity Areas on the Policies Map. In due course a Supplementary Planning Document (SPD) will be prepared to provide further guidance on this, and other natural environment matters such as green infrastructure, trees and woodland.

## Directing growth and development

**SP09: Historic environment****Policy Text**

1. The historic environment, including designated and non-designated heritage assets, must be conserved and, where possible, enhanced in a manner appropriate to its significance ([Policy DM18](#)).
2. Proposals affecting any part of the historic environment should be informed by an understanding of the site's context and heritage significance.
3. Proposals should explore opportunities to aid the promotion, understanding and interpretation of heritage assets as a means of reinforcing local distinctiveness maximising wider public benefits.
4. Recognising the positive contribution that heritage assets and the historic environment can make to supporting sustainable communities and promoting economic vitality, viable uses, which are consistent with the conservation and enhancement of a heritage asset, will be supported.
5. Development proposals should seek to retain features that help to establish the Borough's identity. Those making a positive contribution to the local character and distinctiveness of Pendle include:
  - (a) Buildings constructed of natural sandstone and stone slates of traditional local vernacular.
  - (b) Regular urban street pattern with distant views of the open countryside.
  - (c) Cobbled streets and stone paving – i.e. natural stone setts and flags.
  - (d) Textile mills and their associated infrastructure including north-light weaving sheds, engine houses, chimneys, mill lodges, leats and channelled watercourses.
  - (e) Traditional shop frontages ([Policy DM16](#))
  - (f) Pre-industrial farming heritage of the 16th-18th centuries: including houses, barns and weavers' cottages.
  - (g) The Leeds and Liverpool Canal corridor ([Policy DM19](#)), which is an important non-designated heritage asset and an integral part of the green infrastructure network.<sup>25</sup>
  - (h) Non-designated heritage assets ([Policy DM18](#)), particularly those reflecting the borough's industrial legacy, which could be under threat from loss.

**Policy Justification**

- 4.115 The NPPF notes that achieving sustainable development requires the planning system to address three overarching, but interdependent, objectives (paragraph 8). At the heart of the environmental objective is the need to protect and enhance our built and historic environment.

<sup>25</sup> Elements of the physical infrastructure associated with the canal, including bridges, locks and warehouses, are subject to separate listing.



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- 4.116 The NPPF establishes a number of requirements that Local Plans must address in respect of the historic environment. These include:
- Setting out both strategic and non-strategic policies to deliver the conservation and enhancement of the historic environment (paragraph 20);
  - Identifying areas of special architectural or historic significance (paragraph 191);
  - Using up-to-date evidence to assess the significance of heritage assets and the contribution they make to the environment (paragraphs 192);
  - Taking account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (paragraph 197); and
  - Considering the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality (paragraph 197).
- 4.117 Human settlement and endeavour have shaped our local environment since before the Roman occupation. Our historic environment, represented in its built form, historic landscapes and archaeology, is irreplaceable and provides a unique sense of place.
- 4.118 Knowledge and information about the historic environment is critical to our understanding of the past, present and future. Pendle Council together with Historic England, Lancashire County Council and a host of other organisations, has developed an evidence base that demonstrates a clear understanding of the borough's rich historic legacy.
- 4.119 Pendle Council attaches great importance to the borough's local character and distinctiveness. This is derived from a wide range of diverse elements such as the borough's agricultural and industrial built heritage, and the local stone and slates of the traditional vernacular building styles.
- 4.120 Development may result in an element of harm to the historic environment that is unavoidable. This will only be justified where the benefits of the development clearly outweigh the harm and the harm is kept to a minimum. Any decision will consider the relative importance of the heritage asset(s) that are affected, in accordance with national policy.
- 4.121 The policy takes a flexible approach to the re-use of historic assets to help secure their retention and preserve their historic – artistic, aesthetic, architectural, cultural and social – significance. In this respect particular encouragement will be given to proposals for restoring those assets that are at risk of being lost. The following objectives are particularly important in respect to the historic environment of Pendle; the potential for development proposals to:
- Act as a catalyst for the regeneration of the wider area for leisure, culture, tourism and economic development.
  - Provide a stimulus for imaginative and high-quality design, which responds positively to its context.
- 4.122 The textile mills of Pendle and their north-light weaving sheds are a distinctive feature of the area. A new design code for Textile Mills, being prepared in partnership with Historic England, will help to identify those features that should be retained for development proposals affecting such premises.

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- 4.123 The Historic England advice note [The Historic Environment and Site Allocations in Local Plans](#) (2015) acknowledges that development may present opportunities for the historic environment by revealing the significance of heritage assets (NPPF paragraph 137) or providing an opportunity to tackle heritage at risk through the sensitive development of specific sites.

## Directing growth and development

**SP10: Healthy and vibrant communities****Policy Text**

1. The Council will seek to promote healthy and vibrant communities, and reduce health inequalities, by:
  - a. Retaining and improving local health facilities ([Policy DM30](#)) and community facilities ([Policy DM35](#))
  - b. Encouraging active lifestyles by:
    - i. Supporting Active Design,<sup>26</sup> improving the quality and accessibility of open space provision, sport and recreation facilities, and green infrastructure (Policies [DM05](#), [DM06](#), [DM12](#), [DM16](#), [DM31](#) and [DM45](#))
    - ii. Encouraging Active Travel,<sup>27</sup> promoting walking and cycling (Policies [SP11](#), [DM16](#), [DM30](#) and [DM32](#))
    - iii. Directing development to sustainable and accessible locations (Policies [SP02](#) and [SP03](#))
  - c. Reducing or mitigating the risks posed by potential contributors to poor health:
    - i. Effects of climate change ([Policy SP06](#) and Policies [DM01](#) and [DM03](#))
    - ii. Operational effects/hazardous uses and emissions (Policies [DM13](#) and [DM14](#))
    - iii. Crime ([Policy DM16](#))
  - d. Supporting healthy eating ([Policy DM33](#))
  - e. Promoting neighbourhood food environments, including access to local food shops and the integration of community food growing opportunities, including allotments ([Policy DM01](#))
  - f. Improving access to employment opportunities and higher value jobs, in recognition of the links between income and health (Policies [DM40-DM41](#))
  - g. Providing a sufficient supply of high quality homes which is responsive to local needs in an attractive residential environment, to help promote good mental health (Policies [DM20-DM23](#) and [Policy DM30](#))

**Policy Justification**

- 4.124 Promoting opportunities for active and healthier lifestyles helps to tackle the causes of ill health and health inequalities in Pendle. We expect development proposals to improve and promote strong, vibrant and healthy communities.

<sup>26</sup> Active Design (Sport England) – <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>

<sup>27</sup> Active Travel England (GOV.UK) – <https://www.gov.uk/government/organisations/active-travel-england>

## Directing growth and development

- 4.125 The prevention and treatment of obesity has focused on educational and behavioural interventions. Another sustainable approach is to address the environments that promote high energy intake (poor diet) and less active lifestyles. Approaches which modify the environment have the potential to assist in reducing levels of obesity and increasing life expectancy.
- 4.126 Creating places that encourage people to eat healthily and be active have the potential to improve both physical and mental health and wellbeing. [Enabling Healthy Placemaking](#) (2020), called for a greater level of cooperation and collaboration between health, social care and planning professionals to ensure people's health needs are integrated into the design and planning of new development.
- 4.127 The burden of obesity is a significant contributor to increasing health inequality, putting our healthcare system under strain. In Pendle, unhealthy eating patterns and sedentary behaviour are regarded as the main contributors to high levels of childhood obesity in the inner urban wards of the M65 Corridor.
- 4.128 Approximately one third of adults in England do not achieve the recommended amount of weekly exercise. [Active Design](#) promoted by Sport England highlights the role of sport and physical activity in creating healthy and sustainable communities. It seeks to unify health, design and planning by promoting the right conditions for individuals and communities to lead active and healthy lifestyles. The guidance identifies 'Ten Principles of Active Design': activity for all.
- 4.129 New developments should help to promote active travel choices, physical activity and active aging ([Policy DM30](#)). Enhancing the feeling of safety and security through the creation of permeable and attractive street frontages; and by creating spaces where people can come together to relax and socialise, make a positive contribution to these objectives ([Policy DM06](#)). They can also help to improve the local food environment, in terms of both the consumption and production of healthier food options ([Policy DM31](#)).
- 4.130 [Policy DM16](#) seeks to ensure that these design principles and guidelines are a consideration in all new development proposals. In addition, BREEAM and Home Quality Mark (HQM) certification shows that the principles of active design have been implemented, wherever possible, during each stage of a project's lifecycle.
- 4.131 The coronavirus (COVID-19) pandemic highlighted the benefit of access to green spaces and nature for physical activity and play, mental wellbeing and mental resilience. It also exposed inequalities, particularly the link between health and income, and is likely to compound them. The impact on mental health could lead to a longer-term erosion of people's physical health affecting people who have not previously experienced poor mental health.
- 4.132 The way we use our homes has changed; more people are working from home. This has brought to light the importance of excellent quality and adaptable housing including personal, work and outdoor space ([Policy DM21](#)).

## Directing growth and development

- 4.133 Development proposals should consider health outcomes as early as the pre-application stage, by taking into account relevant policies and strategies. Where a significant adverse impact on health and wellbeing is identified, [Policy DM30](#) requires the planning application to be accompanied by a Health Impact Assessment (HIA). The HIA process helps to ensure that new development promotes, and contributes to, the creation of a healthy living environment and promotes healthy lifestyles. The principles of how to carry out good quality HIA are set out in the [Health Impact Assessment Tools](#) (Department of Health and Social Care, July 2010).

## Directing growth and development

**SP11: Transport and connectivity****Policy Text****Strategic Links**

1. The Council will support those strategic transport schemes as outlined in the most up-to-date versions of the Local Transport Plan and the East Lancashire Highways and Transport Masterplan. In addition, the Council will lobby for, and support the following strategic transport schemes:
  - a. Provision of a strategic road link towards Yorkshire
  - b. Reinstatement of the former Colne to Skipton railway line
2. The route of the former Colne-Skipton railway line, as shown on the Policies Map, is protected for future transport use.

**Managing Travel Demand**

3. Proposals should follow the settlement hierarchy approach in Policy SP02 and minimise the need to travel by ensuring they are developed in appropriate locations close to existing or proposed services.
4. High density development should be focused within a 5-minute walk (400 metres) of the high quality bus corridor or existing transport hubs.
5. Consideration should be given to locating new housing, employment and service developments close to each other to provide people with the opportunity to live and work within a sustainable distance.
6. Proposals for new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion. Where an adverse impact is identified, applicants should prepare a Traffic Impact Assessment and ensure that adequate cost-effective mitigation measures can be put in place. Where the residual cumulative impacts of the development cannot be adequately mitigated, planning permission is likely to be refused.

**Promoting Sustainable Travel**

7. Travel demand should be managed in accordance with programmes and initiatives established by the Council's partner organisations. New developments should, wherever possible, exploit opportunities for walking and cycling by connecting to existing pedestrian and cycle routes. Where appropriate new links should be provided to help increase connectivity and close gaps in the network. The provision of new or improved public transport systems may be required to increase accessibility levels. A CIL charge may be sought to help finance these options.
8. For major developments applicants should submit a Transport Assessment to highlight any potential impacts of the development on the existing transport network. A Travel Plan may be required to indicate what measures will be taken to reduce and mitigate any negative impacts and address green travel options.
9. Major developments, to be served by public transport, should avoid areas where the local topography, or road network, may restrict accessibility.

## Directing growth and development

### Parking

10. New developments should comply with the car and cycle parking standards in [Policy DM37](#).

### Policy Justification

- 4.134 Travel and transport play a significant role in on our everyday lives and are critical in supporting the local economy and future growth. So the efficient movement of people and goods is important to achieving sustainable development.
- 4.135 Traffic emissions are one of the main contributors to climate change, so the impact of new development on our existing transport infrastructure needs to be carefully managed. There are three ways in which spatial planning can help to reduce both the need to travel and carbon emissions:
- (a) Improve transport infrastructure
  - (b) Increase accessibility
  - (c) Promote smarter choices
- 4.136 The NPPF acknowledges the important role that transport policies play in facilitating sustainable development, indicating that Local Plans should:
- Encourage the use of solutions which support the reduction of greenhouse gas emissions and reduce congestion.
  - Protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people.
  - Identify and protect sites and routes which could be critical in developing infrastructure to widen transport choice.

### Strategic Links

- 4.137 Apart from the M65 motorway, the borough's strategic transport links are relatively poor. Improving connectivity with Yorkshire is a key strategic priority, the focus being on:
1. Increasing highway capacity in the A56 and A6068 corridors beyond Colne
  2. The re-opening of the former Colne to Skipton railway line, which closed in 1970.

### Highways

- 4.138 Lancashire County Council (LCC) is the strategic highways authority for Pendle. It is responsible for the maintenance and provision of the highway network across the borough, including the M65 Motorway. In the [Local Transport Plan 3](#) (LTP3)<sup>28</sup> LCC confirms that in Pendle highways improvements are targeted at:
- (a) Improving east-west and north-south connections and links into Central Lancashire and Manchester.
  - (b) Improving the quality of public transport infrastructure and services serving the district.

<sup>28</sup> Work is progressing on a joint Lancashire LTP4 with Blackburn with Darwen and Blackpool Councils.

## Directing growth and development

- 4.139 Originally intended to connect the Calder Valley in Lancashire with the Aire Valley in Yorkshire, the M65 motorway terminates at Junction 14 to the west of Colne. The [East Lancashire Highways and Transport Masterplan](#) (2014) highlights that traffic coming off the M65, onto the A6068 and A56, causes some of the worst congestion in Lancashire during peak hours. The declaration of the borough's only Air Quality Management Area (AQMA) on the A6068 (Windsor Street) in the North Valley corridor is testament to this.
- 4.140 A new by-pass to alleviate congestion, improve air quality and open up significant opportunities for future economic growth has been under consideration for many years. Identifying a preferred route has proved challenging. The [M65 to Yorkshire study](#) (2013) concluded that a bypass was needed, but that the protected route could compromise the reinstatement of the former Colne to Skipton railway line. In the short-term a range of measures have been introduced to help to manage the flow of traffic in the North Valley, whilst improvements to public transport have helped to alleviate traffic problems and provide more choice to users.

### Public Transport

- 4.141 The local railway line has stations in Brierfield, Nelson and Colne. Trains terminate at Colne, where passengers wishing to travel north into West Craven or east into Yorkshire must transfer to alternative modes of transport.
- 4.142 The East Lancashire Highways and Transport Masterplan (2014) acknowledges that Pendle suffers from a limited rail service. Service frequency, journey times and age of the rolling stock reduce its attractiveness. To help improve the sustainability of local train services and improve the railway environment, the County Council works collaboratively with a number of stakeholders including the [East Lancashire Community Rail Partnership](#).
- 4.143 The [Lancashire and Cumbria Route Utilisation Strategy](#) (2008) identified the former Colne to Skipton railway line as a strategic gap in the rail network, highlighting the opportunity it presented to address regional links, commuter demand and social deprivation. It is identified as a Priority 1 candidate for reinstatement by the [Campaign for Better Transport](#) and the subject of extensive lobbying by the [Skipton East Lancashire Rail Action Partnership](#) (SELRAP).
- 4.144 Whilst there is considerable support for re-opening the 18.5 km route, funding has yet to be secured. Despite the obvious potential to release additional capacity for both passenger and freight traffic on other routes in the Central Pennine Corridor, which are operating at close to capacity, Transport for the North have not included the re-opening of the former Colne to Skipton railway line in either the [Strategic Transport Plan](#) or the [Northern Powerhouse Rail](#) strategic rail programme.
- 4.145 The National Bus Strategy [Bus Back Better](#), launched by the government in March 2021, sees frequent, reliable and affordable services as the key to encouraging passengers back onto our buses and reversing the recent shift in journeys away from public transport.
- 4.146 In Pendle, Transdev Blazefield operates the high-frequency Mainline bus service between Burnley and Colne. One in three journeys serve the towns and villages of West Craven and these are supplemented by an hourly express service to Skipton. In 2021 Transdev Blazefield introduced Ribble Country branded bus services, to connect many of the small villages in the Forest of Bowland AONB with larger settlements in Pendle, Burnley and the



## Directing growth and development

Ribble Valley. Dial-a-ride services, for those who find accessing a normal bus service difficult, are provided by Lancashire County Council under the Travelcare brand.

### Walking and Cycling

- 4.147 In its [Environmental Improvement Plan 2023](#), the government has committed to invest in active travel, with a vision that half of all journeys in our towns will be walked or cycled by 2030.
- 4.148 The [Local Cycling and Walking Infrastructure Plans](#) (LCWIP), being prepared across Lancashire, already take a long-term view at increasing active travel across the county. Their focus is on creating a well-maintained, accessible, attractive and safe cycling and walking infrastructure network. The aim is to reduce the need for people to make short journeys by car and contribute to the creation of 20 minute neighbourhoods ([Policy SP02](#)).
- 4.149 The Burnley and Pendle LCWIP will build on the key objectives of the [Lancashire Rights of Way Improvement Plan 2015-2025](#) (2015), which are to promote pedestrian priority schemes and improve the quality of the public footpath and bridleway network. It will identify those areas that are the priorities for future investment.
- 4.150 The Pendle Green Infrastructure Strategy (2018) highlights the need for better, greener connections between places ([Policy DM06](#)). New development can often provide an opportunity to introduce or improve such linkages, incorporating new opportunities for walking and cycling as appropriate. Creating new connections and enhancing existing links to National Cycle Route 68 is locally important. It provides an alternative route for those wanting to travel between the north and south of the borough and connects with the Pennine Bridleway national trail at Colne and Barnoldswick. The Council is working in partnership with Sustrans to create a greenway alongside the route of the former Colne to Skipton railway line.

### Managing travel demand

- 4.151 Traffic levels affect environmental quality. Congestion can cause a number of localised problems, impacting on human health and the natural environment. Management of the transport network is a key priority in areas experiencing travel stress and Air Quality Management Areas (AQMAs) may be introduced where the air quality is likely to fall below the minimum standards.
- 4.152 Managing travel demand is one way of addressing local transport issues. The NPPF (paragraph 105) recognises that different policies and measures will be required in different communities, and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
- 4.153 Paragraphs 105 and 106 of the NPPF indicate that planning should support a pattern of development which, where it is reasonable to do so, facilitates the use of sustainable modes of transport. In addition, there should be a balance of land uses so that journey lengths for employment, shopping, leisure, education and other activities are minimised. New developments should therefore be located in areas with good accessibility.

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Directing growth and development

- 4.154 Our spatial strategy and the settlement hierarchy are detailed in [Policy SP02](#), which aims to focus development in the most accessible locations. Our policies on housing, employment and community services require a sequential approach, based on accessibility principles, to be followed when determining the location of new development. The Key Diagram outlines the main settlements and accessibility corridors in the borough.
- 4.155 Lifestyle changes and technological changes introduced in response to the COVID-19 pandemic have increased the number of people working from home. Identifying opportunities for car sharing can further reduce the number of work-related journeys that need to be made by car, whilst flexible working hours can help to stagger the rush hour and reduce congestion.
- 4.156 Parking provision and costs can heavily influence people's travel decisions. This is especially true in town centres which typically offer the highest levels of accessibility and the greatest choice of alternative modes of transport. Although the need for people to travel into the town centre by car should be reduced, it is recognised that there is still a need to provide car parking in town centres to help boost trade and the local economy.
- 4.157 Planning can also help to encourage people to make smarter choices. Travel assessments should be used to think more widely about the impact that a proposed development may have on the area in which it is located. High-user developments such as businesses, education establishments and leisure attractions should prepare detailed Travel Plans to help reduce their impact on the highway network.

## Directing growth and development

**SP12: Infrastructure and developer contributions****Policy Text**

1. To ensure that new development is acceptable in planning terms, it will only be permitted where:
  - (a) Adequate infrastructure to serve the proposed development can be shown to exist, without prejudicing existing users; or
  - (b) Any shortfall in the capacity of the existing infrastructure can be enhanced to serve the needs of existing users and the proposed development; or
  - (c) New infrastructure can be provided to meet the additional needs of the proposed development, either as part of the development or through a financial contribution equivalent to the cost of remedying any shortfall.
2. Where necessary and appropriate, fair and proportionate developer contributions will be secured through legal agreement to:
  - (a) Secure new or improved services, facilities, open space or infrastructure provision;
  - (b) Support affordable housing provision as set-out in [Policy DM23](#);
  - (c) Deliver Biodiversity Net Gain and ensure sufficient funding for long-term management and monitoring ([Policy DM04](#)); and or
  - (d) Fund long-term monitoring associated with the implementation of Travel Plans ([Policy SP10](#)).
3. It is the responsibility of the applicant to justify the need for any review of viability at the application stage. Claims will be verified using an open book financial appraisal by an independent third party, prior to the submission of a planning application. The cost of this are to be met by the applicant.
4. The charging mechanisms by which developer contributions are achieved will be kept under review. If national policy and/or evidence show that economic viability in the borough has improved, the introduction of CIL (or a subsequent charging mechanism), to support wider infrastructure delivery in the area, may be introduced.

**Policy Justification**

- 4.158 There is an expectation that developers will address any adverse impacts arising from their development. Failure to do so could result in planning permission being refused. Developer contributions, the collective term used to describe a range of payments that are used to help make development acceptable in planning terms, include:
- planning obligations secured under [Section 106 of the Town and Country Planning Act 1990](#) (as amended),
  - highway contributions secured under [Section 278 of the Highways Act 1980](#); or
  - payments secured through the Community Infrastructure Levy (CIL).<sup>29</sup>

<sup>29</sup> A CIL Charging Schedule sets the rates to be levied on new development. The Council has not adopted a CIL Charging Schedule due to concerns about viability.

## Directing growth and development

- 4.159 Developer contributions typically include the provision of new physical or social infrastructure, or interventions that help to bring about economic or environmental benefits for the area.
- 4.160 Section 106 agreements focus on site specific interventions. They must be commensurate with the scale and type of development proposed. Anyone with an interest in land may enter into a planning obligation, which is enforceable by the local planning authority. Obligations may:
1. Restrict the development or use of land;
  2. Require operations to be carried out in, on, under or over the land;
  3. Require the land to be used in any specified way; or
  4. Require payments to be made to the local planning authority, either in a single sum or periodically.
- 4.161 Section 278 agreements allow developers to make permanent alterations, or improvements, to a public highway, as part of a planning approval.
- 4.162 CIL represents a tax on development to fund the wide range of infrastructure needed as a result of development. Legislation states that the purpose of CIL is to ensure that *“all costs incurred in supporting the development of an area can be funded (wholly or partly) by owners or developers of land in a way that does not make development of the area economically unviable.”*<sup>30</sup>
- 4.163 [Regulation 122 of The Community Infrastructure Levy Regulations 2010](#) makes clear that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- 4.164 If an agreement is not complied with, it is enforceable against the person that entered into the obligation and any subsequent owner. Where there is a breach of the obligation the local planning authority can take direct action to recover any expenses.
- 4.165 Due to concerns about viability, as set out in the [Pendle Development Viability Study](#) (2023), Pendle Council has not adopted a CIL Charging Schedule.
- 4.166 The requirements for developer contributions are set out in paragraphs 34 and 58 of the NPPF. Paragraph 34 requires the contributions expected from new development to be set out in plans. This includes the *“levels and types of affordable housing provision required.”* It is important to find a working balance and set realistic expectations. Such policies *“should not undermine the deliverability of the plan.”*
- 4.167 Paragraph 58 goes on to note that planning applications *“should be assumed to be viable”* where they are compliant with up-to-date policies in an adopted plan that sets out the contributions expected from development.

<sup>30</sup> s. 205(2) of the Planning Act 2008 as amended by Part 6 Chapter 2 of the Localism Act 2011 s. 115(2)

## Directing growth and development

- 4.168 After the costs of development have been met, the margin of profit must be great enough to provide a competitive return to the developer. [The PPG on Viability](#) makes clear that for the purpose of plan-making an assumption of 15-20% of gross development value (GDV) is considered to offer a suitable return to developers in order to establish the viability of plan policies (Paragraph Reference ID: 10-018-20190509).
- 4.169 The Pendle Development Viability Study (2023) has informed the level of contributions sought through Local Plan policies. It considers the economic case of development, relative to the level of risk, and ensures that the cumulative impact of these obligations will not undermine the ability of development to come forward.
- 4.170 The burden is on the applicant to show the “*particular circumstances*” which may “*justify the need for a viability assessment at the application stage.*” The standardised inputs to viability assessment are the same at the plan-making and application stages.
- 4.171 The planning guidance on viability explains that the intention is to address the price paid for land by developers, which “*under no circumstances will (...) be relevant justification for failing to accord with relevant policies in the plan.*”
- 4.172 Developer contributions from any number of schemes can be pooled. Each request must satisfy the relevant legal and policy tests. Pooling payments can help to provide large scale infrastructure projects that offer wider economic, environmental or social benefits.
- 4.173 The role of developer contributions going forward is likely to change. The report published by the governments [CIL Review Group](#) (2016) announced that replacement of CIL with a new “*streamlined low-level tariff*” should be considered.
- 4.174 The new tariff would be set at a lower rate than CIL but would capture far more developments. It would be mandatory for all local authorities and will apply to all developments. Any amendments to CIL and Section 106 agreements will be addressed through secondary legislation.
- 4.175 Lancashire County Council published a non-statutory [Infrastructure and Planning](#) policy document in 2017. This sets out how LCC will engage with and inform the outcomes of the planning process, as an infrastructure provider that is potentially impacted on by proposed developments. The appendices to this document address contributions for highways; education; drainage and flood management. Details of how places for education are assessed and calculated can be found [on the County Council's website](#).
- 4.176 Applicants are encouraged to seek pre-application advice from Pendle Council and Lancashire County Council, and to contact key infrastructure providers. This will help to identify and understand any capacity issues affecting highways, flood risk, school places, utilities (i.e. water supply, sewerage, electricity, gas) and broadband; helping to minimise delay at the application stage. The Council may seek contributions towards the enhancement of walking or cycling infrastructure, particularly where these are required as part of the sustainability case for development.

## Directing growth and development

### The key diagram

- 4.177 The Key Diagram brings together the main components of the spatial strategy, outlined above. It is a visual representation of how our strategic planning policies will help to achieve [our vision for Pendle](#). It illustrates:
1. The different tiers of the settlement hierarchy, ranging from Tier 1: Main Towns, which are the focus for future growth, to Tier 4: Rural Villages where only local needs will be catered for.
  2. The broad locations for strategic development over the lifetime of the Plan.
  3. The key linkages between our centres of population, and those located outside the borough, where our residents may also access essential services.
  4. Internationally important sites for wildlife
  5. National landscapes
- 4.178 The Key Diagram shows how we intend to distribute development across the borough, to help promote sustainable patterns of development that place residents close to the essential goods and services they require.
- 4.179 Some of the development that is proposed will be dependent on improvements to our transport networks and other essential infrastructure, such as schools and the sewage network.

### The policies map

- 4.180 The Policies Map is an integral part of the Local Plan. It shows in detail how the development management policies (Chapters 4-7) and site-specific allocations (Chapter 8) will influence development activity in Pendle up to 2040.
- 4.181 An interactive version of the Policies Map is available on the Pendle Council website.

Insert Key Diagram

## Directing growth and development



## **Part Three: Development Management Policies**

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## Our foundation for a sustainable future

## Our foundation for a sustainable future

### 5. Environment

#### Our foundation for a sustainable future

- 5.1 Over two-thirds of Pendle is rural.
- 5.2 The quality of the natural environment in Pendle, and its importance for biodiversity, has been formally recognised by the government and is widely appreciated by local people and visitors to the area.
- 5.3 Pendle Hill and the surrounding landscape is nationally important and forms part of the Forest of Bowland Area of Outstanding Natural Beauty (AONB). Many areas of the borough are afforded legal protection because of the important habitats and species they contain. The most significant and extensive of these designations is the South Pennine Moors Site of Special Scientific Interest (SSSI), which is of international importance.<sup>31</sup>
- 5.4 The importance of the natural environment is recognised by the introduction of the mandatory requirement for biodiversity net gain (BNG), which is expected to come into force in late 2023. BNG is a new approach to development and land management, which seeks to leave our natural environment in a measurably better state than it was before development took place. It complements the mitigation hierarchy of avoid impacts first, then mitigate and only compensate as a last resort.
- 5.5 The natural environment also has an important role to play in helping to combat the effects of [climate change](#). The [England Trees Action Plan 2021-2024](#) (2021), together with the [England Peat Action Plan](#) (2021) and wider plans and strategies for nature, establish how the country will tackle the twin challenges of biodiversity loss and climate change.
- 5.6 Human activities can make a significant contribution to climate change. The concentration of greenhouse gases in the earth's atmosphere has contributed to the rise in average global temperature. Carbon dioxide (CO<sub>2</sub>), which accounts for about two-thirds of greenhouse gases, is largely the product of human activities, in particular the burning of fossil fuels.
- 5.7 In 2018 a [United Nations report](#) announced that there could be only 12 years left to prevent irreversible damage from climate change. In May 2019, the UK was the first nation to declare a climate emergency. Over two-thirds of local authorities have also declared a climate emergency.
- 5.8 Pendle Council declared a climate emergency on 11 July 2019, emphasising the need for local action to help introduce new measures to stop human-caused global warming. Local authorities cannot act alone, and the government plays a key role in many of the policy areas that are vital to reducing emissions and adapting to climate change. In June 2019, the government followed up its declaration of a climate emergency with legislation setting net-zero emissions targets for the whole of the UK by 2050.

<sup>31</sup> In Pendle the extent of the South Pennine Moors SSSI is coincidental with the Special Protection Area (SPA), afforded protection by the Birds Directive and the Special Area of Conservation (SAC), afforded protection by the Habitats Directive.

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## Our foundation for a sustainable future

### Addressing the climate emergency

- 5.7 Recognising that climate change (global warming) exists and that the measures taken up to this point are not enough to limit the changes it is causing, Pendle Council declared a Climate Emergency on 19 July 2019.<sup>32</sup>
- 5.8 The science of climate change is well established:
- The concentration of greenhouse gases in the earth's atmosphere are directly linked to average global temperature.
  - The concentration has been rising steadily since the time of the Industrial Revolution and so have global temperatures.
  - Human activities are the main cause.
  - The most abundant greenhouse gas, carbon dioxide (CO<sub>2</sub>), is largely the product of burning fossil fuels.
  - Methane, the primary component of natural gas, is responsible for more than 25% of the warming we are experiencing today.
- 5.9 New development should reflect best practice in terms of sustainable design and construction, minimise carbon emissions and be resilient to the effects of climate change.
- 5.10 The new legislation and powers, to require low or zero carbon development, will be focussed on Building Regulations, rather than planning policy. Nevertheless, the planning system can help to support the transition to a low or zero carbon future.

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<sup>32</sup> [Full Council 19th July 2019 Minutes](#)

## Our foundation for a sustainable future

### DM01: Climate change resilience

#### Policy Text

##### Location of development

1. Developments should be accessible to, and where feasible contribute towards the enhancement of, pedestrian, cycling, and public transport infrastructure in accordance with Policies [SP11](#) and [DM32](#).
2. Developments should safeguard, and where possible restore, natural features which make a positive contribution to the capture and storage of greenhouse gases. Natural features which help to mitigate the effects of climate change should also be retained and supplemented through on-site provision. This includes but is not limited to:
  - (a) Watercourses and their natural corridors.
  - (b) Flood plain/floodwater storage areas.
  - (c) Mature trees, woodland, hedgerows, and natural/semi natural grassland.
  - (d) Moorland, peat areas, and wetland areas.
  - (e) Designated areas of open space within urban areas.

##### Design responses

3. Proposals should minimise the use of natural resources, increase self-sufficiency and lower carbon emissions. Responses include but are not limited to:
  - (a) Promoting energy efficiency and reducing the reliance on non-renewable sources of heat and energy through the layout, massing, choice of materials, and orientation of new buildings (see Policy [DM16](#)).
  - (b) Using low carbon materials and processes throughout the construction phase. Efforts should also be made to recycle existing materials found on site for the construction of new buildings/infrastructure including existing soil wherever possible.
  - (c) Taking opportunities to provide for on-site renewable energy production and/or storage in accordance with Policy [DM03](#).
  - (d) Adopting water efficiency techniques; including optional technical standards within building design, which limit water use to no more than 110 litres per person per day. Developments should also seek to promote rain water capture to reduce pressure on water supply.
  - (e) New homes should be equipped with a water butt with a capacity of at least 200 litres, to collect water from the main roof. The water butt should not be visible from the highway. Grey water harvesting in new flats or apartments will be negotiated on a case-by-case basis.
  - (f) Providing Electric Vehicle Charging Point infrastructure in accordance with Policy [DM37](#).
  - (g) Providing secure bicycle storage in accordance with Policy [DM32](#).

## Our foundation for a sustainable future

- (h) The provision of street trees to promote urban cooling and shading (Policy [DM07](#)).
- (i) Encouraging food production through the inclusion of community allotments in any new open space (Policy [DM31](#)) and promoting home grown produce in new residential schemes, as appropriate.
- 4. New development should be resilient in its design to help mitigate the effects of climate change. Appropriate measures include, but are not limited to, ensuring that:
  - (a) Building layout, massing, orientation and detailing reduce the risk of general harm to residents and communities from high winds, heavy rainfall, drought, and extreme heat.
  - (b) Proposals manage internal heat gain through design, layout, orientation and materials. Major development proposals should demonstrate through an energy strategy how they will reduce the potential for overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:
    - i. Minimising internal heat generation through energy efficient design
    - ii. Reducing the amount of heat entering a building in summer through orientation, shading, reflective surfaces, fenestration, insulation and green roofs and walls
    - iii. Managing the heat within the building through exposed internal thermal mass and high ceilings
    - iv. Passive ventilation
    - v. Mechanical ventilation
    - vi. Active cooling systems – ensuring that these are the lowest carbon options.
  - (c) Vegetation, landscaping and open space throughout developments provide a benefit for wildlife, air quality, and health and wellbeing of residents.
  - (d) The functionality of any flood storage capacity or drainage infrastructure is adequate to respond to projected climate change events (Policy [DM02](#)).
  - (e) The finished floor levels of all new buildings must be above flood water levels accounting for climate change (Policy [DM02](#)).

### Policy Justification

- 5.11 Our reliance on fossil fuels has already resulted in significant social, environmental, and economic costs for our society. Changes to our patterns of behaviour legislation, regulations and standards are all necessary to help reduce greenhouse gas emissions to meet international<sup>33</sup> and national<sup>34</sup> commitments to limit global rises in temperature.
- 5.12 The Intergovernmental Panel on Climate Change (IPCC) is the United Nations body for assessing the science related to climate change. [IPCC Working Group III](#) is concerned with the mitigation of climate change. It provides updated global assessments on the sources of global emissions and highlights new developments in emission reduction and mitigation efforts.

<sup>33</sup> [The Paris Agreement | UNFCCC](#)

<sup>34</sup> [UK enshrines new target in law to slash emissions by 78% by 2035 - GOV.UK \(www.gov.uk\)](#)

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- 5.13 As required by the [Climate Change Act 2008](#), the UK government has published its third five-year assessment of the risks of climate change on the UK. The [UK Climate Change Risk Assessment](#) (2022) considers 61 UK-wide climate risks and opportunities.
- 5.14 Addressing the impacts of climate change is fundamental for achieving sustainable development. The [Environmental Improvement Plan 2023](#), highlights that it is not possible to mitigate and adapt to climate change without nature-based solutions. A new Land use Framework, to be published in 2023, will set how the country can balance multiple demands on our land including climate mitigation and adaptation.
- 5.15 Paragraph 149 of the NPPF already requires plans to “*take a proactive approach to mitigating and adapting to climate change*” and “*support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.*”
- 5.16 Climate resilience refers to the ability of ecological, social, and economic systems, to resist, recover from, and continue to develop in the face of climate-related events. It is an emerging policy area in which the planning system has a key role to play. The policies of the Local Plan provide our response to securing a low carbon future and represent key steps on our path to the achievement of net zero carbon development, in accordance with the Council’s declaration of a Climate Emergency in 2019.
- 5.17 As recently highlighted by the Environment Agency,<sup>35</sup> it is important to acknowledge that even if we achieve a successful transition to a net zero economy and society, the profound changes already made to the earth’s climate are likely to continue well beyond the end of this plan period. It is vitally important that new developments are responsive and resilient to climate change and help to mitigate any adverse effects; a situation that is also recognised by the UK Government.<sup>36</sup>
- 5.18 The Council’s response to climate change, as set out in the Local Plan, does not represent our final position on this significant issue. Future reviews of our approach to planning for climate change will be required as legislation, Government policy, technology, and behaviours all evolve in the coming years.
- 5.19 By employing a wide range of complimentary interventions, planning will influence the location, design and specification of new development, helping to minimise adverse effects for the environment, natural process and communities. This approach to achieving climate resilience will help to ensure that careful consideration and adequate responses are made throughout the development process, including site selection, evidence gathering, design and efficiency, determination, implementation and construction, and occupation, taking into account the effects on future occupants, the wider community, the built and natural environment, natural processes and wildlife.
- 5.20 As part of this commitment developers are encouraged to adopt one of the optional rating systems, such as BREEAM or the Passivhaus Standard, to benchmark and help demonstrate the sustainability of their development, in the achievement of climate resilience.

<sup>35</sup> [Adapt or die, says Environment Agency – GOV.UK \(www.gov.uk\)](#)

<sup>36</sup> [Government response to the Climate Change Committee \(publishing.service.gov.uk\)](#)

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## Our foundation for a sustainable future

- 5.21 The policy measures we are proposing are consistent with achieving the Government's target of a 78% carbon reduction by 2035.
- 5.22 Metrics to assess the extent to which adaptation measures contribute to climate resilience, to scale up and align with the goals of the Paris Agreement, are currently in preparation.



## Our foundation for a sustainable future

### DM02: Flood risk

#### Policy Text

##### Managing flood risk

1. The sequential and exceptions tests set out in the National Planning Practice Guidance, will be applied to direct development to areas with the lowest probability of flooding, taking into account:
  - (a) The vulnerability of the type of development proposed.
  - (b) Its contribution to creating sustainable communities.
  - (c) Achieving the sustainability objectives of the Local Plan
2. Proposals for redevelopment within Flood Zones 2 or 3 should seek to eliminate, or reduce, the potential for flooding to occur, by demonstrating that consideration has been given to the:
  - (a) Extent of any flood risk
  - (b) Feasibility of options for the prevention or mitigation of flood risk
3. All major development proposals should be supported by the minimum level of information required by the Lead Local Flood Authority (Lancashire County Council) and other consultees, as appropriate.
4. Drainage should be considered at an early stage of the design process. Drainage infrastructure should be integrated as appropriate into the layout and form of the development.
5. Applications seeking to agree the layout of the site should include detailed drainage information.
6. The use of SuDS to store water and slow surface water flow should be prioritised and the use of impermeable surfaces avoided, wherever possible.
7. Development should not compromise existing structures, or any other features, which help to reduce the risk of fluvial flooding, or mitigate its impacts.
8. Existing features, which contribute to the natural prevention of flooding and/or slow the flow of water should be retained and wherever possible enhanced through the development process. Where natural storage, including garden land is lost, applicants will be required to provide equivalent means of storage.
9. Natural flood management (NFM) schemes will be supported where they help to slow the flow of storm water from upper catchments, where these do not undermine natural ecosystems, or conservation objectives.
10. To reduce the risk of flooding and enhance the contribution that watercourses make to our ecological network, the Council will normally:
  - (a) Support the restoration of culverted watercourses to open channels.
  - (b) Resist proposals to build over an existing culvert.
  - (c) Resist proposals to culvert a watercourse for land gain purposes, unless it can be demonstrated that there is no reasonably practical alternative, or where a need for access can be demonstrated.

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### Flood risk assessments

11. A site-specific flood risk assessment (FRA) should be submitted with any planning application for development that would:
  - (a) Potentially increase the risk or impacts of flooding; and
  - (b) Be located on:
    - i. A site within Flood Zone 2 or 3.
    - ii. A site identified by the Environment Agency as a critical drainage area.
    - iii. A site of 1 hectare or more within Flood Zone 1.
    - iv. Land identified in a Strategic Flood Risk Assessment as being at increased flood risk in the future.
    - v. Land that may be subject to other sources of flooding – surface water, sewer or groundwater flooding – where its development would introduce a more vulnerable use.
12. A site-specific FRA should consider all types of flooding and the relationship between them, including that associated with rivers, canals, reservoirs, surface water, sewers and groundwater.
13. The level of detail in the flood risk assessment should be proportionate to the potential risk. It should assess the potential impact of flooding that the proposed development would result in or could be subject to.

### Surface water management

14. The right to connect surface water runoff to public sewers is conditional upon a drainage system being approved before any construction work can start.
15. All development proposals must:
  - (a) Address how surface water is to be managed during the construction phase(s) of the development.
  - (b) Manage surface water close to its source and on the surface where reasonably practicable to do so.
  - (c) Prioritise the use of sustainable drainage systems (SuDS) in the final design, unless it can be demonstrated that they are not technically feasible or viable. New SuDS must be designed to adoptable standards.
  - (d) Minimise the use of impermeable surfaces.
  - (e) Include an acceptable maintenance and management regime for any surface water drainage schemes, which should:
    - i. Ensure sufficient right of access for future maintenance of any open or culverted watercourses, SuDS components and surface water discharge points.
    - ii. Identify who will be responsible for future maintenance of any open or culverted watercourses, SuDS components and surface water discharge points upon completion of the development.
16. Surface water should be controlled at source and re-used, wherever possible. Any discharge should employ the most sustainable drainage option, in the following order of priority:
  - (a) Into the ground (infiltration).

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- (b) To a surface water body.
  - (c) To a surface water sewer, highway drain or another drainage system.
  - (d) To a combined sewer.
17. Applicants wishing to discharge into a public sewer must submit clear evidence to demonstrate why alternative options are inappropriate.
  18. On Greenfield sites the peak run-off rate and the run-off volume must not exceed the existing greenfield rates for the same rainfall event including and allowance for climate change and changes in the impermeable area over the design life of the development (urban creep).
  19. On previously developed (Brownfield) land the peak run-off rate and run-off volume should not exceed the greenfield rates for the same rainfall event, including an allowance for climate change and urban creep. Where this cannot be achieved a 30% minimum betterment of the existing peak run-off rates for the site should be provided.
  20. The provision of green infrastructure to assist with flood mitigation will be supported in line with Policies [DM06](#) and [DM031](#).
  21. Overland flood water exceedance routes must be designed and managed in a way that reduces the risk to people and property.
  22. Applicants must demonstrate that the life-time sustainability of the proposed drainage measures and components has been considered, accounting for the likely impacts of climate change and urban creep. Appropriate allowances should be applied in each case.
  23. Long term arrangements for the maintenance of drainage measures provided on site will be secured through a signed legal agreement

### Policy Justification

- 5.23 The objectives of this policy are to consider, manage and reduce the risk of flooding. It also seeks to ensure that new development is not vulnerable to the impacts of climate change.
- 5.24 The United Kingdom Climate Impacts Programme assesses the potential impacts arising from climate change. Over the next 30 to 80 years, they expect that:
  - The UK climate will become warmer.
  - Winters will become wetter, and summers may become drier everywhere.
  - Heavy winter rain and snow will become more frequent.
- 5.25 The increased severity and intensity of rainfall is a significant concern. In addition to assessing vulnerability flood risk, development proposals must also consider and address any potential contribution it could make to increased flood risk downstream.
- 5.26 The key principle is that development will only be permitted in an area at high risk of flooding if a site in an area of lower flood risk is not available, or appropriate, and the overall benefits of the development outweigh the risks from flooding.

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- 5.27 Lancashire County Council, in their role as the Lead Local Flood Authority (LLFA) for the area, offer a [pre-application advice service](#). Applicants are encouraged to engage with the LLFA before a planning application is submitted.

### Strategic Flood Risk Assessment

- 5.28 Pendle sits astride the Pennine watershed. The vast majority of streams and rivers in the borough flow west into the Irish Sea via the Ribble estuary. But some flow east into the River Aire or the 'Yorkshire Calder' and enter the North Sea via the Humber estuary.
- 5.29 The [Ribble Catchment Flood Management Plan \(CFMP\)](#) (2009) provides an overview of the flood risk in the Ribble catchment and sets out a preferred plan for sustainable flood risk management over the next 50 to 100 years. Earby Beck and its tributaries and the headwaters of the River Worth and Hebden Beck are covered by the [Aire CFMP](#) (2010).
- 5.30 The [Level 1 Pendle Strategic Flood Risk Assessment \(SFRA\)](#) (2021) considers flood risk from all sources and its implications for future development. The Level 1 Pendle SFRA takes a risk-based approach using the [Environment Agency Flood Zones](#), to show areas at risk of flooding from rivers when the presence of flood defences are ignored.
- 5.31 The Level 1 Pendle SFRA identifies fluvial flooding along Pendle Water, Earby Beck and their associated tributaries as the primary source of flood risk in the borough. Hydraulic models have been developed for these catchments. Improvements to the flood defences along Pendle Water, completed in 2006, reduced the possibility of flooding in Barrowford and further downstream.
- 5.32 The Level 2 Pendle SFRA looks in detail at those site allocations located in areas where there is a degree of flood risk. The assessment looks at whether these sites can be developed safely and sustainably for the proposed use and considers whether the risk from flooding is acceptably safe throughout its projected lifetime.

### Fluvial flooding

- 5.33 Urban development has historically taken place along the banks of our rivers. Intensive and high-density development immediately beyond the floodplain followed. Subsequent urban expansion and the paving over of permeable surfaces have had a significant and cumulative impact on flood risk; increasing both the amount of surface water runoff and the speed at which it enters our watercourses.
- 5.34 Over 63 kilometres of streams and rivers in Pendle are designated as main rivers by DEFRA.<sup>37</sup> Almost 450 hectares of land is at high risk of flooding from rivers (Flood Zone 3). A further 530 hectares is at low to medium risk (Flood Zone 2). In the 11% of the borough at risk from fluvial flooding there are 2,500 residential properties and 500 commercial premises.

<sup>37</sup> Main rivers are typically the larger streams and rivers, but also include smaller watercourses of strategic drainage importance.

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- 5.35 The Environment Agency (EA) is the organisation primarily responsible for protecting the river environment and managing flood risk. The [Earby and Salterforth Internal Drainage Board](#) is also responsible for the management of watercourses in the northern part the borough. Areas currently at risk of river flooding principally fall within the [Environment Agency Flood Zones](#) 2 and 3.
- 5.36 The [Flood and Water Management Act 2010](#) has given Lancashire County Council, as the Lead Local Flood Authority (LLFA) for the area, the responsibility for identifying sources of local flood risk and reducing the likelihood and impacts of local flooding.
- 5.37 The [Level 1 Pendle Strategic Flood Risk Assessment \(SFRA\)](#) (2021) uses climate change projections to indicate additional areas which may be at risk of flooding in the future.
- 5.38 Where appropriate land will be safeguarded to help alleviate current and future flood risk for communities at risk of flooding.

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## Our foundation for a sustainable future

### Surface water flooding

- 5.40 Surface water should be managed at source and not transferred. There is an expectation for surface water to be discharged into the ground via infiltration in the first instance. The discharge of surface water into the public sewerage network will not normally be permitted.
- 5.41 Landscaping schemes should consider what contribution they can make to reducing surface water discharge rates and improving water quality. Solutions can include hard and soft landscaping such as permeable surfaces to reduce the volume and rate of surface water discharge.
- 5.42 For large schemes it may be necessary to coordinate the timing of different phases of development with those for the planned delivery of infrastructure improvements.

### Sustainable drainage systems

- 5.43 There is a growing acceptance that we need a more sustainable approach to managing surface water. SuDS mimic natural drainage processes as closely as possible to reduce its effect on the quality and quantity of runoff from developments. They provide many direct benefits to both the water environment and the wider environment.
- 5.44 The Construction Industry Research and Information Association (CIRIA) has produced a [Benefits of SuDS Tool](#) (BeST) to provide a robust and structured approach to evaluating the benefits of SuDS.
- 5.45 A good Sustainable Drainage System (SuDS) will attenuate water, provide opportunities for water treatment, create amenity space, and enhance biodiversity. As there is no requirement for SuDS to discharge into the ground, they can be used, irrespective of ground conditions, to slow flow across a site before discharging at a controlled rate into either a watercourse or sewer.
- 5.46 SuDS include a variety of interception and attenuation methods to manage the quantity of surface water and improve water quality. The use of SuDS and other forms of green infrastructure should alleviate the need to install below ground attenuation systems or oversized pipes. Current best practice guidance such as the [SuDS Manual](#) (CIRIA C753F) and [Planning for SuDS: Making it Happen](#) (CIRIA C687) should be followed, with smaller resilient features distributed throughout a development preferred.
- 5.47 On 10 January 2023, DEFRA announced that from 2024 new SuDS are to be adopted under [Schedule 3 of the Flood and Water Management Act 2010](#). This sets out a framework for the rollout of drainage systems, a sustainable drainage system approving body, and national standards on design, construction, operation, and maintenance. It also makes the right to connect surface water runoff to public sewers conditional upon a drainage system being approved before any construction work can start.

## Our foundation for a sustainable future

### DM03: Renewable heat and energy

#### Policy Text

1. The Council will support developments that make a positive contribution towards increasing levels of renewable and low carbon energy (RLC) generation, where the proposals are appropriate to their setting.
2. The Council will support the generation of heat and energy from renewable and low carbon sources, together with the storage of surplus electricity (including battery storage), where these proposals are appropriate to their setting and they:
  - (a) Meet the relevant national policy and guidance tests
  - (b) Do not have an unacceptable impact on:
    - i. The landscape and visual character of an area, either on their own or cumulatively (Policy [DM10](#))
    - ii. Ecological, biodiversity or geodiversity assets (Policy [DM05](#))
    - iii. Heritage assets and their settings (including archaeological remains) (Policy [SP09](#))
    - iv. Residential amenity
3. All proposals must be accompanied by appropriate supporting evidence which can include landscape, visual, noise and environmental assessments.
4. This supporting evidence must demonstrate that satisfactory mitigation measures can be employed to offset any potentially negative impacts that are identified, or that the positive benefits of the scheme outweigh these impacts.

#### Wind Turbines

6. Small scale turbines in the open countryside should be directly related to, and generate power principally for, the operation of a farmstead, other rural business or a local settlement.
7. Proposals for commercial wind turbine developments must:
  - (a) Show evidence of consultation with local communities affected by the proposal.
  - (b) Demonstrate that any planning impacts identified during the consultation process have been fully addressed, and that the proposal has the backing of the local communities that have been consulted.
  - (c) Be in a location where the physical, environmental, technical and policy constraints do not make the site unsuitable.

#### Solar Photovoltaic Arrays and Solar Assisted Heat Pumps

8. Where planning permission is required, proposals will be supported where they:
  - (a) Do not result in glare or dazzle to sensitive receptors in the surrounding area that cannot be adequately mitigated.
  - (b) Do not have an adverse impact on landscape character or harm the historic environment.

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### Hydro power

9. Proposals for hydro-electric power generation will be supported where they:
  - (a) Do not result in increased flood risk.
  - (b) Are not detrimental to public amenity or safety.
  - (c) Do not adversely affect biodiversity and landscape character or harm the historic environment.

### Ground, Air and Water Source Heat Pumps (including Geothermal Energy)

10. Proposals for ground source heating and cooling should have regard to the requirements of the [Environmental good practice guide for ground source heating and cooling](#) (Environment Agency, 2017), its successor or equivalent.
11. Where planning permission is required proposals, including commercial schemes to exploit geothermal energy, will be supported where they:
  - (a) Will not cause unacceptable harm to a designated heritage asset.
  - (b) Do not compromise the use of an area of Local Green Space ([Policy DM12](#)) or open space ([Policy DM31](#)).
  - (c) Do not compromise groundwater ([Policy SP07](#)).
  - (d) Do not exceed a combined threshold of 42dB(A) above ambient noise levels at a distance equal to that separating the unit and a neighbouring property ([Policy DM13](#)).

### Biomass Energy Generation

12. Proposals for the use of biomass boilers in energy generation will be supported where the proposals adequately address:
  - (a) The height and positioning of the exhaust flue relative to sensitive receptors in the surrounding area (Policy ENV19 Part 1C).
13. Any anticipated odour effects arising from direct combustion or anaerobic digestion (e.g. gasification) ([Policy DM13](#)).

## Policy Justification

- 5.48 An unavoidable consequence of burning fossil fuel is that the process generates greenhouse gases, which contribute to global warming. Reducing the carbon footprint of new developments in Pendle, is a key target in the Council's [Climate Change Action Plan 2020-2025](#).
- 5.49 To reduce harmful emissions and improve UK energy security, we need to generate more energy from renewable and low carbon (RLC) sources. And Pendle must contribute its fair share towards meeting national and international targets, whilst protecting valued rural landscapes and historic townscapes. The [South Pennines Renewable and Low Carbon Energy Study](#) (2010) indicated that Pendle would need to generate 15.4MW of electricity and 11.8MW of heat from renewable and low carbon sources to help meet the aspirations of the UK RES.
- 5.50 A wide range of renewable and low carbon technologies can be employed to help achieve these generation figures. New technologies are emerging, and technological advancements increase the efficiency of existing technologies.



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- 5.51 Some visual impact is inevitable, but the use of less intrusive technologies such as ground and air source heat pumps, if carefully sited, can reduce visual impacts in areas of high sensitivity such as the Forest of Bowland AONB and conservation areas.
- 5.52 As set out in [Section 15 of the Planning Act 2008](#) above a threshold of more than 50MW for onshore and more than 100 MW for offshore generation, solar farms will be treated as Nationally Significant Infrastructure Projects, for which a Development Consent Order must be sought from the Secretary of State.
- 5.53 Small-scale technologies can play an important role in serving isolated, 'off-grid' properties where mains gas or electricity is not readily available, and occupants have previously been restricted to the use of expensive, and finite fossil fuels to power boilers. By providing a greener and cheaper source of energy they can also help to reduce fuel poverty, particularly in rural areas.
- 5.54 Building mounted technologies such as solar panels should respect the architectural merits of a building, particularly on Listed Buildings or in areas designated for the value of their landscape or built heritage.
- 5.55 Many small-scale renewable technologies are now allowed under permitted development rights. The installation of solar panels; ground and water source heat pumps; and any associated equipment on residential land and buildings may be regarded as permitted development, with no need to apply for planning permission. However, there are important limits and conditions which must be met to benefit from these rights. The [Design Principles SPD](#) (2009) provides further guidance.
- 5.56 The use of renewable and low-carbon micro-generation technologies (e.g. solar photovoltaic panels, ground and air source heat pumps) is now a viable, cost effective and practical approach for reducing the reliance of new development on non-renewables. Over the plan period new technologies are likely to emerge and the viability of existing technologies is likely to improve because of improved efficiency and the increased availability of funding.
- 5.57 Energy storage can help to ensure that a variable renewable energy supply is always able to match electricity demand. Battery storage allows for a more constant supply of electricity by reducing pressure on the national grid at peak times. Advancements in technology mean that energy storage is now feasible at the domestic level, and costs are predicted to continue to fall. All developments should demonstrate that demand-side response has been considered alongside renewable energy generation.
- 5.58 Buildings should be designed to harness heat at low temperatures given that heat pumps tend to operate significantly more efficiently at lower temperatures. They typically achieve efficiencies of 260-320%, compared to just 80-100% for electric heaters and gas fired boilers by using low flow temperature and large emitters to spread heating throughout the day, resulting in reductions in peak demand.
- 5.59 The use of decentralised energy and local secondary heat sources also have the potential to play a part in reducing emissions from buildings. But they are particularly sensitive to technical and financial viability issues. Heat-mapping and feasibility studies have yet to identify a district heat network opportunity in Pendle.

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## Our foundation for a sustainable future

- 5.60 The opportunity to obtain geothermal energy from former mine workings in Pendle also seems unlikely to be achievable. The coal bearing rocks to the south of Colne contain numerous drift mines. These former workings are shallow and any water they contain will be little warmer than surface temperature. They are also distant from the areas of heat demand. At depth, a particularly thick sequence of Lower Carboniferous rocks, including limestone, contain natural fractures through which water can flow. As technologies improve it may be possible to exploit this potential source of geothermal energy.
- 5.61 For hydro-electric schemes the Environment Agency must be consulted about water extraction licences because the water is not owned by the landowner.
- 5.62 By supporting a mix of appropriate schemes the Council will aim to achieve the following generation figures by 2040:
- (a) 15.4 MW of electricity
  - (b) 11.8 MW of heat

## Our foundation for a sustainable future

### Promoting biodiversity

- 5.63 Biodiversity refers to the variety of life on earth. Some aspects – protected habitats and species – are highly valued, but the ecosystems that support human life rely on many other elements, are not as widely appreciated.
- 5.64 Birds, bees and other insects are responsible for pollination and many of the foods we eat. Agriculture is reliant on invertebrates to maintain the health of the soils, which plants need to grow. Trees, hedgerows, grasslands and wetlands naturally slow down water by helping soils to absorb rainfall, helping to reduce the chances of flooding. Trees and other plants also help to clean the air that we breathe and address the global challenge of climate change by absorbing carbon dioxide. They provide for natural shading from the sun and offer protection from the wind.
- 5.65 Spending time in nature helps to improve people’s physical and mental health. Urban green spaces and street trees have been shown to decrease hospital admissions, reduce stress and lower blood pressure.
- 5.66 In summary, humans place the following core values on biodiversity:
- Economic – providing the raw materials for consumption and production and supporting the livelihoods of farmers and other agricultural workers.
  - Ecological – functioning ecosystems supply a wide range of ecosystem services, which offer security to communities, resilience for local economies and improvements for human health.
  - Recreational – facilitating leisure pursuits such as hiking, camping, fishing, birdwatching and other tourist and cultural activities.
  - Scientific – providing a wealth of data that helps us to better understand the importance of our interaction with the natural environment.
- 5.67 We continue to learn more about the complex inter-relationships that exist in nature. But we cannot be certain whether the loss of a particular species, or habitat, will have any significant adverse impacts for our ecosystems in the long-term. Any loss or deterioration in the condition of our biodiversity resource could compromise our core values and affect human wellbeing. We must therefore take a cautious approach when considering development proposals.

## Our foundation for a sustainable future

### DM04: Biodiversity net gain

#### Policy Text

1. All development proposals should carry out an assessment of their potential impact on local ecology. Where an adverse impact is identified an ecological appraisal should be prepared. This appraisal should meet the requirements of the British Standard for Biodiversity (BS 42020: 2013) and be proportionate to the level of impact identified.
2. Where the presence of a protected species is suspected an Environmental Report should be submitted alongside the planning application. Any surveys should be carried out during the relevant optimal survey period.
3. All development proposals in Pendle will be expected, as applicable, to deliver an overall measurable net gain for biodiversity of at least 10% against the baseline conditions of the site, measured using the latest version of the DEFRA Biodiversity Metric or Small Sites Metric, or their successors. Developments achieving on site/borough enhancements above 10% of baseline conditions will be considered favourably.
4. Where a net gain for biodiversity cannot be secured on-site, off-site provision should be provided within a 20-minute walk of the development site. Where this is not possible a financial contribution should help to fund capital projects at Local Nature Reserves, or designated Biodiversity Net Gain areas within the borough.
5. Conservation Credits may also be accepted as a means of meeting policy requirements for Biodiversity Net Gain.
6. There is a two-year transition period following Royal Ascent of the Environment Act until the application of Biodiversity Net Gain requirements becomes mandatory for all development (November 2023).
7. Development within a wildlife corridor defined on the Policies Map will not be permitted where it would prejudice its character or purpose.
8. Where feasible to do so, developers will be required to align their biodiversity targets with those for other development sites close to their site.
9. Developers will be required to make long term arrangements maintenance and stewardship of Habitats provided in response to Biodiversity Net Gain requirements.

#### Policy Justification

5.68 Action is required both globally and locally to help reduce the loss of biodiversity. The drivers of this loss are largely man-made and include:

- Land-use change, including urbanisation and deforestation
- Over consumption and the production of waste
- Pollution
- Climate change impacts
- Intensive agriculture
- The introduction of non-native invasive species

## Our foundation for a sustainable future

- 5.69 The significance of this loss is not just ecological. It has serious implications for climate change and our general health and wellbeing, both now and in the future.
- 5.70 To help the UK meet its international obligations to halt biodiversity loss, local planning authorities in England must have regard for conserving biodiversity in the exercise of all public functions.<sup>38</sup>
- 5.71 The [State of Nature 2016](#) report revealed that the “no net loss” approach to planning for biodiversity was failing. In response the [25 Year Environment Plan](#) (2018) committed the Government to establishing a [Nature Recovery Network](#) and introduced the concept of ‘biodiversity net gain’ stating that:
- “We (the government) will embed an ‘environmental net gain’ principle for development, including housing and infrastructure.”*
- 5.72 The 25 Year Environment Plan set out the framework and vision for a quarter century of action. The [Environmental Improvement Plan 2023](#) sets out a plan to deliver, with the key goal being to halt the decline in our biodiversity. This includes transforming the management of the countryside, by incentivising farmers to adopt nature friendly farming practices and reduce ammonia emissions, which is crucial for sensitive natural habitats, where nutrient neutrality may be an issue.
- 5.73 In addition, the [G7 2030 Nature Compact](#) (2021) and the [Environment Act 2021](#) have introduced a legally binding target to halt the decline in species abundance by 2030. DEFRA has set out the approach to delivering these commitments in the refreshed [Environmental Improvement Plan 2023](#).

### Biodiversity Net Gain

- 5.74 Biodiversity Net Gain (BNG) is an approach to development that aims to leave biodiversity in a better state than before. Mandatory requirements for net gains for biodiversity, as part of development proposals are included in the [Environment Act 2021](#) which makes provision for the following:
- A minimum 10% gain required calculated using the Biodiversity Metric and Approval of net gain plan.
  - Habitats secured for at least 30 years via obligations/conservation covenant.
  - Habitats delivered on-site, off-set or via statutory biodiversity credits.
  - A national register for net gain delivery sites.
- 5.75 Chapter 15 of the NPPF seeks to minimise the impact that development will have on the natural environment and in paragraph 179 notes that where possible opportunities to secure measurable net gains for biodiversity should be pursued.
- 5.76 The [PPG on the Natural Environment](#) highlights the need for proportionate evidence to inform development decisions. It also clarifies the responsibilities for protecting priority species and habitats.

<sup>38</sup> This statutory duty is outlined in the [Natural Environment and Rural Communities Act 2006](#) (the NERC Act)

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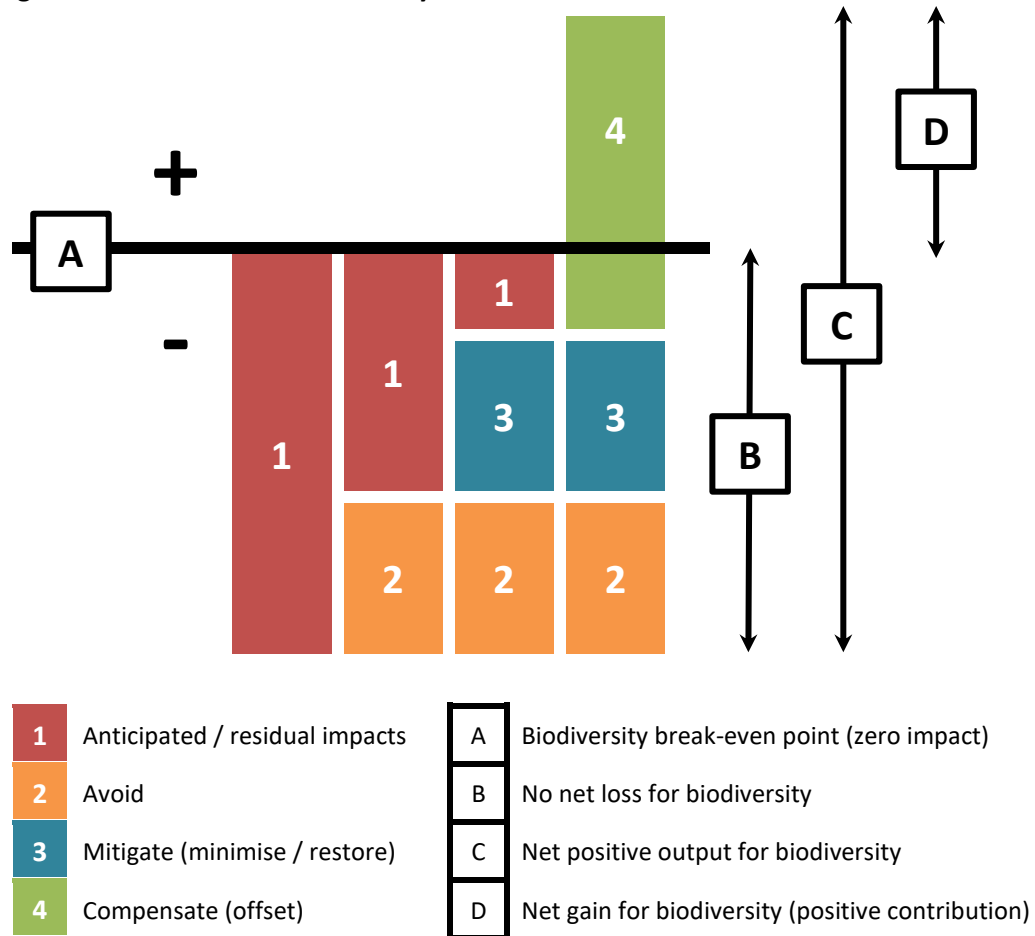
- 5.77 To provide a basis for positive engagement with key stakeholders, throughout the development cycle, BNG should form part of the project documentation from the outset. This will help to ensure that BNG supports the creation of coherent ecological networks, which are resilient to current and future development pressures, and makes a positive contribution to the emerging Lancashire Nature Recovery Strategy ([Policy DM05](#)).
- 5.78 The [DEFRA Biodiversity Metric 3.0](#) and the [Small Sites Metric](#), their successors or equivalent, are the preferred tools to measure the baseline ecological conditions, the impacts of development, and the increase in biodiversity achieved through on-site design measures. In accordance with statutory requirements a minimum gain of 10% for biodiversity will be expected against baseline conditions at greenfield or previously developed sites. The maintenance and stewardship of these measures will be secured through a signed Section 106 agreement.
- 5.79 Biodiversity net gain still relies on the application of the mitigation hierarchy to avoid, mitigate or compensate for biodiversity losses. It is additional to these approaches relating to existing habitats and their enhancement only. The Environment Act 2021 makes clear that the mitigation hierarchy, set out below and in Figure 3.1, remains at the heart of the revised approach:
1. Avoid Find an alternative site or design the development to avoid/retain ecologically valuable habitat(s)
  2. Mitigate Time development to avoid or minimise the disturbance of species and replace or restore any disturbed habitat with as good, or better, quality habitat(s).
  3. Compensate As a last resort employ biodiversity offsetting to create new habitat(s) of high ecological value either on-site or in an appropriate off-site location. Such sites can provide different types of habitat(s) to those that are lost provided that they are locally important and enhance local biodiversity. Such habitats should contribute wherever possible to creating a more cohesive ecological network by linking with the surrounding landscape or neighbouring developments.

### Mitigation and Compensation

- 5.80 BNG measures should be proportionate to the scale of the development. But any compensatory provision should be accessible and of a viable size. On small sites where there is minimal loss of habitat of low ecological value will need small scale net gain measures. Examples of these include the provision of swift nest bricks and bat boxes. In built up urban areas, the creation of roof habitats and green walls may be an option. Larger sites could incorporate new woodland; species rich wildflower meadows, or water features that meet the needs of wildlife and sustainable drainage.

## Our foundation for a sustainable future

Figure 3.1: Net Gain for Biodiversity



Source: Adapted from Rio Tinto and biodiversity: Achieving results on the ground (2008)

- 5.81 It is not always possible, nor is it always effective, to achieve net gain within the boundary of a development site. In these circumstances biodiversity offsetting can offer a solution. This will provide net gain via a financial or practical contribution to nature conservation in nearby areas.
- 5.82 The Policies Map shows the location of 'biodiversity net gain areas.' These are locations where biodiversity off-setting will help to create strategic biodiversity areas. Biodiversity net gain areas could also fulfil the role of SANG the requirements of [Policy DM08](#).

### Protected Species

- 5.83 Building work, demolition or any disturbance to trees or hedgerows may have an impact upon protected species. Species such as bats, which use roof spaces as roost or hibernation sites, and birds that nest under the eaves of buildings are protected from harm by law. Further information can be found in the [Wildlife and Countryside Act 1981](#).
- 5.84 If the presence of bats or nesting birds is suspected your planning application will need to include a survey report. This should include details of any mitigation measures to safeguard the protected species from the adverse effects of the development.

## Our foundation for a sustainable future

- 5.85 Planning conditions or obligations may be necessary to ensure that these measures are implemented. Such measures can include, for example, avoiding carrying out any work during the bird breeding season, or the inclusion of artificial nest boxes as part of the development. Permission may be refused where the survey information and proposed mitigation measures included with an application are considered to be inadequate (see [Policy SP08](#) for further information).

### Ecological Appraisal and Assessment

- 5.86 It is essential that the presence or otherwise of protected species, and the extent that they may be affected by a proposed development, is established before planning permission is granted. This will typically involve the developer commissioning an ecological appraisal. The British Standard for Biodiversity (BS 42020: 2013) offers detailed guidance on ecological appraisal.
- 5.87 A Preliminary Ecological Appraisal (PEA) employs desk-based research and/or on-site surveys to:
- Clarify any statutory obligations regarding biodiversity.
  - Outline the likely impacts of the proposed development.
  - Identify opportunities for mitigation, compensation and enhancement.
  - Consider if consultation with the statutory bodies is necessary.<sup>39</sup>
  - Show the need for any consents or special licences.
  - Determine if a more detailed Ecological Impact Assessment is required.
- 5.88 Ecological Impact Assessment (EcIA) is a more detailed iterative process. It is formally required as part of an Environmental Impact Assessment (EIA) but can be usefully employed on any development project. EcIA will help to highlight the potential for significant ecological impacts within the development site or the surrounding area. This will allow the design to be amended to meet the principles of the avoid-mitigate-compensate hierarchy (Figure 3.1).
- 5.89 [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) indicate when a detailed Environmental Impact Assessment (EIA) is required. The [PPG on Environmental Impact Assessment](#) offers further guidance.
- 5.90 The Planning Inspectorate (PINS) has stated that the biodiversity duty also applies to permitted development, according to Regulation 9 of The Conservation of Habitats and Species Regulations 2017.
- 5.91 Land affected by the presence of invasive species such as Japanese Knotweed, Giant Hogweed and Himalayan Balsam is regarded as contaminated land (see [Policy DM14](#)).

<sup>39</sup> The statutory bodies are the Environment Agency, Natural England and Historic England.



## Our foundation for a sustainable future

### DM05: Ecological networks

#### Policy Text

1. The ecological network will consist of core habitat areas; wildlife corridors and stepping stones; restoration areas; and their buffer zones.
2. Development proposals of all types should seek to prevent harm and have regard to the potential to enhance and add value to, the Lancashire Local Nature Recovery Network Strategy.
3. Within the ecological network development proposals should:
  - a. Prioritise the enhancement to priority habitats.
  - b. Improve the connectivity of habitats, including restoration areas, to support the movement of mobile species and improve the resilience and function of the network.
  - c. Minimise adverse impacts from pollution and disturbance.

#### Policy Justification

- 5.92 The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority, in exercising its functions, to have regard to the purpose of conserving biodiversity, so far as is consistent with the proper exercise of those functions.
- 5.93 The Lawton Review: [Making Space for Nature](#) (2010) looked at the country's wildlife sites and whether they are capable of responding and adapting to the growing challenges of climate change and other demands on our land. It recommended the creation of a coherent and resilient ecological network and identified three key objectives:
1. To restore species and habitats appropriate to England's physical and geographical context to levels that are sustainable in a changing climate and enhanced in comparison with those in 2000.
  2. To restore and secure the long-term sustainability of the ecological and physical processes that underpin the way ecosystems work, thereby enhancing the capacity of our natural environment to provide ecosystem services such as clean water, climate regulation and crop pollination, as well as providing habitats for wildlife.
  3. To provide accessible natural environments rich in wildlife for people to enjoy and experience.
- 5.94 In 2013 the Lancashire Local Nature Partnership (LNP) commissioned the Lancashire Wildlife Trust (LWT) and the Lancashire Environment Record Network (LERN) to jointly develop an ecological network for the county. This work centred on mapping and modelling the existing hierarchy of designated biodiversity and geodiversity sites, areas of land containing habitats and species of principal importance and the intervening networks for three priority habitat groupings:
1. Woodland
  2. Grassland
  3. Wetland and Heath.

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## Our foundation for a sustainable future

- 5.95 A new Lancashire Local Nature Recovery Strategy (LNRS) will build on this work. The LNRS will seek to create a coherent ecological network for the county and in doing so highlight any strategic cross boundary issues for biodiversity.
- 5.96 The LNRS will inform the emerging Lancashire Nature Recovery Network (LNRN). This will map the wide range of natural capital assets in the county and recognise the ecosystems services that they provide. Together with appropriate buffer zones, the network will allow species to move freely between designated sites – the core locations for biodiversity – to feed, disperse, migrate or reproduce, providing future resilience to the potential impacts of climate change.
- 5.97 Designated sites, wildlife corridors and biodiversity opportunity areas help to fulfil the requirements of the NPPF with regard to the conservation of biodiversity. They should not be regarded as constraints but should be used to inform and guide development proposals. They provide wider ecosystem benefits and represent the building blocks for establishing a coherent ecological network.
- 5.98 New habitat creation can help to strengthen our ecological networks allowing for species conservation and dispersion, helping to arrest the decline of biodiversity. But the connections between the core biodiversity sites do not need to be a continuous linear habitat. Species can use a series of smaller isolated sites as stepping stones to travel through urban areas. The planting of wildflower meadows and the introduction of more street trees in roadside verges, installing green roofs and walls on new buildings; and encouraging communities to garden will extend the LNRN into the heart of our towns, helping to address biodiversity requirements and the impacts of climate change.
- 5.99 Local Green Spaces and areas of open space can make a valuable contribution to biodiversity and our ecological networks. They are also part of our wider green infrastructure network (Policy DM06) and protected from inappropriate development by the NPPF (paragraphs 98 and 101) and policies in this Local Plan; [Policy DM12](#) and [Policy DM31](#) respectively.

## Our foundation for a sustainable future

### DM06: Green infrastructure

#### Policy Text

1. The Council will seek to protect and enhance Pendle's green infrastructure assets. Where feasible, and appropriate to do so, the Council will seek to develop further connections between these assets.
2. Development proposals will normally be supported where they:
  - (a) Make a positive contribution to the delivery of a high quality multi-functional green infrastructure network.
  - (b) Address the needs identified in the Pendle Green Infrastructure Strategy.
  - (c) Avoid significant loss or harm to an existing green infrastructure asset. This includes the severance or disruption of a linear network connection such as a public right of way (e.g. footpath, cycleway, bridleway etc.) or ecological feature (e.g. wildlife corridor, hedgerow, ancient semi natural woodland or water environment).
  - (d) Include measures that avoid any potential harm to the green infrastructure network. Or where harm cannot be avoided, sufficiently mitigate its effects.
  - (e) Restore, enhance and/or make additional on-site green infrastructure provision.
  - (f) Restore, enhance or create linkages to the wider green infrastructure network.
  - (g) Remove obstructions to natural river processes.
  - (h) Make a positive contribution to improving the physical health and wellbeing of the local and wider community.
  - (i) Incorporate improvements to biodiversity and the ecological network through the restoration, enhancement or creation of additional habitat.
3. The Council will not normally be responsible for the long-term management and/or maintenance of green infrastructure. Where appropriate, the Council will seek to secure contributions towards these costs through planning obligations or legal agreements.

#### Policy Justification

- 5.100 The term green infrastructure (GI) was introduced to raise the profile of those elements of our environment that help to support a sustainable, healthy and enjoyable way of life.
- 5.101 The NPPF requires a Local Plan to set out a strategic approach to conservation and enhancement of the natural environment, including green infrastructure (paragraph 20).
- 5.102 The NPPF defines green infrastructure as:
- "a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities."*

## Our foundation for a sustainable future

- 5.103 This network of natural, semi-natural and man-made spaces is diverse in character. It includes:
- Parks, playing fields, allotments and cemeteries
  - Formal and private gardens
  - Green roofs and walls
  - Woodland and street trees
  - Highway verges and hedgerows
  - Rivers, lakes and canals
- 5.104 Collectively these spaces may appear to separate our neighbourhoods, towns and villages, but their use is equally likely to bring communities together. They can also be important components in our ecological networks (see [Policy DM05](#)).
- 5.105 The interactions between individual GI assets are complex and their functions are wide-ranging. A coherent and integrated network of multi-functional GI sites can assist both regeneration and conservation. An integrated approach to the design and management of new sites will help to unlock their full potential and deliver a wide range of economic, social and environmental benefits.
- 5.106 Planning Practice Guidance shows how GI can make a positive contribution to a range of critical challenges we face in the 21st century. These include, but are not limited to:
- health and wellbeing
  - social cohesion
  - food and energy security
  - avoiding the fragmentation of habitats
  - climate-change mitigation and adaptation
  - carbon sequestration<sup>40</sup>
- 5.107 By responding to landscape and townscape character, well-designed GI can help to create a sense of place.
- 5.108 In Pendle, high density urban development dating back to the late 19<sup>th</sup> and early 20<sup>th</sup> century represents an efficient use of land, but it has resulted in a fragmented GI network. Many parts of the M65 Corridor suffer from deficiencies and/or poor access to GI.
- 5.109 This is a difficult position to redress given the poor levels of economic viability in many of our towns. To achieve a reasonable return on their investment developers seek to maximise site utilisation. This restricts the opportunity to introduce new GI in the densely populated urban areas, where it is most needed. But high quality, safe and accessible green spaces attract people and investment. Even the smallest contributions can provide stepping stones and help to create new wildlife corridors.

<sup>40</sup> Carbon sequestration describes the process of capturing carbon dioxide from the atmosphere. This can be achieved naturally through biological, chemical, and physical processes, or artificially. The long-term storage of CO<sub>2</sub> and other forms of carbon can help to mitigate or reverse global warming and help to avoid climate change.

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## Our foundation for a sustainable future

- 5.110 GI does not respect administrative boundaries. Its protection and enhancement requires collaboration with neighbouring authorities and other key stakeholders. Engagement with the Local Nature Partnership (LNP) for Lancashire and the overlapping South Pennines LNP, helps to consider how wider strategies and joint working can help to address any strategic cross-boundary issues.
- 5.111 Where appropriate, proposals should incorporate GI in line with any site-specific considerations and policies in the Local Plan or a Neighbourhood Plan. Favourable consideration will be given to proposals that have used the [Building with Nature](#) standards to integrate nature-friendly features into the development process.

## Our foundation for a sustainable future

**DM07: Trees and hedgerows****Policy Text**

1. All development proposals should demonstrate that opportunities for the conservation, restoration, enhancement or planting of trees, woodland and hedgerows have been considered and incorporated, wherever practicable.
2. In accordance with principles of good design and help combat the effects of climate change, trees should be incorporated into the streetscene.
3. Where trees and woodland could be affected by development, the submission of an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) will be required. Reports should meet the requirements of British Standard (BS 5837:2012).
4. When granting planning permission, any condition requiring details of the trees to be retained and protected during site operations will be in accordance with the British Standard (BS 5837:2012).
5. Prior to commencement of any work on-site, applicants must demonstrate that any agreed protection measures are in place.
6. Any arboricultural works should be carried out in accordance with the British Standard (BS 3998:2010).

**Protected Trees and Ancient Woodland**

7. Buffer zones should be used to protect ancient woodland and individual ancient or veteran trees from any adverse impacts associated with development, including the construction phase. The size and type of the buffer zone will vary depending on the nature of the development:
  - (a) Ancient woodland – a minimum of 15 metres to avoid root damage.<sup>41</sup> As a precautionary principle a larger buffer zone should be considered to prevent adverse impacts on the woodland habitat from pollution and trampling.<sup>42</sup>
  - (b) Veteran trees – a minimum of 15 times the diameter of the tree, or 5 metres from the edge of the tree's canopy if that area is larger than 15 times the diameter of the tree.
8. Works to protected trees will only be granted consent where these would:
  - (a) Not adversely affect the appearance of the tree and the contribution it makes to amenity.
  - (b) Improve the health and/or amenity value of the tree.
9. Proposals resulting in the felling of ancient woodland or veteran trees to facilitate development will be refused unless wholly exceptional reasons exist, and an agreed compensation strategy can be provided. Where the felling of a protected tree is permitted, replacement planting will normally be required. This planting should take place in a location agreed with the Council and include appropriate species (see Replacement and New Tree Planting below).

<sup>41</sup> Standing advice on [ancient woodland, ancient trees and veteran trees: protecting them from development](#) (Forestry Commission and Natural England, October 2014), as amended

<sup>42</sup> [Planning for Ancient Woodland](#) (Woodland Trust, July 2019).

## Our foundation for a sustainable future

### Non-Protected Trees and Hedgerows

10. The proposed loss or damage of non-protected trees, woodland or hedgerows should be avoided. Assessment should be provided of its:
  - (a) Health/condition
  - (b) Amenity value
  - (c) Public safety
  - (d) Wider ecological value.
11. Where it can be shown that loss or damage is unavoidable, appropriate replacement or compensation will be required (see Replacement and New Tree Planting below).

### New and Replacement Planting

12. Proposals for the planting of new trees and hedgerows should include details of:
  - (a) The planting proposals, including specifications and timings.
  - (b) Implementation in accordance with the approved details.
13. The design and layout of new developments, both above and below ground, should ensure that any retained or new trees are able to grow and mature in the space provided.
14. The final size and shape of tree and shrub species should be considered in the design of any planting scheme, to ensure that there will not be future conflict with buildings and use of space.
15. Native species will normally be preferred, but particularly along boundaries with the open countryside and for large scale planting.
16. The use of hedgerows and trees, rather than fencing, to define the boundaries of a development, and any individual plots within it, is encouraged. This is particularly important where these share a border with the open countryside.
17. For each tree lost, the provision of two (2) replacement trees, or a minimum commuted sum payment of £500.00 (excluding VAT) per new tree will be required. This will form part of any biodiversity net gain requirement (see Policy DM04).

### Policy Justification

- 5.112 Trees and hedgerows are an integral part of both the urban and rural landscape. Their presence brings a wide range of environmental, economic and social benefits.
- 5.113 Trees and hedgerows support biodiversity by providing wildlife habitat. They improve air quality by releasing oxygen into the atmosphere and by absorbing carbon dioxide they help to combat climate change. Root systems help to improve soils and by soaking up water prevent flooding and erosion. Tree canopies help to regulate temperature extremes. By blocking strong winds they can reduce heating costs by up to 25%, whilst in the summer months, they offer shade to keep homes cool.
- 5.114 Within our towns and villages, trees and hedgerows make a positive contribution to our sense of place by providing visual amenity, screening and privacy. Woodland walks help to reduce stress, improve health and mental wellbeing, whilst green spaces encourage social interaction, promoting a stronger sense of community.

## Our foundation for a sustainable future

- 5.115 When granting planning permission [Section 197 of the Planning Act 1990](#) requires the Council impose conditions, where appropriate to:
- Secure the preservation or planting of trees; and
  - Ensure that any necessary tree preservation orders are made under [section 198 of the Act](#).
- 5.116 On large scale developments the appointment of a suitably qualified landscape designer and arboricultural consultant to the design team is recommended, throughout the development process.

### Existing Trees and Hedgerows

- 5.117 The vital role played by mature trees and hedgerows is recognised in national planning policy and guidance. It also recognises the benefits that arise from integrating them into new developments.
- 5.118 All trees, and the impact of development upon them, are a material consideration in the determination of a planning application. In the interests of preserving their value for amenity, protection may be afforded to individual trees; groups of trees; or woodlands by virtue of:
- A Tree Preservation Order (TPO)
  - Conservation Area status; or
  - A condition attached to a planning application.
- 5.119 Paragraph 180 (c) of the [NPPF](#) states that when local planning authorities are determining planning applications, they should consider whether: *"development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists."*
- 5.120 It is an offence to cut down, uproot, prune, lop or damage trees subject to a TPO without first obtaining the consent of the Council. Similarly, under the [Hedgerow Regulations 1997](#), it is unlawful to remove or destroy most countryside hedgerows without first obtaining written permission from the Council.<sup>43</sup>
- 5.121 Development proposals should consider any trees or hedgerows present on-site. They should avoid damage to such features, even where they are not protected. If this is not possible, in order of preference, measures should be put in place to provide for mitigation, damage reduction, or compensation.
- 5.122 Where the retention or removal of trees or established hedgerows is a consideration within the design process, pre-application advice should be sought. This can include a meeting on site with the Council's Environment Officer.

<sup>43</sup> Hedgerows forming part of a garden boundary are excluded.



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## Our foundation for a sustainable future

### New Trees and Hedgerows

- 5.123 The [England Trees Action Plan 2021 to 2024](#) (2021) sets out the government's long-term vision for the tree-scape it wants to see in England by 2050 and beyond. The commitment to establish 3,000 hectares of new woodlands along England's rivers is taken forward in the [Environmental Improvement Plan 2023](#), which acknowledges the important role that trees play in helping to tackle nutrient pollution.
- 5.124 Development proposals should consider arboricultural and landscape requirements at an early stage.
- 5.125 Structural planting can help to soften the impact of new development. It can help to define linkages between key features and create new public spaces. At a smaller scale individual trees and copses (small groups of trees) can enhance amenity, provide solar shading and other environmental benefits; helping new development to meet requirements for Biodiversity Net Gain ([Policy DM04](#)).
- 5.126 Good planning and design will help to achieve a high-quality sustainable development. To determine an appropriate planting scheme and enhance the prospect of tree establishment and appropriate planting, applicants are recommended to seek pre-application advice. This will address the choice of stock; site preparation; transport handling and storage; aftercare and management.
- 5.127 Individual street trees should use species that are tolerant to highway pollution. Their size can be controlled by the soil volumes in individual soil cells, or by root control zones in larger rain gardens.
- 5.128 Proposals the planting of new trees or hedgerows should also have regard to the opportunities identified in the Pendle Green Infrastructure Strategy and address the requirements of [Policy DM06](#).

**DM08: South Pennine Moors****Policy Text**

1. Development not associated with the management of the South Pennine Moors SPA will not be permitted.
2. Subject to the exemption tests set out in [Article 6\(4\) of the Habitats Directive](#), any development which is likely to lead, directly or indirectly, to an adverse effect (either alone or in combination with other plans or projects) on the integrity of the SPA or SAC, which cannot be effectively mitigated, will not be permitted within any of the three Impact Risk Zones.
3. To mitigate adverse impacts on the SPA and SAC arising from an increase in the population, the following approach will be applied to all non-allocated residential developments within the Impact Risk Zone for the South Pennine Moors SSSI:
  - Zone A – Developments involving a net increase in dwellings will not be permitted unless, as an exception, it can be shown that the development and/or its use will not have an adverse impact on the integrity of the SPA or SAC.
  - Zone B – Residential development will be considered, where robust and up-to-date evidence shows that the proposed development will not affect a foraging habitat for qualifying species of the SPA.
  - Zone C – Where residential development results in a net increase of 10 or more dwellings, proposals must consider how the development may result in recreational pressures on the SPA or SAC, and how these can be effectively mitigated.
4. Measures to mitigate adverse impacts on the SPA and SAC arising from an increase in the local population can include:
  - (a) On-site or off-site compensation in the form of Suitable Alternative Natural Greenspace (SANG) or other appropriate measures, including provision for long-term maintenance and management.
  - (b) A financial contribution from the developer to fund:
    - i. The provision of additional SANG areas, to deflect pressure from moorland habitats, including provision for long-term maintenance and management.
    - ii. The implementation of access management measures to reduce the impact of visitors.
    - iii. A programme of habitat management, including the subsequent monitoring and review of measures.

## Our foundation for a sustainable future

### Policy Justification

- 5.129 The South Pennine Moors is an internationally important natural resource. The whole of the South Pennine Moors falling within the Pendle administrative boundary is categorised as a Site of Special Scientific Interest (SSSI). Overlapping the SSSI are areas designated as:
- Special Protection Area (SPA) in recognition of the habitat it provides for an important assemblage of breeding moorland and moorland fringe birds.
  - Special Area of Conservation (SAC) in recognition that the site is representative of upland dry heath and transitions to acid grassland, wet heath and blanket bogs
- 5.130 The SPA and SAC are European Sites, as defined by [Regulation 8 of The Conservation of Habitats and Species Regulations 2017](#).
- 5.131 In Pendle the boundaries of the SPA and SAC are the same as that for the SSSI.
- 5.132 Natural England has defined [Impact Risk Zones](#) around each SSSI (SSSI IRZs). The SSSI IRZs should be used to inform any assessment of the potential impacts that development may have on SSSIs; to ensure their protection and enhancement in line with the policies in the NPPF and the Development Plan.
- 5.133 Natural England's local team staff have reviewed the SSSI IRZs and where necessary they have been varied to reflect specific local circumstances or development pressures. The SSSI IRZs reflect the sensitivities of the features for which the SSSI is notified. They indicate the types of development proposal which could potentially have adverse impacts on the SSSI. The SSSI IRZs also cover the interest features and sensitivities of European sites (SPA and SAC), which are underpinned by the SSSI.
- 5.134 In this policy:
- Zone A covers land up to 0.4km from the SPA and/or SAC boundary
  - Zone B covers land up to 2.5km from the SPA and/or SAC boundary
  - Zone C covers land up to 7.0km from the SPA and/or SAC boundary
- 5.135 The SSSI IRZ Dataset can be downloaded from the [Natural England Open Data Geoportal](#) and used in combination with other spatial data.
- 5.136 The Council supports the creation of the non-designated South Pennines Park (Policy DM10) and will consider any potential impacts on the SPA and SAC.

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Our foundation for a sustainable future

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**Protecting valued landscapes**

- 5.137 Landscape is much more than just the view in front of you. The [European Landscape Convention](#) (2004) describes the landscape as *“an area, as perceived by people, whose character is the result of the action and interaction of natural and or human factors”*. This definition reflects the importance of relationships between people, place and nature, highlighting that the landscape provides an ever-changing backdrop to our daily lives.
- 5.138 The Council for the Protection of Rural England (CPRE) publication *Unlocking the Landscape* (2015) goes further. It highlights that our perception of a particular place – its patterns, colours, smells, textures and sounds – and the associations we attach to these – our memories, feelings of familiarity, or a sense of awe – turn land into landscape.
- 5.139 Having been influenced by a wide range of factors – the climate, topography, underlying geology, soils, land cover, hydrology, historic and cultural development – each landscape is understandably unique. But they can share distinctive characteristics and a sense of place. Both Natural England and Lancashire County Council have published landscape character assessments covering the Pendle area, and these identify the landscape character types that are present in the borough.
- 5.140 The assessment of landscape character provides an opportunity to identify what makes places unique, helping to ensure that their special qualities and distinctive characteristics can be protected and enhanced through the planning process.
- 5.141 The NPPF highlights that planning should *“recognise the intrinsic character and beauty of the countryside and support thriving rural communities within it.”* This emphasises the need to think carefully about the qualities of an area, to ensure that development does not cause unnecessary harm to landscape character.
- 5.142 Our landscapes also play a vital role in tackling the climate emergency by capturing carbon, cleaning the air, helping to slow flood waters and providing habitats for wildlife.

## Our foundation for a sustainable future

**DM09: Open Countryside****Policy Text**

1. Boundaries for each of the settlements listed in [Policy SP02](#) are defined on the Policies Map.
2. Villages and hamlets without a defined settlement boundary are in the open countryside.
3. Outside a defined settlement boundary development will only be permitted where it:
  - (a) Requires a countryside location.
  - (b) Meets an essential local need (see [Policy DM23](#)).
  - (c) Supports sustainable economic growth and business diversification – including support for tourism facilities and accommodation that accord with [Policy DM42](#).
  - (d) Secures the future of a historically interesting building or structure that is substantially intact.
  - (e) Represents an innovative or exceptional development that can be justified in a particular location.<sup>44</sup>
  - (f) It can be demonstrated that on balance the benefits associated with the development outweigh any failure to accord with relevant planning policy.
4. New development will only be permitted where it retains or enhances the rural character of the area. It should not lead to the coalescence of settlements identified in Policy SP02, or any villages and hamlets in the open countryside.
5. Development within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) will also be assessed against [Policy DM11](#).
6. Development within the Green Belt will also be assessed against [Policy SP05](#).

**Policy Justification**

- 5.143 Open countryside is the term used to describe all land that sits outside the settlement boundaries used to define our towns and villages. It provides an attractive setting for the Borough's towns, villages and hamlets.
- 5.144 It is important that the open countryside is protected from unacceptable development which would harm its open and rural character. In summary the Local Plan seeks to:
- Prevent the coalescence of settlements.
  - Maintain the predominantly open and undeveloped character of the open countryside, particularly in the gaps between settlements.
  - Protect the separate character and identity of settlements, including their setting.

<sup>44</sup> As set out in paragraph 79 of the NPPF (2021).

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## Our foundation for a sustainable future

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- 5.145 The classification of the land outside our settlements is subject to a wide range of different designations. Areas of open countryside may also be within the Green Belt or an Area of Outstanding Natural Beauty. These designations acknowledge the outstanding quality of the rural landscape and its value for biodiversity and recreation. The policy requirements for each will influence how an application for planning permission will be determined in a particular location.
- 5.146 There are strong pressures for development in the open countryside, particularly on the urban fringe. The open countryside can and should accommodate new development to help:
- Support the rural economy.
  - Sustain infrastructure and services.
  - Provide a choice of good quality housing for existing and new residents.
- 5.147 Balanced against this is the need to protect:
- The character of rural settlements
  - Valued landscape character
  - Wildlife habitats and species
  - Recreational opportunities
  - Good quality agricultural land
- 5.148 To help realise these objectives any development in the open countryside should ideally occupy a sustainable, rather than an isolated, location and be of an appropriate scale unless material considerations dictate otherwise.

## Our foundation for a sustainable future

### DM10: Landscape character

#### Policy Text

1. Development proposals will be expected to respect and wherever possible enhance the landscape in which they are located.
2. Development proposals within the setting of the Forest of Bowland AONB, must not adversely affect the special qualities of the AONB ([Policy DM011](#)).
3. Where a development proposal is likely to affect landscape assets, or features in the environment, a landscape assessment should be carried out.
4. Where proposals are likely to have a significant visual or landscape impact the applicant will be expected to submit a Landscape and Visual Impact Assessment (LVIA). This should assess the impact of the proposed development and recommend the means by which any identified impacts can be mitigated.
5. Development proposals should ensure that:
  - (a) The design and layout of the development is sympathetic to the distinctive character of the existing landscape through a combination of its siting (position), scale, massing, materials and appearance.
  - (b) Any negative impacts should be mitigated by incorporating appropriate design solutions such as structural landscaping.
6. The following aspects of landscape character should be conserved and where possible enhanced through sensitive design or mitigation measures:
  - (a) The locally distinctive pattern of natural features such as trees, hedgerows, woodland, field boundaries (including dry-stone walls and gate posts), watercourses and water bodies.
  - (b) The separate identity of settlements; their locally distinctive character and landscape settings.
  - (c) The transition between man-made and natural landscapes at the urban fringe.
  - (d) Visually sensitive skylines, geological and topographical features.
  - (e) Landscape features of cultural and historic value.
  - (f) Important views and vistas.
  - (g) Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.

#### Policy Justification

- 5.149 The landscape we see today have evolved over time through a combination of natural forces and human intervention. Guiding its continued change, whilst meeting our economic, social and environmental needs is a key role for planning.
- 5.150 Different types of development will result in varying levels of impact. Their position within the landscape is an important consideration.

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- 5.151 The [European Landscape Convention \(2000\)](#) promotes landscape protection. It tasks planning with maintaining the unique blend of characteristics we value so highly in our rural and urban landscapes.
- 5.152 The NPPF recognises the need to enhance the natural and local environment. Protecting valued landscapes acknowledges the intrinsic character and beauty of the countryside. It is built on an appreciation of the different roles and character of a particular area.
- 5.153 The accompanying [practice guidance](#) requires Local Plans to include strategic policies for the conservation and enhancement of the natural environment, including landscape. In this context landscape includes designated landscapes and the wider countryside.
- 5.154 New development should respond to the character and qualities inherent in the local landscape. A robust understanding of local landscape character provides the necessary context and setting for all development.
- 5.155 Pendle's varied landscapes are amongst its most important assets. The Borough is defined by the upland moors atop the hills of Pendle, Boulsworth and Weets. These areas afford visitors extensive views across the north of England and offer important habitats for upland bird populations and other wildlife.
- 5.156 New development should safeguard or enhance local landscape character, having regard to the following publications:
- (a) The [National Character Area](#) profiles published by Natural England in 2014. These describe areas of distinct and recognisable character at the national scale and three are present in Pendle:
    - [Bowland Fringe and Pendle Hill](#) (33)
    - [Lancashire Valleys](#) (35)
    - [Southern Pennines](#) (36)
  - (b) The [Lancashire Landscape Character Assessment](#) (2000), which provides a more detailed look at the different landscapes across the county. It identifies the cultural, historic, social and environmental qualities present within each landscape and assesses their value. The following Landscape Character Areas are present in Pendle:
    - Moorland Plateaux (01)
    - Moorland Hills (02)
    - Moorland Fringe (04)
    - Industrial Foothills and Valleys (06)
    - Drumlin Field (13)
    - Rolling Upland Farmland (14)
    - Industrial Age (23)
    - Suburban (24)



## Our foundation for a sustainable future

- 5.157 Natural England's National Character Area 36: Southern Pennines is coincidental with the core area of the emerging South Pennines Park. This covers an area of 1,200 km<sup>2</sup> (460 m<sup>2</sup>) and has a resident population of 600,000. It is highly accessible by public transport and from the highway network, with a population of 8 million living within a 30-minute journey time.
- 5.158 All landscapes have some degree of value. But some are more highly valued than others. The significant landscape value of the area around Pendle Hill has received national recognition. It forms part of the Forest of Bowland Area of Outstanding Natural Beauty (AONB). Development within the AONB boundary (see Policies Map) and its setting are addressed by [Policy DM11](#).
- 5.159 The area covered by the South Pennines Park is part of the Pennine ridge of hills connecting the Yorkshire Dales National Park to the north with the Peak District National Park to the south. Within Pendle the landscape is one of large-scale sweeping moorlands; pastures enclosed by drystone walls; and gritstone settlements contained within narrow valleys. The area contains an internationally important mosaic of moorland habitats which support rare upland birds such as merlin, short-eared owl and twite. Any development within this area is also subject to the requirements of [Policy DM08](#).
- 5.160 In all cases the purpose of landscape assessment is to assess the effects of change. The form of the assessment to be undertaken will depend on the scale, type and form of the development. Unless there are specific regulatory requirements, the principle of proportionality should apply.
- 5.161 If the change is regarded as significant an Environmental Impact Assessment (EIA) will need to form part of a formal Environmental Statement. This should accompany the planning application and is necessary to fulfil the requirements of [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). The assessment should take the form of a formal Landscape and Visual Impact Assessment (LVIA) following the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) developed by the Landscape Institute and the Institute of Environmental Management and Assessment (IEMA).
- 5.162 If the development is not considered to be 'EIA development,' some form of assessment may still be required if it has the potential to affect the landscape.

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**DM11: Forest of Bowland Area of Outstanding Natural Beauty****Policy Text**

1. The boundary of the Forest of Bowland AONB is identified on the Policies Map.
2. Paragraphs 1-8 of this policy apply to all land lying within the designated boundary of the AONB, including that within the following settlements:
  - Barley
  - Newchurch-in-Pendle
  - Roughlee and Crow Trees
  - Spen Brook
3. All development should be sustainable, consistent with the primary purpose of AONB designation,<sup>45</sup> and support the special qualities of the AONB as set out in the most up to date Management Plan for the area.
4. Within the AONB, and its immediate setting, all proposals should address the capacity of the landscape and its ability to accommodate the development. Great weight will to be given to the conservation and enhancement of landscape character; the natural environment; wildlife; cultural heritage and the historic environment.
5. Major development will not be permitted unless exceptional circumstances exist, and it can be shown to be in the public interest. Consideration of such schemes will be assessed against the criteria set out in the NPPF.
6. The intimate nature of the landscape within the AONB means that relatively small-scale development proposals may be significant, depending on the local context.
7. To promote vibrant communities, and help maintain local service provision, small scale growth and investment within the AONB will be supported for the following purposes, provided that it does not cause adverse harm to the landscape:
  - (a) Agriculture and horticulture
  - (b) Residential – conversions and rural exception sites (see Policy DM23)
  - (c) Engineering operations and essential infrastructure
  - (d) Sustainable tourism<sup>46</sup>
8. Development proposals outside a defined settlement boundary (i.e. within hamlets or the open countryside) will be treated as exceptions and will only be permitted where they demonstrate that there would be no adverse impact on settlement or landscape character; and that it:
  - (a) Requires a rural location.
  - (b) Will help to sustain an existing business, including farm diversification and tourism schemes.
  - (c) Supports tourism (see [Policy DM45](#)).

<sup>45</sup> As set out in the National Parks and Access to the Countryside Act 1949; confirmed by Section 82 of the Countryside and Rights of Way Act 2000.

<sup>46</sup> Sustainable tourism in the Forest of Bowland AONB– <https://www.forestofbowland.com/sustainable-tourism>

## Our foundation for a sustainable future

- (d) Adjoins a settlement and contributes to the meeting of a proven and essential housing need in that location (see [Policy DM23](#)).
- (e) Represents a sensitive and appropriate reuse, redevelopment or extension of an existing and structurally sound building.

### Setting of the AONB

9. Beyond the boundary of the Forest of Bowland AONB development proposals within the setting of the AONB, must demonstrate that, in terms of their siting or scale, they would not adversely affect the special qualities of the AONB or its setting, as set out in the most up to date Management Plan.

## Policy Justification

- 5.163 The NPPF states that valued landscapes should be protected *"in a manner commensurate with their statutory status"* (paragraph 174).
- 5.164 Areas of Outstanding Natural Beauty (AONB) are a category of protected landscape, originally designated under the National Parks and Access to the Countryside Act, 1949. They are designated by Natural England in recognition of their national importance. AONBs are protected under the [Countryside and Rights of Way Act 2000](#) (CROW Act) to conserve and enhance their natural beauty and significant landscape value.
- 5.165 The Forest of Bowland AONB was designated in 1964. The Management Plan<sup>47</sup> makes clear that *"development within and close to AONBs is expected to conform to a high standard of design, to be in keeping with local distinctiveness."*
- 5.166 The [Forest of Bowland Landscape Character Assessment](#) (2009) provides details of the area's landscape character. The main landscape character types within the AONB are:
- Moorland Plateaux – Pendle Hill (A5)
  - Unenclosed Moorland hill – Pendle Hill (B5)
  - Enclosed Moorland Hills – Twiston (C6), Lingbobbobs and Stainscomb (C7)
  - Moorland Fringe – Wheathead (D9) and Upper Sabden Valley (D12)
  - Forestry and Reservoir – Barley (M2)
  - Framed Ridges – The Heights (N2)
- 5.167 Paragraph 177 of the NPPF states that only in exceptional circumstances, and where it can be demonstrated to be in the public interest, should planning permission be granted for major development within an AONB. This is because of the likely harm it would cause to the nation's long term interest of conserving these special places. The consideration of such applications will require an assessment of:
- i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
  - ii) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

<sup>47</sup> <https://www.forestofbowland.com/management-plan>

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## Our foundation for a sustainable future

- iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

5.168 The Local Plan employs a criteria-based approach to assessing proposals for new development. This avoids undermining the purpose of the national designation. It also addresses the special qualities and value of the AONB. Consistent with national policy it focuses development in settlements with the most services and facilities. This helps to ensure that new development takes place in the most sustainable locations. It also helps to minimise the level of impact on the open countryside and preserve sensitive settlement edges.

### Setting

5.169 The concept of setting is set out in the legislation relating to Listed Buildings. This recognises that the form, qualities, and character of the area within which they sit also make a significant contribution to the sense of place, each adding value to the other.

5.170 A similar situation exists on the edge of an AONB, especially where the landscapes and landforms have a visual or functional connection to the AONB. Proposals for change within the setting of the Forest of Bowland AONB should, therefore, have regard to their inter-relationship with the AONB, its landscape character and qualities.

## Our foundation for a sustainable future

### DM12: Local Green Space

#### Policy Text

1. Sites designated as Local Green Space are listed in [Appendix 8](#) and defined on the Policies Map.
2. The sites listed in Appendix 8 – and any Local Green Space sites designated in a subsequently adopted DPD or Neighbourhood Plan – will be protected from any development that causes harm to the “special qualities” of the site, as defined in the Statement of Significance.
3. Development on land designated as Local Green Space is considered as inappropriate and will only be granted planning permission in the following very special circumstances:
  - (a) Buildings for agriculture and forestry.
  - (b) Art installations or the provision of appropriate facilities for outdoor sport, outdoor recreation, and cemeteries; provided that they preserve the openness of the Local Green Space and do not conflict with the purposes of including land within it.
  - (c) The re-use of a building that is of permanent and substantial construction.<sup>48</sup>
  - (d) The extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.
  - (e) The replacement of an existing building; provided that the new building is for the same use and not materially larger than the one it replaces.
  - (f) Engineering operations.

#### Policy Justification

- 5.171 The planning system has, for many years, protected areas of open space and land of high environmental value. Local Green Space is a discretionary planning designation formally introduced by the NPPF (2012). It enables communities to identify areas of land that are of particular local importance and merit extra protection.
- 5.172 By designating land as Local Green Space local communities are able to rule out new development on the land, other than in very special circumstances.
- 5.173 Local Green Space can only be considered for designation in a Local Plan or Neighbourhood Plan. The NPPF is clear that the designation of a site as Local Green Space should be consistent with wider plan objectives (paragraph 101) and that the designation must be capable of enduring beyond the end of the plan period. It should also complement investment in homes, jobs and other essential services.

<sup>48</sup> For new dwellings the phrase “permanent and substantial construction” will not normally include timber buildings or structures, as these will normally require significant modification to be considered habitable.

## Our foundation for a sustainable future

- 5.174 The Local Green Space designation will not be appropriate for many green or open spaces. To qualify a site must be:
- In reasonably close proximity to the community it serves.
  - Demonstrably special to a local community and hold a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field); tranquillity or richness of its wildlife; and
  - Local in character and is not an extensive tract of land.
- 5.175 The policy for managing development within a designated Local Green Space is consistent with that for the Green Belt ([Policy SP05](#)). If the land in question is already designated as Green Belt consideration should be given to whether any additional local benefit would be gained by further designation as Local Green Space.
- 5.176 Planning Practice Guidance (PPG) includes information on the designation of Local Green Space. [Appendix 7](#) sets out the specific criteria Pendle Council will use to assess sites that are put forward for designation as Local Green Space. As Neighbourhood Plans must be in general conformity with the Local Plan, parish and town councils are expected to use the same criteria, unless there is a justified reason not to do so.
- 5.177 Each of the four 'made' neighbourhood plans in Pendle has designated areas of Local Green Space. In addition, a 'call for sites' in 2017 allowed the other parish and town councils in the borough to nominate sites for designation as Local Green Space in the Local Plan. Those sites that met the criteria for designation are listed in [Appendix 8](#), together with a Statement of Significance setting out their 'unique and special characteristics'.
- 5.178 At the time of writing [national planning policy](#) and [planning guidance](#) make no mention of the need to consult with landowners prior to designation. Given the obligations of the plan-making bodies<sup>49</sup> under the Human Rights Act 1998, it is strongly advised that landowners are consulted prior to final designation, given the significant constraint that the Local Green Space designation imposes on the development rights of the land.

<sup>49</sup> The plan making bodies in Pendle are the Borough, Parish and Town Councils.

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## Our foundation for a sustainable future

### Safeguarding the environment

- 5.179 All living things need a healthy environment to thrive.
- 5.180 The [United Nations Sustainable Development Goal 15: Life on Land](#) emphasises the importance of addressing land degradation and biodiversity loss on both a local and global scale.
- 5.181 The linkages between our natural and built environment and long-term health and wellbeing are of particular concern. Our approach to development seeks to have a positive influence on health and wellbeing outcomes, not only in terms of the design of new development, but wider impacts beyond the site boundary.
- 5.182 Pollution and construction can contribute to land degradation, by stripping soils of their nutrients. This can have significant effects for flora and fauna, ecosystems and people's livelihoods. The loss of habitat is one of the biggest challenges facing many species.
- 5.183 Creating all these places, spaces and systems, which allow us to live our daily lives, requires enormous quantities of materials. Population and economic growth place an increased burden on our natural resources. As the competition for materials intensifies their availability is subject to increased uncertainty. Furthermore their extraction, manufacture, transportation, use and disposal results in substantial environmental impacts including pollution of the air, water and land, the degradation of land and loss of habitat.
- 5.184 The re-use of materials over their entire life cycle, can help to address our needs in the built environment in a sustainable way.

## Our foundations for a sustainable future

**DM13: Pollution****Policy Text**

1. Where required to do so by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#), or a subsequent update, development proposals should be accompanied by an Environmental Impact Assessment (EIA), to demonstrate that all environmental considerations have been fully evaluated.

**Air Quality**

2. Housing, or other environmentally sensitive development, will not normally be permitted in locations where existing levels of pollution, from one or more sources, are unacceptable and there is no reasonable prospect that adequate mitigation measures can be put in place by the developer.
3. Development proposals should support improvements to air quality and seek to promote the use of sustainable transport.
4. Major development within 0.5km of an Air Quality Management Area (AQMA) will require an Air Quality Assessment to be submitted. The assessment should address:
  - (a) Existing background levels of air pollution.
  - (b) Existing sources of air pollution and the cumulative effect of planned developments.
  - (c) The feasibility of mitigation measures to reduce any adverse impacts on air quality.
5. Where feasible, the provision of charging points for electric and other ultra-low emission vehicles should be incorporated into all new developments. This will also make a positive contribution towards achieving the Government's ambitious Net zero Carbon targets ([Policy SP06](#)).

**Lighting**

6. Lighting schemes should be appropriate to the type of development and its location. Proposals for outdoor lighting should not have an unacceptable adverse impact by reason of light spillage or glare on neighbouring buildings or uses; the open countryside; highway safety; or biodiversity.
7. Where appropriate, a Light Impact Assessment should accompany a planning application.

**Noise and Vibration**

8. Potential, or existing, noise and vibration levels within the vicinity of any new development must be at acceptable levels. As appropriate, attenuation against noise and vibration may be required.

**Construction**

9. Appropriate measures should be taken to minimise and mitigate any adverse impacts arising from a development during the construction phase. This includes the potential to contaminate land, air, water, or soil quality. It includes a wide range of emissions including, but not limited to, smoke, fumes, gases, dust, steam, heat, energy, odour, noise, vibration and light.



## Our foundations for a sustainable future

### Policy Justification

- 5.185 The NPPF describes pollution as anything that affects the quality of land, air, water or soils, which might lead to an adverse impact on human health, the natural environment or general amenity.
- 5.186 Pollution can arise from a wide range of sources. Water pollution is dealt with in [Policy SP07](#), which promotes the avoid, mitigate and compensate hierarchy ensuring that compensation is the means of last resort. This policy focuses on emissions – smoke, fumes, gases, dust, steam, odour – vibration, noise and light.
- 5.187 Planning provides support for sustainable development and growth. As a result it is often seen as conflicting with the need to protect the environment. But new development need not come at the expense of the environment. Careful and considerate design will address environmental quality, ecological value, health and wellbeing.
- 5.188 One of the main objectives of the planning system is to manage the use of land in the public interest. A key aim is to prevent serious conflicts between different land uses. Together with other forms of regulation, planning also requires new development to minimise or cut pollution. Specifically the NPPF (paragraph 174) requires planning to contribute to:
- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
  - Helping improve local environmental conditions such as air and water quality, wherever possible; by requiring developers to consider relevant information published in River Basin Management Plans and the Water Framework Directive (WFD) compliance assessment of water bodies.
  - Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (see [Policy SP07](#)).
- 5.189 Action to manage and improve air quality is largely driven by legislation. The NPPF requires planning to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Advice on assessments and potential sources of information is set out in [planning practice guidance](#).
- 5.190 Pollution and construction can also contribute to land degradation, by stripping soils of their nutrients. This can have significant effects for flora and fauna, ecosystems and people's livelihoods. The loss of habitat is one of the biggest challenges facing many species.
- 5.191 Some developments will not be able to avoid having an adverse effect on the environment. In such cases the Council expects developers to meet the full cost of any mitigation. This could include contributing towards off-site environmental improvements; referred to as offsetting.

## Our foundations for a sustainable future

### Air Quality

- 5.192 The planning system plays an important role in improving air quality and reducing exposure to air pollution at a local level. An air quality assessment is required as part of any Environmental Impact Assessment associated with a planning application.
- 5.193 The government's [Clean Air Strategy](#) (2019) highlights that active travel such as, cycling and walking creates less pollution. Our spatial strategy seeks to direct development to where it is needed and focus it in the most sustainable locations, helping to minimise trip lengths. This reduces the need to travel by car and encourages walking, cycling or the use of public transport helping to reduce the emissions ([Policy SP11](#)).
- 5.194 The location and design of buildings and green infrastructure can also help mitigate and adapt to climate change and this is reflected in Policies [DM06](#), [DM16](#), [DM21](#), [DM31](#), [DM35](#), [DM41](#) and [DM43](#). The generation of renewable and low carbon (RLC) energy also has an important role to play in reducing emissions and this is reflected in [Policy SP06](#).
- 5.195 Carbon dioxide (CO<sub>2</sub>) is the principal greenhouse gas believed to be contributing to global warming. It accounted for 81% of UK greenhouse gas emissions in 2015. The vast majority of man-made CO<sub>2</sub> emissions come from the burning of fossil fuels in power generation and the transport, domestic and industrial sectors.
- 5.196 The [Pendle Air Quality Annual Status Report](#) provides an update on air quality in the borough. It shows that the domestic sector makes the greatest contribution to total CO<sub>2</sub> emissions in Pendle. This can be attributed to the fact that a significant proportion of the housing stock achieves poor energy efficiency values. Overall the figure for total CO<sub>2</sub> emissions per resident (4.86 tonnes) is one of the lowest in the county. It is considerably lower than the UK average of 5.94 tonnes per capita (DECC, 2015). In 2019 Pendle Council declared a Climate Emergency to help avoid irreversible environmental damage arising from greenhouse gas emissions.
- 5.197 Nitrogen dioxide levels show where traffic emissions are impacting on air quality. High levels indicate where an Air Quality Management Areas (AQMA) may be needed. In Pendle, just one [AQMA](#) has been declared. This is on part of the North Valley in Colne. This route links the end of the M65 motorway with routes into North and West Yorkshire.
- 5.198 Proposals for new development must take account of the presence of any AQMAs that have been declared. Of particular concern is the cumulative impact on air quality that may arise from development on sites that are in close proximity to each other. General guidance on air quality and the development management process is set out in [Land-Use Planning & Development Control: Planning for Air Quality](#) (Institute of Air Quality Management, 2017).
- 5.199 Odour is often associated with:
- the treatment of domestic and industrial waste;
  - wastewater treatment;
  - some industrial processes; and
  - farming activity.

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- 5.200 New residential developments should not be located close to significant sources of odour (e.g. waste water treatment works), nor should significant sources of odour be located close to odour-sensitive uses (e.g. residential areas). Where physical separation is not possible, control and mitigation measures may make development acceptable, from a land-use perspective, by increasing dilution and dispersion of the odour.
- 5.201 [Guidance on the Assessment of Odour for Planning](#) (Institute of Air Quality Management, 2014) sets out an approach for assessing the effects of odour. It considers the position from potential sources and to nearby receptors. The results will help to determine whether a development proposal represents a suitable use of the land in question.

### Lighting

- 5.202 Artificial lighting is an important part of everyday life. Lighting our highways and public realm helps to create a safe environment. On buildings it is used as a security feature, or to help improve their appearance and character. But artificial lighting can also have negative impacts. Poor lighting schemes can create issues for health and wellbeing. They can be detrimental to the character and appearance of an area, particularly in tranquil rural locations. They also have the potential to disrupt natural habitats and species.
- 5.203 Lighting in new development should be energy efficient and have regard to [Guidance Notes for the Reduction of Obtrusive Light GN01:2011](#) (Institution of Lighting Professionals, 2011), its successor or equivalent.

### Noise and Vibration

- 5.204 Noise is an unavoidable part of everyday life. But significant amounts of noise in terms of both volume and duration can be a source of stress and irritation. It can have a detrimental impact on people's health and quality of life.
- 5.205 The [Noise Policy Statement for England](#) (NPSE) was launched in March 2010. It states that the long term vision of Government noise policy is to "*promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.*" This vision is supported by the following aims:
- avoid significant adverse impacts on health and quality of life;
  - mitigate and minimise adverse impacts on health and quality of life; and
  - where possible, contribute to the improvement of health and quality of life.
- 5.206 The intention is that the NPSE should apply to all types of noise apart from noise in the workplace (occupational noise).
- 5.207 The inclusion of references to noise within the NPPF (paragraphs 174, 185, 210 and 211) mean that it is a material planning consideration in planning decisions. But the Government has advised that it does not intend to provide technical guidance on such matters. This makes clear that policy on noise (and vibration) is to be driven by local authorities and the localism agenda.

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Our foundations for a sustainable future

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- 5.208 Many types of development have the potential to generate noise and vibration. Others are sensitive to their impact. It is the responsibility of [Environmental Health](#) to manage the noise and vibration coming from existing establishments. The role of planning is to make sure that any new development, with the potential to generate or be susceptible to significant levels of noise or vibration, is suitably located and designed. This is to ensure that that local communities do not suffer any adverse effects.
- 5.209 [Approved Document E](#) of the Building Regulations is the main reference for the insulation of buildings against airborne and structure borne noise. It does not address environmental noise. If this is a significant consideration reference must also be made to the [Environmental Noise Directive](#) (2002/49/EC) and other technical documents.

### Construction

- 5.210 Dust, noise, vibration and other nuisances, arising from the construction process, may cause disturbance. This will have a detrimental impact on the amenity of the occupants in neighbouring properties. Site operators should read the Council's [Code of Practice on Construction and Demolition](#) and apply for consent for their activities.
- 5.211 Where necessary, the Council will seek to attach planning conditions, assessing each case on its individual merits.

## Our foundations for a sustainable future

### DM14: Contaminated and unstable land

#### Policy Text

1. For proposals that may affect, or be effected by, contamination or land instability, applicants must submit a report investigating the extent to which these issues may impact on the proposed development; its future users; and the natural and built environment. The report must be prepared by a suitably qualified and experienced specialist. This requirement also applies to any redevelopment of a closed landfill site, or development on land within 250 metres of a landfill site, where there is the potential for the migration of methane or carbon dioxide gases.
2. Development will only be deemed acceptable where it can be demonstrated that any contamination or land instability issues can be appropriately mitigated against and remediated.
3. Where recorded coal mining features pose a potential risk to surface stability or public safety any issues that are identified must be resolved to the satisfaction of the Coal Authority.
4. Where remediation, treatment or mitigation works are considered necessary to make a site safe and stable and/or to protect wider public safety, a planning condition or obligation will be imposed to ensure that these are completed before development commences and maintained thereafter. Any future development on the site in question must not compromise any control measures that are installed.
5. Where development falls within a defined consultation zone, the Council will seek advice from the appropriate regulatory or statutory body.

#### Policy Justification

- 5.212 The NPPF promotes sustainable development and encourages the reuse of previously developed (Brownfield) land. It makes clear that one of the ways in which planning can help to enhance the natural and local environment is by *“remediating (overcoming) and mitigating (reducing) despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*<sup>50</sup> It also requires the (cumulative) effects of pollution on health, the natural environment or general amenity to be taken into account.
- 5.213 The legacy of coal mining and historical industrial activities in Pendle has resulted in potential environmental and public safety hazards. The potential risks often extend beyond the boundaries of a site.
- 5.214 A key role of the planning system is to ensure that any land that is to be developed is suitable for its proposed use. Remediation is the term used to describe the various measures employed to secure the reclamation of land for future use. This is also likely to result in long-term environmental benefits. After all remediation work has been carried out, as a minimum land should not be capable of being classed as contaminated land under Part 2A of the Environmental Protection Act 1990.

<sup>50</sup> [NPPF, paragraph 174, sub paragraph f.](#)

## Our foundations for a sustainable future

- 5.215 A review of [Part 2A of the Environmental Protection Act 1990](#) was completed in April 2012. It sets out how to identify land that poses a significant risk to health or the environment. It also imposes a duty on local authorities to identify and record the location of contaminated land within their area. Subject to survey, development may provide an opportunity to remediate and bring these sites back into beneficial use.
- 5.216 The purpose of this policy is to unlock the development potential of contaminated and unstable land. It does so by requiring any physical constraints on the land to be fully considered at all stages of the planning process.
- 5.217 Many sites are contaminated to some extent by their previous use or landfill. Few are so badly damaged that they cannot be re-used. But the use of the land and the form of any development may be restricted by ground conditions and the measures required to secure its reclamation.
- 5.218 Contaminants can include heavy metals, oils and tars, chemicals, gases, asbestos and radioactive substances. If undisturbed or suitably treated their effects are often benign. But where disturbance cannot be avoided and unacceptable risks cannot be controlled by other means, full remediation will be required to avoid potential harm to people or wildlife.
- 5.219 The responsibility for remediation lies with those who caused the contamination – the so called “*polluter pays*” principle. Where this is not known, it is the responsibility of the landowner or developer.
- 5.220 It is for the developer to determine the suitability of land for a particular purpose. In particular, the responsibility and subsequent liability for safe development and secure occupancy rests with the developer and/or landowner.
- 5.221 Consultation zones are defined around historic coal workings, landfill sites, installations handling hazardous materials and pipelines. Zones are typically found around former mine workings and installations or pipelines carrying notifiable (hazardous) substances. Organisations consulted include, but are not limited to, the Environment Agency, Health and Safety Executive and The Coal Authority.
- 5.222 Land affected by the presence of invasive species such as Japanese Knotweed, Giant Hogweed and Himalayan Balsam are regarded as contaminated land and covered under this policy.

## Our foundations for a sustainable future

### DM15: Soils, Minerals and Waste

#### Policy Text

1. Development must not contribute to the sterilisation, erosion, or degradation of soils or minerals deposits.

#### Soils

2. Development proposals should avoid loss or disturbance to soils classified within Grades 1, 2 and 3a of the Agricultural Land Classification (ALC), which represent best and most versatile agricultural land.
3. Development proposals should avoid damage to peatlands.
4. Proposals affecting areas of Grade 3 agricultural land will require the submission of an Agricultural Land Quality Assessment.

#### Minerals and Waste

5. Where they meet a proven need, and the proposal is practicable, viable and environmentally feasible the sustainable extraction of mineral resources prior to any non-mineral related development, in accordance with the Joint Lancashire Minerals and Waste Local Plan, will be supported.
6. Proposals within a Mineral Safeguarding Area must comply with the requirements of Policy M2 of the [Joint Lancashire Minerals and Waste Local Plan](#) 2013, its successor or equivalent.
7. All new development is encouraged to maximise the use of recycled and secondary materials where practicable before considering the use of primary materials ([Policy DM01](#), [Policy DM16](#) and [Policy DM21](#)).

#### Policy Justification

#### Soils

- 5.223 Soil resources should be conserved and managed in a sustainable way. Best and most versatile land – defined in the NPPF as Grades 1, 2 and 3a – are the most productive areas for growing crops for food and non-food such as biomass.
- 5.224 In Pendle, there are some areas of Grade 3 land in the vicinity of Higham, in the west of the borough, and Kelbrook to the north. There no published evidence indicating that any of these soils are classified within Grade 3a.

#### Minerals and Waste

- 5.225 The need to extract, or protect, mineral resources must be balanced against environmental and other relevant considerations.
- 5.226 Geological and geomorphological assets are, where appropriate, designated as Local Geodiversity Sites (LGS) and protected from the impacts of development ([Policy SP12](#)).

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## Our foundations for a sustainable future

- 5.227 As a finite natural resource, mineral deposits are safeguarded from loss in the Joint Lancashire Minerals and Waste Plan 2013.
- 5.228 The extraction of minerals from mines and quarries will be determined by the minerals and waste planning authority; for Pendle this is Lancashire County Council. In line with Policy CS1 of the Joint Lancashire Minerals and Waste Core Strategy, Pendle Borough Council will consult Lancashire County Council on any non-minerals developments which are located in a Mineral Consultation Area (MCA) or Mineral Safeguarding Area (MSA). Outside these designated areas, whilst there is no requirement for developers to extract any minerals prior to development, it is recognised that the prior extraction of minerals may be profitable, even on smaller sites. Developers are encouraged to assess this possibility as it can help to avoid the sterilisation of such resources by non-mineral development.
- 5.229 New developments are encouraged to maximise the use of recycled and secondary materials, to help reduce the depletion of valuable natural resources and to help maintain positive links with the local vernacular architecture.



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## Our foundations for a sustainable future

### Enhancing the built environment

- 5.230 The built environment touches every aspect of our lives. It includes the man-made structures where we live, work, learn and spend our leisure time; the utility networks that provide us with water, gas and electricity; and the roads and other transportation systems we use to get from place to place.
- 5.231 The places where people socialise and the connections between them have a strong influence on our physical and mental wellbeing.
- 5.232 The quality of our neighbourhood's impacts health and wellbeing. Streets that are safe and attractive encourage walking and cycling, in preference to car travel, increasing physical activity and reducing air and noise pollution. Pleasant places encourage people to spend time outside, providing opportunities for exercise, social interaction and recreation.
- 5.233 But we spend more than 90% of our time indoors. Improving the quality of indoor space needs to be recognised alongside increasing energy and water efficiency and reducing waste and greenhouse gas emissions, which are being driven forward by changes to the Building Regulations. Better and more beautiful buildings will help to accelerate our transition to a healthy and sustainable future.
- 5.234 Masterplans guiding large-scale development projects and regeneration initiatives can build in healthy development principles from the outset. Elsewhere planning policy will promote improved connections between public health and our built and natural environments by influencing the delivery of new homes, employment opportunities and essential infrastructure.

## Our foundations for a sustainable future

**DM16: Design and placemaking****Policy Text****Design**

1. High quality design will be sought in all new developments. Proposals should demonstrate how this will be achieved, through the submission of a Design Statement, which addresses the guidance contained within the National Design Guide; paragraph 129 of the National Planning Policy Framework (2021); and the following general principles:
  - (a) Promoting local character and distinctiveness by:
    - i. Responding to the context of the site. Proposals should show a thorough understanding and appreciation of both the natural and built environment in the area. This will include elements such as landscape, townscape, heritage, topography, vegetation, open space, microclimate, tranquillity, light and darkness.
    - ii. Respecting the form of existing buildings. This includes density, scale, height and massing. High quality materials should be used and sourced locally wherever possible.
    - iii. Maintaining positive aspects of the local environment and improving poorer ones. The opportunity to create new focal points such as views, vistas, enclosures, backdrops and landmarks should be considered.
  - (b) Promoting sustainable development by:
    - i. Taking all reasonable opportunities to ensure future resilience to a changing climate (see Policy [DM01](#)). Reducing energy and water use; minimising waste and carbon emissions; and, wherever possible and feasible, generating power from renewable and low carbon sources by:
      - Using eco-friendly materials and construction techniques,
      - Incorporating recycled materials, or mainstream products with higher recycled content, and
      - Installing economical heating systems, and good thermal insulation
    - ii. Demonstrating that a good standard of amenity for all existing and future occupants of land and buildings will be secured.
    - iii. Ensuring that buildings and spaces are accessible and usable. Individuals regardless of their age, gender or disability should be able to gain access to buildings and use their facilities. This applies to both visitors and those who live and work in them.
      - Have regard to the principles and practises of 'Secured by Design.'

## Our foundations for a sustainable future

- Have regard to the 10 principles of Sport England's Active Design Guidance.
- (c) Encouraging active lifestyles through compliance with the Active Design, BREEAM and Home Quality Mark standards.
- (d) Improving external appearance and amenity by ensuring that:
  - i. Householder developments, shopfronts and external advertisements proposals accord with the detailed requirements set out in the [Design Principles SPD](#); and the [Conservation Area Design and Development Guidance SPD](#), where applicable.
  - ii. External air conditioning condenser units are sited appropriately and do not have impact on the amenity of people in adjacent properties.
  - iii. Flues, up to a maximum of one metre above the highest part of the roof, are only permitted where they:
    - Using eco-friendly materials and construction techniques,
    - Incorporating recycled materials, or mainstream products with higher recycled content, and
    - Installing economical heating systems, and good thermal insulation
    - Do not impact on the amenity of people in adjacent properties.
    - Can be made inconspicuous through appropriate siting, or the use of appropriate materials and/or colours. Within conservation areas the flue should not be fixed to a principal or side elevation that is visible from the highway.
  - iv. Waste storage requirements for individual properties give occupiers responsibility for their own waste, with waste bins stored:
    - Within the site boundary.
    - Located no further than 10 metres from nearest point of access for the waste collection vehicle.
    - Not prominent in the street scene and screened from public view wherever practicable.
  - v. The pathways between communal bin stores and the highway are free from kerbs, steps or inclines with a gradient in excess of 1:12 and be a minimum of 1.8 metres wide.
- (e) Adopting a design and layout that enables safe access for emergency vehicles at all times.

### Landscaping

2. Landscaping schemes will be required to mitigate against the impact of any new development and should have a positive impact on the landscape.
3. Development should enhance or protect local habitats and landscape character. The criteria set out below should be addressed, where relevant:
  - (a) Safeguard natural features of importance for biodiversity and/or amenity from damage, destruction or deterioration in quality. This includes ensuring that wildlife corridors are maintained.

## Our foundations for a sustainable future

- (b) Maintain the attractiveness and visual amenity of green open spaces.
  - (c) Sympathetically incorporate existing features into the overall design of the scheme, such as tress, walls and hedgerows. This includes measures to ensure their continued survival.
  - (d) Provide new landscaping that integrates with the local environment and existing natural features. Native plant species should be used together with, where practicable, locally distinctive building materials, such as stone flags and setts. Provision must also be made for future maintenance.
4. Conditions and/or planning obligations will be used where necessary to secure:
- (a) Landscaping schemes
  - (b) Maintenance payments for new landscaping
  - (c) The protection of trees, hedgerows, or other natural features, during the course of development
  - (d) The replacement of trees, hedgerows or other natural features, where their loss cannot be avoided

### Policy Justification

- 5.235 Our lives are connected through the built environment; the buildings where we live, learn and work; and the spaces where we relax or play. Planning promotes good design to help create better places.
- 5.236 Placemaking harnesses these assets. It combines them with the inspiration and potential within a community, to strengthen the connection between people and the places they share.
- 5.237 The NPPF acknowledges that creating beautiful, high-quality buildings and places is fundamental to what the planning and development process should achieve.
- 5.238 Planning guidance states that good design is an integral part of sustainable development and is indivisible from good planning. The [National Design Guide](#) (2020) forms part of this guidance. It illustrates how well-designed places can be beautiful, enduring and successful.
- 5.239 But whilst good design is easy to recognise, it is difficult to define. Understanding local context is the key to weaving new development into the existing fabric of an area. Engagement with the local community helps to identify the features and characteristics that they value the most.
- 5.240 As a starting point good design should consider the size of a site, its topography and location. Taking account of key features in the surrounding area will help to create places and spaces that generate a sense of belonging and civic pride.
- 5.241 Good design provides added value to the community. It promotes local distinctiveness; enhances the sense of place; and attracts new investment. In short, good design improves quality of life by increasing people's health, happiness and wellbeing.

## Our foundations for a sustainable future

### Building Design and Appearance

- 5.242 In November 2018, the government launched the Building Better Building Beautiful Commission with the aim of addressing the UK's housing crisis by improving the quality of developments in the planning pipeline. Its final report [Living with beauty; promoting health, wellbeing and sustainable growth](#) was published in January 2020. A key finding was that beauty is not simply a matter of how buildings look, it also includes settlement patterns and their interaction with nature. The Commission refers to this as the 'spirit of the place.'
- 5.243 Similarly good design is not just about appearance; a wide range of other factors must be considered if new development is to be successful:
- **Context** – New development should not be looked at in isolation from its surroundings. Even sites that are relatively self-contained will impact the wider environment. The scale of new development will normally reflect its immediate surroundings. The design and materials used should make a positive contribution to the overall quality of the environment.
  - **Access** – Permeable layouts help to promote walking and cycling. Larger developments should ideally have more than one access from the highway network to ensure that emergency vehicles are able to attend any incidents. The travelling distance from points of access should be as short as possible to reduce the potential for conflict between road users, pedestrians and cyclists.
  - **Highway safety** – Almost all new development will have access from existing roads. It will generate traffic impacts beyond the confines of the development site. These impacts must be considered, as well as those of potential occupiers.
  - **Crime prevention** – Poor design can influence criminal behaviour and create opportunities for crime. The design process should consider security measures at an early stage. Defining well-overlooked public areas and secure private zones will help to minimise risk to personal safety and property; and is particularly relevant to the design of roads, cycleways, footpaths and landscaping. All new commercial development should have regard to the principles and practices of secured by design.
  - **Waste Minimisation** – improvements in efficiency are possible, without increasing costs. The waste generated during the construction process can be reduced by the avoidance of over-ordering. Effective waste management and recycling will reduce the quantity of material sent to landfill. Well-designed buildings will be energy and water efficient. They should also use recycled materials, or mainstream products with higher recycled content.
  - **Energy efficient** buildings are cheaper to run and maintain. Design and layout will maximise passive solar gain and provide shelter from prevailing winds, whilst the inclusion of renewable technologies will also make a positive response to climate change by minimising carbon emissions. Proposals should seek to incorporate eco-friendly materials and construction techniques, economical heating systems, and good thermal insulation.
- 5.244 Developers are encouraged to use one of the optional rating systems, such as BREEAM or the Passivhaus Standard, to benchmark and help demonstrate the sustainability of their development.

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## Our foundations for a sustainable future

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- 5.245 Good design represents a positive response to the Council's declaration of a Climate Change Emergency. The best schemes will seek to incorporate solar shading; use heat and energy from renewable sources; and minimise the generation of waste.

### Open Space and Landscaping

- 5.246 The form, surface treatment and detailing of open spaces should be an integral part of the design process. The layout, levels, surfacing and planting should carefully consider the relationships with other buildings and the footpath network. An appropriate management plan will be required for areas of public open space, as these will not be adopted by the Council.
- 5.247 Good design is often distinctive. At its best it reflects the characteristics of the site and its context. In doing so it helps to create a sense of place. Good design can help to re-imagine everyday spaces and realise their full potential.
- 5.248 New spaces, streets and buildings should be welcoming, safe and accessible. To encourage activity and promote social interaction, communal spaces should be:
- an appropriate scale;
  - allow for ease of movement;
  - strike a balance between the natural and man-made environment; and
  - where possible, be overlooked by surrounding buildings to provide natural surveillance.

## Our foundations for a sustainable future

### DM17: Advertising and commercial signage

#### Policy Text

1. Advertisements should not harm the environment and, where possible, should seek to make a positive contribution to a safe and attractive environment.
2. Proposals which would result in a proliferation of advertisements will be refused, particularly in sensitive locations where amenity will be impaired. Sensitive locations include, but are not limited to, historic environments; rural locations; areas with high visual amenity; parks; business parks and town centres.
3. Any advertisement requiring planning consent must meet the following criteria, and be consistent with relevant local and national planning policy:
  - (a) Be appropriate to its setting and location and have due regard to local distinctiveness.
  - (b) Be appropriately sited and sensitive to the visual appearance of:
    - i. The premises on which it is to be installed; particularly if this is a listed building (also requires Listed Building Consent); and
    - ii. The local street scene; particularly within a conservation area.
  - (c) Not cause a hazard to pedestrians or road users.
  - (d) Avoid undue visual intrusion by virtue of light pollution.
4. Development should conform to the Design Principles SPD, which provides detailed guidance on the design of shop fronts.

#### Policy Justification

- 5.249 Advertisements are an integral part of our street scene. They play a key role in attracting customers and promoting business growth.
- 5.250 Well-designed signage enhances the character and appearance of the built environment. In contrast the poor design, illumination or location of advertisements can substantially detract from the character and appearance of an area or jeopardise public safety.
- 5.251 The statutory definition of an advertisement for planning purposes is set out in [Section 336\(1\) of the Town and Country Planning Act 1990](#), as amended by [Section 24 of the Planning and Compensation Act 1991](#):

*“any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used or designed, or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements.”*

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Our foundations for a sustainable future

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- 5.252 Signs and advertisements are controlled by [The Town and Country Planning \(Control of Advertisements\) \(England\) Regulations, 2007](#) (as amended). The regulations permit the display of certain signs, but most advertisements require specific consent. Paragraph 136 of the NPPF notes that advertisements should only be subject to control in the interests of public safety and amenity and that their cumulative impact is a consideration.
- 5.253 There are three categories of advertisement consent:
1. Those advertisements permitted without requiring either deemed or express consent. Subject to meeting certain criteria and conditions, such advertisements can be displayed without requiring approval from the local planning authority.
  2. Those advertisements which have deemed consent. Again, subject to meeting certain criteria and conditions, such advertisements can be displayed without requiring approval from the local planning authority. It should be noted that Local Authorities may restrict the use of deemed consent.
  3. Those advertisements which require express consent from the local planning authority. This covers advertisements which do not fall into one of the above categories.
- 5.254 Further guidance on advertisements and commercial signage is provided in:
- [Planning practice guidance on advertisements](#)
  - [Outdoor Advertisements and signs: a guide for advertisers](#) (MHCLG, 2007)
  - [Design Principles SPD](#) (Pendle Council, 2009)



## Our foundations for a sustainable future

### DM18: Heritage assets

#### Policy

1. The Council will support proposals which conserve, and where appropriate, enhance Pendle's historic environment in accordance with [Policy SP09](#) and paragraph 190 of the NPPF.
2. Proposals that affect a heritage asset, or its setting, should be designed so that they protect the historic environment, by:
  - (a) Conserving, sustaining, and enhancing the significance of the heritage asset.
  - (b) Considering elements of built form, in particular scale, materials, and architectural detail.
  - (c) Making a positive contribution to local character and distinctiveness.
3. Proposals affecting any part of the historic environment should be informed by an understanding of the site's context and heritage significance.
4. Proposals which may affect a heritage asset or its setting, must be accompanied by a heritage statement. The information provided in this statement should be proportionate to the significance of the heritage asset and the nature of the works proposed, but as a minimum must:
  - (a) Explain how the proposal has taken into account the significance of any designated, non-designated heritage assets, or archaeological site, including any contribution made by their setting.
  - (b) Evaluate any effect that the proposal would have on the significance of a heritage asset, and support the proposal by:
    - i. Providing clear justification for any harm that would be caused.
    - ii. Explaining how possible mitigation of any harm has been fully considered.
    - iii. Identifying any public benefits that would arise.
  - (c) Demonstrate that the proposal has been informed by all available evidence, including the [Historic Environment Record](#) (HER) for the site. Where relevant, the Council's published [Conservation Area Character Appraisals](#), should be referenced as should the [Historic Town Survey Reports and Historic Landscape Character Reports](#) and the [Lancashire Landscape Character Assessment](#). Where the HER identifies the potential for the site to include assets of archaeological interest, the heritage statement should include a desk based archaeological assessment of the site and, where necessary, the results of an on-site survey.
5. Recognising the positive contribution that the heritage assets and the historic environment can make to supporting sustainable communities and promoting economic vitality, viable uses that are consistent with the conservation and enhancement of a heritage asset will be supported.
6. Where there is evidence of deliberate neglect of and/or damage to a heritage asset, to help justify a development proposal, the deteriorated state of that asset will be disregarded when determining applications.

## Our foundations for a sustainable future

7. When assessing proposals, the weight given to any harm or loss of significance, to a designated heritage asset will be assessed against the public benefits of the proposal (NPPF paragraphs 201-202). A balanced judgement will be taken for proposals which affect non-designated heritage assets having regard to the scale of harm, or loss, and significance of the asset.
8. Where following a balanced judgement it is accepted that harm to the significance heritage asset has been justified, appropriate provision must be made for the investigation, understanding and recording of the asset by a suitably qualified individual or organisation; and for the dissemination and archiving of the record.

### Policy Justification

- 5.255 Designated heritage assets represent the most important elements of our historic environment. At the base date for this plan (1 April 2021) Pendle had:
- Listed Buildings 326
    - Grade I 3
    - Grade II\* 21
    - Grade II 302
  - Scheduled Monuments 11
  - Conservation Areas 26
- 5.256 Non-designated heritage assets are buildings and places of local architectural or historic interest. Although they do not meet the criteria for designated heritage assets, they are often highly valued by local communities. A number have been formally identified in neighbourhood plans and recorded on the Pendle Local List. These assets have a degree of heritage significance, which merits consideration in planning. Their value has been more closely defined in the current NPPF and accompanying planning practice guidance on Conserving and Enhancing the Historic Environment (paragraph 039).
- 5.257 The significance of any heritage asset can be architectural, artistic, archaeological, or historic; or a variation of some or all of these dimensions. Physically, it can be represented by a combination of its form, scale, materials, architectural detail, and, where relevant, its relationship with other heritage assets. But to fully appreciate the importance of heritage assets requires an understanding of their value to society. Without this the subtle qualities of the local distinctiveness and character of the local area can be easily overlooked.
- 5.258 Applicants will be expected to demonstrate a full understanding of the impact that their proposed development will have on the heritage asset and its setting. New development should protect, and wherever possible, enhance the historic environment.

## Our foundations for a sustainable future

### DM19: Leeds and Liverpool Canal corridor

#### Policy

1. Development proposals which affect the Leeds and Liverpool Canal or its setting should be of a high quality design. They should fully reflect their context in terms of heritage, environment and infrastructure impacts by:
  - (a) Integrating the waterway, towpath and canal environment into the public realm in terms of the design and management of the development.
  - (b) Improving access to, along and from the waterway.
  - (c) Optimising views and natural surveillance of the canal.
  - (d) Avoiding any adverse impact on the amenity of the canal by virtue of noise, odour or visual impact.
  - (e) Maintaining the greenspace setting of the Canal.
2. As a priority, new development proposals should protect, enhance, promote and, where appropriate, reinstate heritage assets that contribute to the historic character of the Leeds and Liverpool Canal. This includes canal-related infrastructure such as bridges, locks, wharfs, warehouses and textile mills.
3. Any improvements necessary for a development to proceed, which arise from its canal side location, will be met by developers and secured through planning contributions ([Policy SP12](#)).

#### Moorings

4. Applications for residential moorings will be supported where consistent with the requirements of this policy and where sites are:
  - (a) Accessible to local shops, services, schools and healthcare facilities, by walking, cycling and public transport.
  - (b) Are serviceable without harm to the natural environment, infrastructure capacity or quality.
  - (c) Will conserve or enhance the special historical, cultural, ecological and recreational qualities of the Leeds and Liverpool Canal corridor.
5. In addition, applications for new marinas /offline moorings will be required to address:
  - (a) The effect they will have on the landscape/townscape setting of the Canal Corridor.
  - (b) The capacity and adequacy of existing infrastructure to accommodate the development.
  - (c) The effects caused by proposals on the integrity of the natural environment, green infrastructure network, and opportunities created for biodiversity.

## Our foundations for a sustainable future

### Policy Justification

- 5.259 The opening of the Leeds and Liverpool Canal in 1796 made it possible to transport bulky goods to and from the port of Liverpool. This was the catalyst for the development of the cotton weaving industry. It transformed the fortunes and appearance of east Lancashire in the 19th Century.
- 5.260 Today the canal and its associated infrastructure are some of the borough's most significant heritage assets. The canal side environment provides a unique glimpse of the impact that the industrial revolution had in the area.
- 5.261 The setting and character of the canal changes from urban to rural and back again as it flows through the borough. It makes a significant contribution to the character of the communities through which it passes.
- 5.262 The high biodiversity value of the canal side environment has been formally recognised. The entire length of the canal within Pendle has been designated as either a Biological Heritage Site (BHS) or Site of Local Natural Importance (LNI) ([Policy SP08](#)). Its value as a wildlife corridor makes it a key component in the local ecological network ([Policy DM05](#)).
- 5.263 The canal is also an important green infrastructure resource ([Policy DM06](#)) and tourism asset ([Policy DM45](#)). The towpath, although not a public right of way (PROW), is a permissive path for walking and cycling. Some sections form part of the Sustrans National Cycle Network. The towpath is a valuable addition to the local network of footpaths and cycle ways. It provides an important link between local communities in Lancashire and North Yorkshire.
- 5.264 The re-use and conversion of historic canal side buildings has helped to enhance the waterside setting. Further development opportunities exist, and these should contribute to the distinct identity of the canal side environment.
- 5.265 New canal side development could place extra liabilities and burdens on waterway infrastructure. But it also provides an opportunity to improve the existing infrastructure. The Council will work with the Canal and River Trust and other key stakeholders when considering proposals for development alongside the Leeds and Liverpool Canal. This will help to identify potential impacts and opportunities at an early stage.
- 5.266 Local Plan policy will seek to:
- protect the heritage, environmental and recreational value of the canal and to safeguard the canal and its setting from inappropriate development;
  - support the ability of the canal to deliver economic, social and environmental benefits to local communities and the nation as a whole; and
  - secure the long-term sustainability of the inland waterway network, their corridors and adjoining communities.
- 5.267 In addition to any new development, site allocations in the Local Plan or a Neighbourhood Plan, which are adjacent to the Leeds and Liverpool Canal, must also have regard to this policy.

## Our foundations for a sustainable future

- 5.268 Recognising that canal side locations are unique, in line with paragraph 43 of the NPPF, applicants are encouraged to take advantage of the pre-application advice service offered by the Canal and River Trust. They should also contact Pendle Council and other expert bodies at the earliest opportunity.
- 5.269 Creating an exclusive long-term mooring against private residential land (often called end of garden moorings) requires permission from the Canal and River Trust as they are the owner of the canal bed.

### Moorings

- 5.270 The waterway well used and in Pendle offline moorings are available at Reedley Marina (100 berths), close to the boundary with neighbouring Burnley, and Lower Park Marina (70 berths) near Barnoldswick. In February 2018, Burnley Council granted planning permission (APP/2017/0357) for the creation of an 80-berth marina at Bank Hall, 2.5 kilometres from the boundary with Pendle.
- 5.271 There are also a number of online moorings provided along the 16 kilometre stretch of the canal passing through Pendle. These are at Barrowford Locks, Foulridge Wharf, Salterforth Wharf and Greenberfield Locks. Online moorings are frequently used by continuous cruisers who move regularly from location to location. Restrictions imposed by the Canal and River Trust mean that stays at these moorings are typically no more than 14 days.
- 5.272 [Draft government guidance](#), published in March 2016 provides limited advice on how to consider the needs of people residing in or resorting to moorings for houseboats. It has yet to be issued as official guidance.
- 5.273 [Section 124 of The Housing and Planning Act 2016](#) defines a houseboat as “a boat or similar structure designed or adapted for use as a place to live”. This conflicts with the definition of a houseboat under waterways legislation, which suggests that a houseboat is a static vessel that is not used for navigation. Both definitions have been considered in our assessment of need.
- 5.274 Residential moorings are regarded as residential development and subject to the relevant national and local planning policies, as they are considered to bring about a material change in the use of land.
- 5.275 There are three types of potential need associated with those who live, or may wish to live, permanently on a boat:
1. Need for additional permanent residential moorings.
  2. Need for additional temporary moorings for boats with a Continuous Cruiser Licence.
  3. Need for additional waterside facilities.
- 5.276 The majority of households with leisure moorings are only able to spend part of the year on their boat. Given the large number of moorings in Pendle, it is probable that at any one time a number of houseboats will be occupied, but not as a permanent residence. This is supported by Pendle Council Tax records. In February 2020 these showed that only three houseboats had a live Council Tax account, indicating that it was a main place of residence.

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Our foundations for a sustainable future

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- 5.277 If more moorings were made available on a commercial basis, it is possible that some households may choose to live on houseboats due to wider housing market pressures. But, in Pendle, houseboats do not offer a significantly cheaper option than living in bricks and mortar housing. The evidence indicates that any demand for permanent residential moorings in Pendle is very small. As such it will form part of the existing local housing need rather than be an additional requirement. Consequently there is no direct need for additional permanent residential moorings in Pendle.
- 5.278 Marina development and the provision of off-line moorings may be beneficial in supporting the growth of tourism in Pendle. Such development could however have significant implications for the Canal Corridor, and the wider environment which will need to be addressed through the planning application process. The connection of off-line moorings and marina development require agreement from the Canal and Rivers Trust before a network connection can be made. Applicants are encouraged to engage with the Canal and Rivers Trust before submitting a planning application. The Canal and Rivers Trust has a [four step application process](#) for off-line moorings/marinas.

## Our foundations for a sustainable future

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Our foundations for a sustainable future

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## 6. Social

### Improving our prospects and quality of life

- 6.1 Building strong, vibrant and healthy communities is a key objective of the NPPF, and is central to achieving the social benefits, one of the three pillars of sustainable development.
- 6.2 Ensuring a sufficient supply of housing of the right type and location, is an important role of this Local Plan. The Local Plan establishes the housing requirement up to 2040 based on locally assessed housing needs. It sets out the means to secure the full delivery of this housing requirement, including measures taken to address any shortfall in housing land provision or supply.
- 6.3 The Local Plan sets out the type and size of homes (including affordable housing) required in response to up-to-date evidence of housing need responding to demographic changes and market signals whilst meeting the needs of the whole community including but not limited to families, the elderly, disabled, and gypsy and traveller, and travelling showpeople community.
- 6.4 The Local Plan aims to increase opportunities to access quality housing, which are of enhanced energy efficiency and resilient to the effects of climate change. The Local Plan establishes design requirements for housing, not only relating to their scale, layout, and appearance, but also how they integrate with the existing built and natural environment, protect the amenity, safety and health/wellbeing of their occupiers and existing residents, and their accessibility to existing services, shops, sources of recreation and open space, employment and public transport. This is in the aim of securing beautiful and sustainable places which enhance the existing towns and villages of Pendle.
- 6.5 The Local Plan places communities at the heart of decision making, not just in relation to the preparation of the local plan but also influencing development proposals during the design process, in order to ensure that their voice is heard, and concerns taken into account and responded to. The policies of the Local Plan make clear the Council's expectations for community involvement through the planning application process.
- 6.6 The achievement of social benefits through the delivery of new development is not limited to the delivery of housing. Indeed planning policy, decision making, and the delivery and operation of development can have significant effects for health and wellbeing through the form, design and layout of development and land uses. Development influences the capacity and availability of community facilities, walking and cycling infrastructure, and access to education and training opportunities. Planning also has a role in securing the digital and electronic infrastructure necessary to support and sustain our way of life, social communications, businesses, and access to information and learning resources.



## Improving our prospects and quality of life

### Building better homes

- 6.7 Our homes play a significant role in our quality of life, affecting our physical and mental health and wellbeing. Increasing access to home ownership and quality homes which meet the needs of their occupiers, is a key objective of this Plan, and national planning policy. New homes provided in this plan seek to meet locally assessed housing needs in full, whilst responding to the diverse needs of the community.
- 6.8 Pendle is the 33<sup>rd</sup> most deprived authority within England. Health measures consistently place Pendle within the lowest third of authorities for life-expectancy, life shortening disease, and health conditions such as obesity.<sup>51</sup> Pendle has a high rate of fuel poverty, which is likely to be exacerbated particularly in the short term with inflation and low wages.<sup>52</sup>
- 6.9 The 2021 Census shows that the population of Pendle has grown over the previous 10-years. Household growth has not kept pace with population increase and as a result household size has increased at the fastest rate in the North of England. The population growth recorded in Pendle over the past 10-years reflects a high birth rate within Pendle and net inward migration. With people also living longer overall the population of Pendle, like many other areas, is ageing.
- 6.10 Pendle has a high proportion of 19<sup>th</sup> century and early 20<sup>th</sup> century terraced housing, which provide little outdoor space, no off-street parking and poor energy efficiency. Energy efficiency is increasingly relevant with the increasing cost of living and in particular the cost of utilities pushing more households into poverty. The cumulative effect of poor-quality homes erodes the quality of place and undermines a sense of local community. There is a distinct correlation between the quality of housing and deprivation levels in Pendle with areas of high proportions of terraced stock also suffering from high levels of deprivation. Results of the 2021 Census confirm that the wards suffering the highest rates of deprivation have also seen the greatest rise in population, increasing the likelihood that measures of deprivation in these areas will only get worse as a result of overcrowding and patterns of inflation.
- 6.11 In the face of clear evidence of worsening deprivation due to low quality housing stock, the Local Plan establishes policies which provide opportunities to help communities access the housing they need both its terms of its size and quality. Policies provided in this section of the Plan are responsive to the Corporate Plan, Plan Vision and Strategic Objectives to secure improvements in the quality of housing stock available within Pendle, particularly towards sections of the population which are in most need.
- 6.12 Pendle Borough Council has declared a climate emergency. The declaration follows the publication of a landmark UN report on greenhouse gas emissions and the significant effects had on the natural environment and eco-systems, our homes, communities, towns and cities, our way of life and communities, and cost to our economy, that the effects of climate change will have if left unchecked.

<sup>51</sup> <https://www.lancashire.gov.uk/lancashire-insight/area-profiles/local-authority-profiles/pendle-district/#Health>

<sup>52</sup> <https://www.lancashire.gov.uk/lancashire-insight/area-profiles/local-authority-profiles/pendle-district/#People>

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- 6.13 The UK Government has published targets for achieving net zero by 2050. To achieve these ambitious targets and secure a meaningful response to the Council's declaration of a climate emergency it is important that the decisions and policies which seek to achieve these reductions in greenhouse gas emissions are set and delivered now.
- 6.14 Data for greenhouse gas emissions for Pendle shows that emissions from households contribute around one third of emissions each year, with transport contributing a further one third of emissions.
- 6.15 Our housing policies have a particularly important role to play in meeting climate change objectives as set out in the Local Plan and the Corporate Plan. They will also support the implementation of strategic policy on Net Zero Carbon ([Policy SP06](#)).
- 6.16 Meeting these targets could have implications for fuel poverty. This is a concern in a borough where low incomes mean that many households cannot afford to keep adequately warm at a reasonable cost. Energy efficiency improvements to the existing housing stock offer the potential to address both issues, but there are key considerations around how upgrades are implemented.
- 6.17 The development of new homes makes a significant imprint on the built environment. They have the potential to deliver regeneration and bring about real improvements to the quality of place. Our housing policies seek to ensure that new homes are delivered to a high quality and provide net social, economic and environmental gains. In doing so they will help to deliver communities that are integrated, safe, and attractive; protect the amenity of residents and businesses; and secure the best aspects of our natural and built environment for the enjoyment of generations to come.

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**DM20: Housing requirement and delivery****Policy Text**

4. Over the plan period (2021-2040), provision will be made to deliver a minimum of 2,660 net dwellings, equating to a net average of 140 dwellings per annum.
5. The housing requirement will be delivered in accordance with the defined spatial strategy (Policy SP02) and spatial distribution (Policy SP03).
6. The housing requirement will be delivered by:
  - (a) Sites under construction or with extant planning permission.
  - (b) New homes completed at the Trough Laithe Strategic Housing Site (see Policy AL01).
  - (c) Specific sites allocated through [Policy AL01](#).
  - (d) Sites allocated for housing in a 'made' Neighbourhood Plan.
  - (e) Non-allocated sites at suitable locations for housing within defined settlement boundaries (windfall sites).
7. The supply and delivery of housing will be monitored through the publication of the Council's Authority Monitoring Report and Five-Year Housing Land Supply Statement, and the Government's Housing Delivery Test.
8. Where a specific supply of deliverable<sup>53</sup> housing sites sufficient to provide a five year housing land supply cannot be demonstrated, the Council will apply the presumption in favour of sustainable development.<sup>54</sup> Such proposals should accord with the spatial strategy, represent a proportionate response to any shortfall in supply identified, and meet the requirements of Policies DM21, DM22 and DM23.
9. If the Housing Delivery Test demonstrates a shortfall in new home provision, the Council will, in the following order:
  - (a) Work with developers to identify, address, and overcome any barriers to the delivery of housing.
  - (b) Where required, prepare an Action Plan setting out measures to increase housing delivery.
  - (c) Review housing density, site capacity, and product delivery at sites not yet commenced including allocated sites.
  - (d) Where required, apply the presumption in favour of sustainable development.

<sup>53</sup> 'Deliverable' as defined in Annex 2 of the NPPF.

<sup>54</sup> The presumption in favour of sustainable development engages the 'titled balance' for decision making purposes (See NPPF Paragraph 11).

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### Policy Justification

- 6.18 A key objective of the NPPF is to significantly boost the supply of housing. To achieve this the NPPF places great importance on ensuring that a sufficient amount and variety of land can come forward where it is needed. To determine the minimum number of homes needed, a local Housing Needs Assessment is produced using the Standard Method (See NPPF Paragraphs 60 to 61) as the basis of assessing housing need.
- 6.19 The method for calculating of the local housing need figure, using the Standard Method, is set out in detail in Planning Practice Guidance (PPG).<sup>55</sup> At the heart of the Standard Method are the 2014-based household projections published by the Office for National Statistics (ONS).<sup>56</sup> These are based on the Sub-National Population Projections (SNPP), which project the population of Pendle 25 years ahead. The SNPP is published every two years to take account of recent components of change data (births, deaths and migration).
- 6.20 The Standard Method takes the demographic starting point provided by the 2014-based household projections and applies a measured uplift based on a predetermined formula to account for affordability pressures as evidenced by the house price to workplace-based earnings ratio.<sup>57</sup> A cap is applicable where the adjusted need would be substantially above the previous housing requirement adopted for the authority. A further uplift is then applicable should the area fall within one of the 35 largest urban areas in England. Neither the cap nor the urban uplift are applicable to Pendle. Accordingly the Locally Assessed Housing need for Pendle represents a minimum need for 140 dwellings per year.
- 6.21 To ensure that the housing requirement reflects the best interests of the residents of Pendle, its employers, the economic and regeneration potential of the borough, and the need to secure sustainable development beneficial to the area as a whole, it is important to further test this starting position. As part of this, the Council has commissioned a Housing and Economic Development Needs Assessment (HEDNA). The HEDNA examines housing needs for Pendle taking into account projected economic growth scenarios, policy options to address migration outflow, and affordable housing need. The HEDNA also addresses the future need for size, type and tenure of new homes required in support of Policies DM22 and DM23.
- 6.22 PPG allows divergence from the Standard Method figure where this can be justified by exceptional local circumstances. In response, the Housing and Economic Development Needs Assessment (HEDNA) examines the suitability of the standard method as the potential housing requirement for Pendle and considers any reasons to apply further uplifts.
- 6.23 The 2021 Census provides a recent overview of population change and characteristics in Pendle. It shows that the population of Pendle has grown to 95,800 people and has increased by 7.1% since the 2011 census. The rate of population growth indicated by the Census is significant, and well above that represented by the standard method figure.

<sup>55</sup> [Housing and economic needs assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/housing-and-economic-needs-assessment)

<sup>56</sup> [Household projections - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/household-projections) (Table 406)

<sup>57</sup> [House price to workplace-based earnings ratio - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/economy/employmentandproductivity/housepricestoearningsratio)

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- 6.24 The census is not without its flaws and its results raise a number of questions that do not yet have answers including:
- Why the change in the number of households in the borough, between 2011 and 2021, has been nowhere near the level of population growth recorded and has been lower than the build rate achieved in Pendle over the past 10-years.
  - Why growth is shown in the 20-30 year age group when migration data consistently shows outward migration from Pendle for this age-group.
  - Why there appears to have been significant growth in young people (0-19 years old) yet this has not translated into a strong demand for school places.
- 6.25 The HEDNA models the housing need required to fulfil the demographic growth indicated by the Census if this was projected forwards. The HEDNA finds that it would result in a housing requirement nearly four times higher than the standard method figure. Maintaining this level of growth in Pendle would be unrealistic and would amount to a significant increase in the housing stock.
- 6.26 There is a general absence of clear data to support an alternative demographic position to the 2014-based household projections for Pendle at this time. The HEDNA recommends that the Council monitor and obtain future demographic data as this becomes available. It then concludes that the demographic need of the borough is likely to be higher than that set out by the 2014-based projections but does not conclude a specific requirement. In the absence of this information, the Council continue to apply the standard method figure in accordance with national planning policy.
- 6.27 The HEDNA moves on to consider the linkage between housing growth and economic growth. This is essentially the number of additional homes required to house a growing workforce. The HEDNA projects forecasted jobs growth of 2,100 (2022-32). The projection has also been sensitivity tested to ensure that it is reasonable, accounting for recent performance of the Pendle economy. The HEDNA concludes that the standard method requirement of 140 dpa would be insufficient to support projected jobs growth and recommends that a housing requirement of 270 dpa is adopted to support this figure.
- 6.28 The Council has resolved to adopt a housing requirement which is consistent with the standard methodology. The housing requirement is not a cap to development and the spatial strategy is likely to deliver a supply of housing which is in excess of this figure. The Council will apply the presumption in favour of sustainable development (Policy SP01) approving proposals which are consistent with policy without delay.
- 6.29 The Council's justification for adopting a lower housing requirement is based on the assessed environmental effects of accommodating a minimum of 270 dwellings per annum. The Strategic Housing Land Availability Assessment (SHLAA) shows that due to limited evidence of deliverability on sites within settlement boundaries (owing to poor viability and continued employment use of potential sites), full delivery of 270 dwellings per annum would require a substantial reliance on greenfield sites for this requirement to be met in full. The site assessment analysis shows that this scenario will require the allocation of sites which have limited suitability for housing and high environmental effects, including relying on sites which have recently been robustly defended at Planning Appeal. This pressure is made more acute by the designation of land within the borough as

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Green Belt and AONB, and proximity of the borough's major settlements to the South Pennines SSSI with constraining effects on development.

- 6.30 As illustrated by the supporting Sustainability Appraisal, the pattern of growth provided by 270 dpa would not represent a sustainable approach to meeting development needs, especially taking into account the Council's zero greenhouse gas emissions pledge. The adoption of 140 dpa is consistent with this policy and will allow growth to be accommodated within the borough's most sustainable settlements, supporting their regeneration and safeguarding the borough's high-quality landscape and natural environment.
- 6.31 A lower housing requirement based on the standard methodology would not necessarily constrain economic growth because:
- The Employment Land Requirements of the Local Plan are met by existing commitments, with a proportion of these sites showing positive steps towards being implemented.
  - Baseline evidence shows that the borough has lower than average rates of employment and economic activity indicating capacity within the existing population to meet economic growth needs.
  - Pendle is a net outward commuter area with more economically active leaving the borough than coming in for work, indicating further capacity for economic growth within the existing population. Achieving sustainable patterns of activity will help reduce greenhouse gas emissions.
- 6.32 To be consistent with national planning policy, the Local Plan needs to secure net benefits for social, environmental, and economic objectives. To ensure that the Local Plan delivers this, it will be important that the effects of planning policy are monitored, and that the Local Plan is reviewed should significant employment commitments not come forward during the plan period or that the housing requirement is not consistently achieved. The monitoring framework for the Local Plan is set out in Appendix 10.
- 6.33 The HEDNA also updates the affordable housing needs of Pendle. This reports a significant need for affordable housing equal to 288 dpa representing 206% of assessed needs (at 140 dpa). Many people with an affordable housing need will already be in a home, so this figure does not necessarily require additional housing provision.
- 6.34 PPG sets out the need for plan makers to consider the case for further adjustments to be made to the housing requirement where it could help deliver the required number of affordable homes.<sup>58</sup> Whilst there can be no doubt that the affordable housing needs of the borough are significant, low viability experienced widely across the plan area means there is little scope for affordable housing provision to come forward as part of market-led development. The Council's experience has shown that very few affordable homes are delivered in this way. As such, the adoption of a higher housing requirement is unlikely to have any real benefit in enabling the delivery of more affordable homes or outweigh the likely significant adverse impacts on the environment. On balance no further adjustment to the proposed figure of 140 dwellings per year is made in response to affordable housing need.

<sup>58</sup> PPG Reference ID: 2a-024-20190220

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- 6.35 During the preparation of the Local Plan, the Council has engaged proactively and consistently with its neighbouring authorities, as well as authorities located within the wider Pennine Lancashire sub-region. To date, this engagement has not revealed the need for Pendle to accommodate the unmet housing needs arising from any of these authorities.<sup>59</sup> A Framework for future engagement, agreement and cross boundary working as detailed through signed Memorandum of Understanding<sup>60</sup> with each authority will enable continued collaboration and support in relation to strategic planning issues including the supply and delivery of housing needs.
- 6.36 The Council needs to ensure that the housing requirement can be achieved in full, at the time and in the places required throughout the plan period. Policy DM20 provides the strategy to enable this requirement to be fulfilled proportionately and sustainably. The preferred strategy seeks to maximise prospects that the housing requirement can be met by using a range of supply options to provide for choice for the market, broadening the scope of delivery vehicles to boost housing provision.
- 6.37 Where a consistent supply or delivery of sufficient housing land required to meet the housing requirement cannot be maintained, Policy DM20 sets out the measures to be undertaken by the Council to rectify any arising shortfall in housing land provision. This includes a review of existing or planned sites for their density and timescales of delivery, as well as mechanisms of national planning policy such as the Housing Delivery Action Plan, and the implementation of the presumption in favour of sustainable development where required.
- 6.38 If we do not make informed choices about where new housing should be located, supply will be driven by housebuilders through the submission of ad-hoc planning applications. In the absence of site allocations it is harder for the Council to resist such applications, bringing uncertainty to our communities, and a pattern of development that does not properly reflect the spatial strategy.

<sup>59</sup> A Duty to Cooperate Statement detailing measures taken by the Council to engage and cooperate with statutory bodies will be made available to view alongside the draft (Regulation 18) version of the Local Plan.

<sup>60</sup> A final MoU will be made available alongside the Publication (Regulation 19) version of the Local Plan.

**DM21: Design and quality of housing****Policy Text**

1. Residential development should make a positive contribution to the built and natural environment, and. Proposals should:
  - (a) Promote the quality of place.
  - (b) Take into account and complement the built and natural character and context of their surroundings.
  - (c) Conserve the historic environment ([Policy SP09](#) and [Policy DM18](#))
  - (d) Avoid any unmitigated impacts on biodiversity, including protected sites and species, securing a net gain for biodiversity as required (Policy DM04).
  - (e) Promote healthy and safe places, where appropriate adopting Secure by Design principles.
  - (f) Protect the amenity and privacy of existing and future occupiers.
  - (g) Encourage active travel by linking to safe and attractive pedestrian and cycling infrastructure connecting to nearby green infrastructure (including formal open space provision), community facilities, school provision, public transport services, shops and sources of employment.
  - (h) Avoid areas at high risk of flooding from all sources accounting for the effects of climate change ([Policy DM02](#))
2. New homes should be designed to make efficient use of land. The appropriate density for each development will vary depending on site specific material planning considerations as well as the application of policies in this Local Plan. Notwithstanding this, as a starting point, the Council would anticipate the following densities to be achieved (expressed in dwellings per hectare):
  - Town Centres and sites accessible to high quality public transport routes.<sup>61</sup> 50 dwellings per hectare (dph) or above.
  - Other areas within the settlement boundary: 30-49dph
  - Areas at the edge of defined settlements: 20-29dph
  - Rural areas: 19dph or less.
3. New homes should be well designed, allowing them to be readily adapted to meet the needs of their occupiers. The design of new homes should:
  - (a) Address local housing needs (Policies DM22 and DM23), in particular considering the needs of families, the disabled, and older people as evidenced in the Pendle Housing and Economic Development Needs Assessment 2023, its successor or equivalent.
  - (b) Apply the design principles of this Plan ([Policy DM16](#)), with special regard given to guidance set out within the Pendle Design Principles SPD its

<sup>61</sup> Town Centres as defined through Policy SP03. Sites accessible to a 'High Quality Public Transport Route' defined as areas within 400m walking distance of a bus stop with services operating at least every 15 minutes.



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successor or equivalent,<sup>62</sup> and, where relevant, comply with the requirements of any adopted Design Code or site wide masterplan.

- (c) Meet the nationally prescribed space standards to ensure that homes have adequately sized rooms in response to local housing needs and provide convenient and efficient layouts that are functional and fit for purpose. ([Appendix 4](#))
  - (d) Be accessible and adaptable, and where possible meet optional technical standards of Part M4(2) of the Building Regulations 2010.
  - (e) Employ sustainable design and construction methods which make effective use of recycled materials and low carbon materials where feasible ([Policy DM15](#) and [Policy DM16](#)).
  - (f) Address the need to adapt to and mitigate the effects of Climate Change incorporating design measures which help minimise the use of natural resources and promote energy efficiency ([Policy DM15](#)).
  - (g) Seek to avoid or minimise the use of non-permeable (or non-porous) surfaces within gardens and other external areas, which could contribute to increased surface water runoff and flooding ([Policy DM02](#)).
4. To support the changing needs of occupiers over their lifetime, including people with disabilities, where practical and viable developers are encouraged to include a proportion of homes to meet the optional technical standards of Part M4(3) of the Building Regulations 2010.

### Policy Justification

- 6.39 The quality and design of housing has a distinct impact on the built and natural environment, its communities, and the health and wellbeing of residents. House builders and registered providers of social housing are uniquely placed to provide well-designed energy efficient homes in sustainable and attractive locations, which help to improve the prospects of future generations.
- 6.40 It is important that the built and natural context of a proposal is understood and appropriately responded to, in order to ensure that Pendle's unique built form and landscape is safeguarded for the benefit of future generations. Developments must not leave existing communities, wildlife and habitats in a worse state than before they took place, delivering measurable benefits.
- 6.41 New housing should be designed to meet the needs of the community and deliver a sense of place. Proposals should make for attractive and safe environments which promote social cohesion and integration and discourage opportunities for crime including anti-social behaviour. Proposals should be sited, and have a layout, scale and orientation which does not unacceptably adversely affect the material interests of their occupiers or other residents and businesses.

<sup>62</sup> Such as design guidance set out within any 'Made' Neighbourhood Plan

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- 6.42 Developments need to be planned to consider and be resilient to the predicted effects of Climate Change ([Policy DM01](#)). They need to be sited and have a layout which minimises the risk of flooding from all sources and promotes drainage through natural means ([Policy DM02](#)). They need to be orientated and make use of materials which minimises energy usage and reduces the effects and risk of damage from extreme weather events. Developments should be located and designed to promote walking and cycling to sources of recreation, access to services including education, community facilities and public transport to minimise the need to travel by car ([Policy SP11](#)).
- 6.43 The new Technical Housing Standards – including nationally prescribed space standards – were published in March 2015. The technical standards implemented follow the conclusions of the government’s Housing Standards Review (2014) which adopts consistent standards to avoid duplication or contradiction to be implemented where “*where there was a need and where this would not stop development*”.
- 6.44 The national standard addresses internal space within new dwellings (See Appendix 4). It is suitable for application across all tenures provided that viability is not compromised. The national standard sets out requirements for the gross internal floor area of new dwellings, at a defined level of occupancy. It also addresses floor areas and dimensions for key parts of the home. The requirements for integral garages and external parking are addressed in [Policy DM37](#).
- 6.45 The HEDNA confirms that the number of residents aged 60 and over in Pendle is projected to increase. It is the only age group expected to grow over the plan period within the Borough. The Housing Needs Assessment also shows significant need for wheelchair adaptable homes over the plan period.
- 6.46 A response to this arising need is the requirement for proposals to ensure that new homes provided as accessible and adaptable. The Pendle Development Viability Study (2020) acknowledges that viability is an issue for development in many parts of the borough. However, where possible a proportion of homes in developments of 10 or more dwellings should seek to meet the optional technical standards of Part M4(2) of the Building Regulations 2010. This will help to support the changing needs of occupiers over their lifetime, which is increasingly important given an ageing population profile. Provision of homes to meet optional technical standards of Part M4(3) of the Building Regulations 2010 will help meet the housing needs of the disabled population.
- 6.47 The development of low carbon or net zero homes is a major challenge which must be addressed during the plan period to respond to the Council’s Climate Emergency Declaration and achieve international commitments in reducing greenhouse gas emissions. The increased availability of energy efficient homes will help to reduce energy bills and will assist households in reducing expenditure pressures.

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- 6.48 The efficient use of land can help reduce the need to travel, promote walking and cycling, encourage urban renewal and safeguard Pendle's most sensitive environments from inappropriate forms of development. Pendle is a relatively constrained borough. Its distinctive natural landscape and industrial heritage form important assets which must be safeguarded for the enjoyment of future generations to come. The development of housing plays an important role in supporting the urban regeneration and economic growth of the borough. Land made available for housing must therefore be used efficiently to ensure that the housing needs of the plan (and the diversity of this housing need) can be met in full.
- 6.49 Paragraph 124 of the NPPF sets out the need for planning policies to support development that makes efficient use of land, account for the variety of housing need, market conditions and viability, availability and capacity of services, local character, and the importance of securing well-designed, attractive and healthy places. Paragraph 125 of the NPPF adds that where a shortage of available housing land exists policy makers should set out density requirements to ensure the efficient use of land.
- 6.50 In response the Council has identified minimum density requirements to act as a guide for developers and communities on what form of development is likely to be supported during the plan period, taking into consideration the existing built environment, and accessibility to services and infrastructure.
- 6.51 The Council acknowledge that material planning considerations relevant to the site, its surroundings and the proposal may result in the need to depart from the densities outlined in the policy. The justification for site density and built form should be provided through a Design and Access Statement which contains an analysis of the site and wider urban context to inform proposals.

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**DM22: Housing Mix****Policy Text**

1. All residential developments should provide a range of house types and sizes to help meet the housing needs of the local community.
2. Table DM22a confirms the housing need priorities of Pendle Borough by tenure.

**Table DM22b Bedrooms by Tenure**

Type of housing	1-bed	2-bed	3-bed	4-bed or larger
Market Housing	10-15%	40-45%	30-35%	10-15%
Affordable Housing (Owner-occupied)	25-30%	50-55%	15-20%	0-5%
Affordable Housing (Rented)	25-30%	35-40%	20-25%	10-15%

3. Table DM22a should be used to inform the housing mix provided at residential sites during the plan period, unless otherwise superseded by an updated study, or equivalent study informing a 'Made' Neighbourhood Plan.
4. Significant departures from the mix identified within Table DM22a should be justified by the applicant or may be refused.
5. Major development proposals are encouraged to deliver bungalows. Bungalows will normally feature at least 2-bedrooms.
6. Apartments may be approved where they accord with Policy DM21. Apartment schemes should include family provision (2 bedrooms plus) where practicable.
7. House types and sizes should be arranged within development sites to avoid creating class divided communities and promote high quality design (see Policy DM16) taking account of any potential effects on the landscape, townscape and biodiversity.

**Policy Justification**

- 6.52 Ensuring that housing land supply caters for the needs of the entirety of the community forms an important part of the Government's objective of significantly boosting the supply of new homes. To secure this Paragraph 62 of the NPPF requires plan makers to assess and secure the delivery of the size, type and tenure of housing which is needed over the plan period for different groups in the community. This includes but is not limited to those requiring affordable housing (see [Policy DM23](#)), families with children, older people (see also Policies [DM21](#) and [DM28](#)), students (see Policy DM28), people with disabilities (see also Policy DM21), and the gypsy, traveller, and travelling showpeople community (see [Policy DM29](#)).
- 6.53 Policy DM22 plays an important role in ensuring that the homes provided in the borough respond to the housing needs of the community. It sets out the requirements for new homes by type and size across the borough.

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- 6.54 The built form of Pendle is heavily influenced by its industrial heritage where fast paced urbanisation took place to support rapid economic growth in the late industrial revolution. The result means that Pendle has a high proportion of terraced housing, with 60% of homes classified as Council Tax Band A. These dwellings are often of low quality and limited in size promoting overcrowding. Terraces have small, if any, rear yard, and are situated within densely populated neighbourhoods which have very limited access to open space or formal sources of recreation. The most deprived wards of Pendle (Waterside, Whitefield, Bradley and Southfield) are all in locations where housing stock is dominated by terraced housing.
- 6.55 Census data shows that the population of Pendle has grown by 6,348 people over the last 10-years (an increase of 7.1%). This is above the national, regional and county averages, as well as the projection population position in published population estimates. Natural change and inward migration have both formed a role in driving this population growth, with increases in population recorded in 0-15, 30-39 and over 65 age cohorts over the last 10 years. The same growth has not been recorded in the number of households in the borough despite a comparatively larger housing land supply. Instead households have expanded in size, with Pendle experiencing the fastest pace growth in household size in the North of England. Today the average household size is 2.51 persons, the second highest in Lancashire.
- 6.56 The HEDNA confirms that over the plan period, the number of people in older age groups is expected to increase, forming a key driver of future population change for this period. As with many other authorities in England, Pendle has an ageing population, and this pattern will continue over the plan period. The HEDNA also anticipates that demand for family housing will be expected to continue, particularly by newly formed households. These patterns illustrate the need for 2-bed to 3-bed dwellings in the borough. The HEDNA has found that a Pendle wide approach to the policy is justified due to limited variation in housing needs experienced between the sub-areas of the borough.

**DM23: Affordable housing****Policy Text****Targets and Thresholds**

1. Proposals for residential development which meet the relevant thresholds outlined in Table DM23a will be required to contribute towards the provision of affordable housing.
2. The delivery of affordable housing is encouraged at all major development proposals. Increased weight in favour of a proposal will be applied where affordable housing in excess of the requirements outlined in Table DM23a is proposed.

**Table DM23a Affordable Housing Targets**

Dwellings	Nelson, Brierfield, Colne, Barrowford	Earby and Barnoldswick		Forest of Bowland AONB	Rest of the Borough
		Greenfield	Brownfield		
<b>5-9</b>	N/A	N/A	N/A	20%	N/A
<b>10-49</b>	0%	5%	5%	20%	20%
<b>50-99</b>	0%	5%	0%	20%	20%
<b>100 +</b>	0%	5%	5%	20%	20%

3. The requirements of Table DM23a do not apply to plots made available for self-build, custom-build or community-led housing ([Policy DM27](#)).
4. Where the relevant target cannot be met, a financial viability assessment will be required. The viability assessment will be reviewed by an independent third party, with costs reimbursed to the Council by the applicant. The viability assessment must show to the satisfaction of the Council that the affordable housing requirement cannot be delivered without compromising the viability of development, taking into account the wider benefits associated with the approval of the development. The failure to submit a viability assessment may result in the refusal of the application.

**On-site and Off-site Provision**

5. Affordable housing should be provided on site. It should:
  - (a) Be designed so that it is indistinguishable in its appearance and quality of materials to market housing (tenure blind)
  - (b) Integrate effectively and feature throughout the layout of a development proposal, with proportionate provision provided through all phases of development.
6. A financial contribution equivalent to 20% affordable housing provision calculated using the metric in [Appendix 3](#) will be required on sites of 5-9 dwellings located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

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7. Where the applicant can demonstrate to the satisfaction of the Council that the provision of affordable housing is not feasible on-site, the payment of a commuted sum will be required. This will be calculated in accordance with the metric set out in Appendix 3. This money will be used to fund the delivery of affordable housing within the same settlement as the proposal, or if not possible, the wider sub-area.
8. All affordable housing provided must be retained in perpetuity.

### Tenures, Types and Sizes

9. 75% of affordable homes should be provided as affordable or social rent, with the remaining 25% delivered as First Homes, unless:
  - (a) Robust evidence strongly demonstrates local demand for a different tenure mix; or
  - (b) An update of the Pendle HEDNA, or equivalent, indicates otherwise.
10. First Homes should be subject to a discounted rate as set out in Table 7.24 of the 2023 HEDNA or successor.
11. A combined annual income cap of £35,000 is applicable for First Home purchasers in Pendle.
12. The size of affordable homes provided on site should be consistent with Policy DM22.
13. In principle agreements for the transfer and management of affordable homes provided on-site to Registered Providers should be secured prior to the submission of a planning application.

### Rural Exception Sites

14. The development of affordable and entry level housing on a rural exception site will be supported where the development:
  - (a) Addresses a genuine local need identified in a Parish Survey or Neighbourhood Plan.
  - (b) Consists of 9 dwellings, or fewer.
  - (c) Occupies a site no larger than 0.5 hectares, which is not already allocated for development, and adjoins, or is well related to, the settlement boundary of a Rural Service Centre or Rural Village.
  - (d) Respects the character and setting of the settlement in terms of its siting, scale, types of dwellings provided, appearance, design and materials.
  - (e) Conserves local landscape quality, the historic environment, and biodiversity.
  - (f) Offers access to local employment opportunities and services, using sustainable modes of transport.
15. In exceptional circumstances a proportion of market homes may be allowed on a rural exception site. In such circumstances the planning application must be accompanied by a detailed financial appraisal. This should:
  - (a) Justify the need to include the proposed amount of market housing.

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- (b) Demonstrate that the proposed amount of market housing is the minimum amount required to deliver an appropriate mix of affordable homes, whilst ensuring the overall viability of the scheme.

16. To avoid undermining the integrity of the policy, the total amount of market housing will be limited to no more than one third of the total number of residential units provided on-site.<sup>63</sup>

### Community-led Housing

17. An exception to policy may be permitted for the provision of community-led housing. Such proposals must:

- (a) Address a specific local housing need. This need must be identified in an up-to-date policy or evidence base document adopted by the Council including Neighbourhood Plans, and
- (b) Be of a scale that is appropriate to its location.

18. This exception will only be considered for the following designations:

- (a) Redundant community facilities ([Policy DM35](#)).
- (b) Open Space ([Policy DM31](#)) – provided that the development proposal can demonstrate:
  - i. It does not create a deficiency of provision within that typology and is demonstrated not to be needed or
  - ii. Alternative open space is provided which is of equal or greater value.

### Policy Justification

- 6.57 It is not just the number of homes to be built, but also the balance of tenures and affordability which contribute to an effective housing strategy. Paragraph 62 of the NPPF requires Local Plans to specify the type of affordable housing required, where a need is identified. The delivery of appropriate and affordable housing for current and future residents in the creation of a balanced housing market forms a strategic objective of the Core Strategy.
- 6.58 For the purposes of planning, affordable housing is defined in the glossary of the NPPF (Annex 2). It differs from low-cost housing, which may, or may not, be affordable to individual households.
- 6.59 The Pendle Housing and Economic Development Needs Assessment (HEDNA) (2023) shows that Pendle has a significant requirement for affordable housing equivalent to 288 dpa. This is primarily because of a mismatch between local incomes and the cost of renting or buying homes, but it also reflects social factors.
- 6.60 In 2022 the minimum income for entry-level open market renting in Pendle was £20,400. For owner-occupation it was £22,600. This shows a small income gap between renting and buying. In the M65 Corridor the income required to buy is lower than to rent. In the other two sub-areas there is a larger gap between buying and renting<sup>64</sup>.

<sup>63</sup> Rounded upwards to the nearest whole dwelling.

<sup>64</sup> See HEDNA, 2023, Table 7.6



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- 6.61 Access to social housing is constrained by a lack of supply. For many years, the long-term aspiration has been for 40% to be affordable for residents on lower incomes. Annual monitoring shows since adoption of the Core Strategy, an average of 20% of all dwellings completed have been affordable housing.<sup>65</sup>
- 6.62 The principal barrier to the delivery of affordable housing in Pendle is low viability. The findings of the Viability Assessment continue to show that the establishment of an affordable housing requirement consistent with the assessed level of need continues to be unrealistic without seriously harming the deliverability of the Local Plan. Table DM23a establishes the minimum percentage requirements for affordable housing across the borough accounting for the findings of viability evidence. However, mindful of the strength and significance of the affordable housing problem in Pendle, the Council will continue to encourage higher rates of affordable housing delivery at sites which come forward over the duration of the plan period.
- 6.63 Any proposal which does not provide affordable housing in accordance with the expected requirements set in Table DM23a will be expected to provide viability evidence. This evidence will be reviewed by an appointed independent third party with costs reimbursed to the Council by the applicant. The Council's position with regards to affordable housing delivery reflects the evidenced acute need in Pendle. The failure to maximise the provision of affordable housing will compound the high rates of deprivation recorded in the borough and mean that the Local Plan fails to respond to households which are most in need of new housing. The NPPF establishes a plan-led approach in respect to viability. Any departures from the evidenced plan-led position must therefore be justified by applicants.
- 6.64 There is also a need to deliver balanced communities with a mixture of tenures and dwelling types. The HEDNA has reviewed and updated the tenure mix for affordable housing. It suggests that there is a need for both social and affordable rented housing, with the latter being particularly suitable for those households who are close to being able to afford to rent privately and some who claim full Housing benefit. On this basis it does not recommend a rigid policy for the split between social and affordable rented housing.
- 6.65 Shared ownership is likely to be suitable for households with more marginal affordability as it has the advantage of a lower deposit and subsidised rent.
- 6.66 The Government recently expanded the definition of affordable housing to include First Homes.<sup>66</sup> First Homes are discounted market sale units which:
- a) Are discounted by a minimum of 30% against the market value.
  - b) After the discount has been applied, the first sale price must be at a price no higher than £250,000.
  - c) The home is sold to a person who meets First Homes eligibility criteria.<sup>67</sup>
- 6.67 In addition, to qualify as a First Home, a Section 106 agreement is required to secure the necessary restrictions on the use and sale of the property, and a legal restriction on the title of the property to ensure that these restrictions are applied at each future sale.

<sup>65</sup>

<sup>66</sup> Introduced by Written Ministerial Statement 24<sup>th</sup> May 2021 UIN HLWS48

<sup>67</sup> [See: Paragraph: 007 Reference ID: 70-007-20210524](#)

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- 6.68 The Government requires at least 25% of the affordable homes provided on-site should be delivered as First Homes. This requirement is applied through Policy DM23. The Written Ministerial Statement allows local planning authorities to apply local variations to eligibility criteria where justified in evidence. As evidenced within the HEDNA, lower wages and property prices in Pendle, justify the application of a local standard for discount rate and income threshold through Policy DM23.
- 6.69 The NPPF expects 10% of the homes at major developments to be made available for affordable home ownership, unless this exceeds the level of affordable housing required or (would) significantly prejudice the ability to meet the identified affordable housing needs of specific groups (paragraph 65). In Pendle, where viability is a major influence on delivery, this rigid approach is at odds with efforts to ensure the delivery of sufficient new homes to meet the housing requirement. In most cases the requirement for 10% affordable housing would not be viable except for limited circumstances within rural parts of the borough. In addition, the HEDNA demonstrates that most affordable housing need is for social/affordable rent tenure properties. As such the implementation of a requirement which would effectively require all affordable homes built in the borough to be for affordable home ownership which is inconsistent with local evidence of need. Taking this into account Paragraph 65 of the NPPF is not implemented through the Local Plan.
- 6.70 The NPPF states that affordable housing should only be sought on major developments (i.e. those including 10 or more residential units). But it makes clear that an exception can be made in designated rural areas where a lower threshold of 5 units or fewer can be set (paragraph 63). Designated rural areas include parishes located within the Forest of Bowland Area of Outstanding Natural Beauty and as such requirements for affordable housing at sites of 5-9 dwellings within the AONB is set out in Policy DM23.
- 6.71 The NPPF would prefer any affordable housing need to be met on-site (paragraph 62). Where this is feasible it should not be possible to distinguish affordable homes from market housing (i.e. provision should be tenure-blind). Viability evidence and practice has proven that affordable housing delivery is unfeasible across large parts of the M65-corridor. In these circumstances there is a clear preference amongst developers to make a financial contribution towards the off-site delivery of affordable housing. The NPPF acknowledges that off-site provision, or a financial contribution of broadly equivalent value, may be justified. In these circumstances any contributions should be used in the same locality that the new housing is being provided, with the aim of contributing to the plan objective of creating mixed and balanced communities.
- 6.72 In Pendle, the delivery of affordable housing on inner urban Brownfield sites has been particularly difficult to achieve. In the aftermath of the post-2007 economic recession, the private sector has been unable to develop these sites viably. As such affordable housing has generally been provided in partnership with a Registered Provider of social housing and required public sector subsidy. Registered Providers are also able to acquire existing housing and adapt this to meet the requirements of the local population.
- 6.73 Where developments include the re-use or redevelopment of empty buildings, the local authority can apply for vacant building credit. In these circumstances the affordable housing contributions only relate to net increases in floorspace.

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### Rural Exception Sites

- 6.74 To help secure an adequate supply of affordable housing in rural areas the Council will take a proactive approach to affordable housing provision. An exception to policy may be made where a proposed development:
1. Will meet a particular locally generated need; and
  2. Cannot be accommodated within the settlement boundary.
- 6.75 In these circumstances the Council may permit small scale residential development to deliver affordable housing outside but adjoining the settlement boundary of a Rural Service Centre or Rural Village.
- 6.76 Rural Exception Sites (RES) are a long-standing mechanism supported by national policy to facilitate the provision of affordable housing in locations where housing would not normally be permitted. RES are intended to provide entry-level homes, under one or more of the affordable tenures identified in the NPPF glossary, on land not already allocated for housing.
- 6.77 RES seek to address the needs of a local community. Priority in the affordable housing allocation process is given to accommodating households which are either current residents or have an existing family or employment connection.
- 6.78 The NPPF also allows for the provision of a small amount of market housing on RES to assist the delivery of such schemes. It must be demonstrated to the satisfaction of the Council that any cross-subsidy from open market sales on the same site is essential to the delivery of the development. A full, open book financial appraisal, which accords with the method and findings set out in the most up to date Pendle Development Viability Study, will be required to accompany such an application. The land values in the detailed financial appraisal should be benchmarked against those for agricultural land in the local area and the historic values of exception sites.
- 6.79 The development and occupancy of each RES will be controlled through a Section 106 obligation under the Town and Country Planning Act 1990. The developer is required to sign this legal agreement with the Council before the decision notice for the planning application is issued. This is to ensure that the houses developed on the RES remain affordable in perpetuity, once the first occupiers have moved out.<sup>68</sup>
- 6.80 This policy sets out the criteria against which such proposals will be evaluated and under what circumstances such schemes may be permitted.

### Community-led Housing

- 6.81 Community-led housing is developed and/or managed by a self-organised not-for-profit group. The group will typically own, manage or be responsible for the stewardship of the housing that is provided. It is a requirement that the benefits to the local area and/or specified community are clearly defined and legally protected in perpetuity. Community-led housing may include self-build or custom build housing (see [Policy DM27](#)).

<sup>68</sup> In law the term “in perpetuity” is the formal expression used to refer to an arrangement that will exist for all time, or forever.

**DM24: Residential extensions and alterations****Policy Text**

1. Within defined settlement boundaries, proposals for residential extensions or alterations will be supported where:
  - (a) The amenity and privacy of their occupiers and immediate neighbours is not unreasonably adversely affected by way of overlooking, loss of natural light, overshadowing, overbearing, noise, air pollution, odour, or contaminated land.
  - (b) The proposal is consistent with [Policy DM16](#) and relevant guidance relating to built-form, layout, appearance, and materials as set out in the Pendle Design Principles SPD, its successor or equivalent.
  - (c) The proposal is proportionate to the original dwelling and plot size and is capable of integrating effectively into the wider street scene taking into account built character, topography, and land uses.
  - (d) The safety and operation of the highway and its users are protected.
  - (e) Habitats for protected species, existing mature trees and hedgerows are safeguarded from development including during construction works.
  - (f) Sufficient means of bin storage, cycle storage, off-road parking, domestic garden and/or yard space can be provided within the curtilage of the property; accounting for any increased need and without adversely affecting neighbouring uses.
2. Within the open countryside, in addition to point 1, proposals for household extensions and/or alterations will be supported where:
  - (a) The original building remains the dominant element in terms of size and overall appearance.
  - (b) The proposal would not have a detrimental impact on the original building, adjacent buildings or the wider area in terms of its scale, design, materials or visual impact.
3. Within the Forest of Bowland Area of Outstanding Natural Beauty, and in addition to points 1 and 2, proposals for household extensions and/or alterations will be supported where:
  - (a) The proposal would safeguard the intrinsic landscape beauty of the AONB.
  - (b) Original features which contribute to the unique character and qualities of the AONB are maintained and where possible enhanced.
  - (c) The proposal would not remove or reduce public access to or enjoyment of the AONB.

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### Policy Justification

- 6.82 Householder applications give rise to the opportunity for people to adapt and change their homes to suit their needs or aspirations without necessitating the need to move home. They fulfil an important role in responding to housing need through the effective use of developed land, providing a wide range of design responses and forms of development. Extensions (including outbuildings) have the potential to affect the built character of an area, its quality and appearance, and the amenity of local occupiers.<sup>69</sup> Householder proposals have a potentially significant impact on the lives of applicants and their neighbours including their health and wellbeing.
- 6.83 The planning rules for residential extensions are extensive, so advice should be sought before proceeding with any development. They include, but are not limited to:
- No more than half the area of land around the original house should be built upon.<sup>70</sup>
  - No extension should sit forward of a wall forming the principal elevation.
  - The materials to be used should in keeping with the original structure.
  - If the development is within two metres of a boundary, the eaves must not be higher than three metres.
  - Rear extensions must not exceed more than three metres in depth, or four metres if it is a detached property.
  - Two storey extensions should be no closer than seven metres to the boundary.
  - Within the curtilage of a listed building any outbuilding will require planning permission.
- 6.84 Planning portal provides a simple and useful resource as a starting point to residents determining what type of planning application (if any) is required. The Council operates a householder inquiry service available for a limited fee, or alternatively advice could be obtained from an independent suitably qualified planning professional. It is recommended that residents consult one of these resources before proceeding with works to extend or alter a home to avoid unnecessary enforcement action.
- 6.85 Permitted Development Rights (works you can carry out without the need for planning permission) for the extension or alteration of homes are set out in [General Permitted Development Order 2015 \(see Schedule 2, Parts 1 and 2\)](#). This covers an array of development proposals including (but not limited to), rear and side extensions, dormer extensions and other amendments to roofs, garages, car ports, sheds, and porches.
- 6.86 Permitted development rights may vary depending on location. There are limitations to permitted development rights depending on the scale and type of the alteration/extension sought. Prior Approval from the Council may be required before certain forms of development can take place. Such proposals are subject to a limited range of tests and consultation before being allowed to take place.

<sup>69</sup> Outbuildings is the term used to describe detached garages, sheds, playhouses, and greenhouses, as well as many other ancillary garden structures for a purpose incidental to the enjoyment of the dwelling house. It also includes granny flats.

<sup>70</sup> The term original house refers to the house as it was first built, or as it stood on 1 July 1948 (if it was built before that date). Although you may not have built an extension to the house, a previous owner may have done so.

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- 6.87 The requirements of [Policy DM24](#) are only applicable to alterations/extensions which exceed the thresholds outlined in the General Permitted Development Order. The policy is applicable to householder proposals within defined settlement boundaries, the open countryside, and the Forest of Bowland Area of Outstanding Natural Beauty. Proposals relating to land designated Green Belt will be assessed in accordance with [Policy SP05](#).
- 6.88 The policy seeks to ensure that proposals are compatible with and where possible enhance the wider built and natural environment, residents, communities and businesses, and infrastructure. Householder applications may increase the intensity of use of an existing building or plot and so it is necessary to ensure that it is supported by sufficient infrastructure and means to service the property without harming the amenity of third parties and public infrastructure.
- 6.89 Further guidance and advice on the size, form, layout, and appearance of proposals typically permitted in Pendle is provided within the Pendle Design Principles SPD. Applicants are directed to have regard to the content of this document. Proposals which are consistent with the forms of development promoted through this document have a strong prospect of gaining planning permission subject to relevant material considerations.

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### DM25: Residential conversions

#### Policy Text

1. Proposals for the conversion of existing buildings to residential uses within a designated settlement boundary will be supported where:
  - (a) Any external alterations are in-keeping, and where possible enhance, the existing street scene.
  - (b) Existing internal and external features of historical or architectural interest are conserved and where possible enhanced.
  - (c) The proposal is compatible with and does not prejudice the continued operation of existing neighbouring uses.
  - (d) The amenity (including access to natural light) and privacy of existing and future occupiers is safeguarded by the proposals.
  - (e) Residential units are of a sufficient size to meet nationally prescribed space standards.
  - (f) Residential units are fully serviceable, and benefit from access to private outdoor space (including private communal space) or are readily accessible to designated public open space.<sup>71</sup>
  - (g) Proposals make provision for sufficient off-road parking, provided in accordance with the adopted Parking Standards ([Policy DM37](#)).
  - (h) Proposals include secure cycle storage space for each residential unit created.
  - (i) The proposal accords with [Policy DM41](#) (Protected Employment Areas) and [Policy DM42](#) (Town Centres).
2. In addition to the above, proposals within the open countryside, Forest of Bowland AONB or Green Belt must comply with [Policy DM26](#), [Policy DM11](#) and [Policy SP05](#) respectively.
3. Listed Building consent is required for proposals to convert Listed Buildings. A Heritage Statement will be required for proposals affecting the historic environment. Proposals affecting the historic environment must accord with [Policy DM18](#) and where relevant [Policy DM19](#).
4. A structural survey may be required where the existing building is in poor condition or has been vacant for a period of more than 6 months. Should ground works also be required, a Contaminated Land Assessment may also be required in accordance with [Policy DM14](#).

#### Policy Justification

- 6.90 The conversion of non-residential buildings to provide new homes makes efficient use land, supports regeneration objectives, safeguards and potentially enhances urban environments, and helps to meet housing needs diversify housing land supply and provision.

<sup>71</sup> Within 400m walking distance of a park, playing field or playground.

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- 6.91 Permitted development rights exist for conversion of buildings to residential development. The parameters for such development, including size thresholds and conditions for development are set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 (see [Schedule 2, Parts 1 and 2](#)). In certain circumstances Prior Approval may be required from the Council. The Regulations set out the thresholds requiring Prior Approval. It is recommended that before proceeding with a proposal to convert a building to residential use, advice is sought from the Council or qualified planning professional. Planning portal provides a useful starting point in relation to permitted development rights.
- 6.92 Policy DM25 sets out the decision-making framework to be applied to proposals which exceed thresholds or do not qualify for permitted development rights.
- 6.93 It is important that proposals do not undermine the vitality and vibrancy of the borough's Town Centres, and the economic role provided by its protected employment sites. These locations provide the main economic hubs of the borough, bringing together important local access to shops, services, employment and goods. Proposals contrary to Policies DM41 or DM42 of the Local Plan will not therefore typically be approved.
- 6.94 The conversion of a building from non-residential use to residential use can often be carried out with minimal change to its external features and wider urban character. It is however important that where external changes are proposed, those changes do not degrade the quality of the urban environment. This is a priority where a proposal forms part of the historical environment of Pendle. In such cases, reference should be made to the Pendle Conservation Area Design and Development Guidance SPD with particular attention given to the treatment of external (and internal) elevations, building details and infrastructure, in terms of their role and significance within the historic environment (see Policy DM18).
- 6.95 The conversion of buildings can also affect how heavily an area is used and the nature of that use. It is important that the infrastructure and service requirements of converted buildings are taken into account and provided for without adversely affecting neighbours and built quality, providing uses which complement each other and do not prejudice the requirements or needs of existing buildings, their users and occupiers.



## DM26: Housing in the countryside

### Policy Text

1. Development proposals for new housing outside of a defined settlement boundary will be supported where consistent with the following criteria.

#### **Barn Conversions and Redundant Buildings**

2. Proposals for the conversion of redundant buildings for dwellings will be supported where:
  - (a) The building is of permanent and substantial construction, structurally sound and can be converted with only minor alterations.
  - (b) The design of the conversion respects any original or architecturally important features and is sympathetic to nearby buildings and/or the wider landscape.
  - (c) The materials to be used are appropriate to their setting and are of high quality.
  - (d) The proposal would not introduce ancillary features or infrastructure which would alter the prevailing rural character of the area.

#### **Extension or Alterations**

3. Where proposals are consistent with the relevant requirements of [Policy DM24](#).

#### **Replacement Buildings**

4. Proposals for the replacement of permanent non-agricultural buildings for use as dwellings will be supported where:
  - (a) The new building is not materially larger than the one it is replacing.
  - (b) The new building will not adversely affect the rural character of the area taking into account its proposed design, scale, form and materials; and
  - (c) There is no change in use.

#### **Dwellings of Exceptional and Innovative Design**

5. Proposals for the construction of new dwellings that are of exceptional and innovative design will be supported where:
  - (a) Evidence shows that the proposal achieves carbon neutrality across its lifespan, including construction, operation/occupation and demolition.
  - (b) Exhibits advancements in sustainable design and construction.
  - (c) Is able to integrate effectively into the wider open countryside, enhancing the character and quality of the built and natural environment.

#### **Agricultural and Forestry Worker's Dwellings**

6. Dwellings for agricultural or forestry workers will be supported where evidence is submitted to show that:
  - (a) There is a functional need for a permanent dwelling to support the agricultural or forestry activities in that location.

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- (b) The need relates to a full-time worker, or a worker who is primarily employed, in agricultural or forestry activities.
- (c) There is no available dwelling on the holding or buildings suitable for conversion, or no suitable accommodation available in nearby settlements.

### Policy Justification

- 6.96 This policy balances the need to protect the rural tranquil beauty and character of the open countryside, guarding against isolated and unsustainable forms of development, with the recognition of the limited circumstances in which modest residential development may be suitable especially where it is needed. The policy follows guidance of Paragraph 79 of the NPPF which sets out that to promote sustainable development in rural areas new housing should be located where it will enhance or maintain the viability of existing rural communities.
- 6.97 The majority of rural housing need is to be directed towards Rural Service Villages, and to a more limited extent Rural Villages as set out under [Policy SP02](#) of the Local Plan. Further potential for residential development in rural areas is provided by [Policy DM23](#) (Rural Exception Sites) and [Policy DM27](#) (Self-build/custom build housing) where proposals are suitable and can be demonstrated to respond to a particular type of housing need not otherwise catered for through the spatial strategy.
- 6.98 The Council however recognises that other forms of residential development in the open countryside also fulfil an important role in meeting the needs of the rural community in a proportionate and sustainable way. As such this policy permits modest alteration and extension of existing dwellings, replacement buildings of similar scale and character, and the re-use of existing buildings and structures for use as dwellings subject to specific criteria and restrictions. This approach allows for the best use of land and ensures that homes and buildings located in the open countryside can be adapted to meet the needs of the rural community expanding the scope for residential development which may come forward in accordance with policy.
- 6.99 The policy further enables the development of homes for agricultural and forestry workers, where justified, in recognition of the specific staffing and locational needs of these sectors required sustain viable operations in support of the rural economy.
- 6.100 Beyond this, and in accordance with the NPPF, the policy also permits dwellings of exceptional or innovative design. Such proposals are expected to demonstrate and display shifts in design and construction methods which provide for carbon neutral or better dwellings across the lifetime of development and use. Exemplary proposals permitted under the policy will provide for important case studies for the industry in securing the necessary transition to zero carbon development, by making use of new materials and construction processes increasing knowledge, demand and lowering costs to enable the delivery truly sustainable forms of development.

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**DM27: Self-build and custom housebuilding****Policy Text**

1. Those sites allocated for self-build and custom housebuilding are defined on the Policies Map and identified in [Policy AL01](#).
2. The provision of self-build or custom-build homes will be supported where:
  - (a) The site is:
    - i. Allocated through Policy AL01;
    - ii. Suitable for housing and within a defined settlement boundary; or
    - iii. Located outside but closely related to a defined settlement boundary and its development would not adversely affect settlement character, residential amenity, or access to recreation.
  - (b) The applicant:
    - i. Is resident within the borough; or
    - ii. Has a local connection with the settlement or parish where development is to take place.<sup>72</sup>
3. In all cases, proposals for self-build homes must:
  - (a) Have regard to the relevant guidance contained within the Council's Design Principles Supplementary Planning Document, its successor or equivalent.
  - (b) Assimilate effectively into the wider existing built and/or natural environment.
  - (c) Adopt building efficiency and construction measures to minimise resource usage.
  - (d) Achieve Biodiversity Net Gain of at least 10% in accordance with [Policy DM04](#).
4. Proposals for 50 dwellings or more will be expected to promote self-build and custom housebuilding. A minimum of 5% of all new homes provided on these sites will be required for self-build:
  - (a) Self-build homes should form a specific phase of the development site.
  - (b) Self-build areas must be fully serviced and integrated into the wider approved landscaping, drainage, and biodiversity schemes for the development.
  - (c) Self-build areas must be made available for disposal prior to the full occupation of the wider approved scheme.
  - (d) Self-build plots must be marketed for a minimum period of 6 months before reverting to market housing subject to written approval of the Local Planning Authority.

<sup>72</sup> In this context the term 'local connection' is defined as having an immediate family member living in the same settlement as the proposed development or is employed within the settlement or wider Parish.

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- (e) The position, size and pallet of materials of any self-build homes, must be consistent and compatible with approved plans for the wider development, including site drainage, highways, biodiversity, and landscaping.
- (f) Detailed planning permission will be required for each self-build plot before construction can commence.

### Policy Justification

- 6.101 Self-build and custom housebuilding are terms used to refer to homes that are built by individuals, or groups of individuals, for their own use.
- Self-build – projects where the design and construction is organised directly by an individual or group. Examples can range from small DIY projects to larger scheme where a builder is employed to construct the home(s).
  - Custom-build – projects where the individual or group employs a specialist developer to find a suitable plot; manage the construction and/or arrange finance. This is a more hands-off approach to securing a home that is tailored to match individual requirements.
- 6.102 Homes built in this way offer an alternative to standard market housing, which may not meet the needs of a particular household. They offer an opportunity to introduce innovative design features to tailor the development so that it meets the needs of the occupier.
- 6.103 Supporting the delivery of self-build and custom housebuilding can contribute to greater housing choice and provide lower cost options for households. Self-build/custom build is therefore beneficial in diversify housing land supply, providing for a greater range of house types, sizes and tenures in response to the needs of the entire community.
- 6.104 Specific provisions for self-build and custom housebuilding were introduced by the government in the [Self-build and Custom Housebuilding Act 2015](#). This was subsequently amended by the [Housing and Planning Act 2016](#).
- 6.105 The legislation places a duty on the Council to maintain and have regard to a register of people who are interested in self-build or custom-build projects in their area. The purpose of the register is to:
- Inform the council of the level of demand for self-build and custom housebuilding plots in the borough;
  - To match individuals or groups looking to acquire land on which to build their own home, with the sites where they can do so; and
  - Help the Council to develop a strategy for delivering serviced plots for self-build and custom housebuilding projects.
- 6.106 Further information can be found in the [Planning Practice Guidance on self-build and custom housebuilding](#).

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- 6.107 The cumulative number of entries on the self-build and custom housebuilding register for Pendle is reported annually in the Authority Monitoring Report (AMR). The Council has a duty to grant permission for sufficient land to match this level of demand, within three years.
- 6.108 In Pendle expressions of interest in self-build and custom housebuilding development opportunities have increased steadily since self-build/custom build legislation came into force in 2015. Policy DM27 seeks to respond to this housing need through a multipronged approach which aims to increase opportunities for self-build/custom-build housing. This is achieved through the allocation of specific sites for self-build; a policy framework to determine windfall proposals for self-build; and the establishment of the requirement on large sites for a proportion of plots provided to be made available for self-build/custom-build. In addition, whilst not specifically expressed in this policy, Community-led housing ([Policy DM23](#)) can include self-build or custom-build housing.
- 6.109 The small-scale self-build sites allocated in this policy were first identified through the SHLAA but considered too small for allocation for housing. Sites allocated in the policy have been confirmed as available for self-build custom build homes with landowners.
- 6.110 An important contribution to self-build will come forward via major sites promoted during the plan period. The threshold for self-build will not be applicable to apartment only schemes. Major development sites can be complex to bring forward for development and the provision of self-build on-site gives rise to potential health and safety, operational and security issues. To address this the policy sets out that self-build areas should form a specific phase of a development, to be made available for purchase (and development) prior to full occupation of the wider development.
- 6.111 To promote high quality and comprehensive design, and ensure that site infrastructure is implemented as intended, without adversely affecting existing or future residents or wildlife, the policy requires self-build plots provided within a major development to be fully serviced and integrated into the wider masterplan inclusive of landscape, highways, drainage and biodiversity scheme. The characteristics of any self-build plots coming forward within a major development site should be agreed with the Council to ensure a high quality of design that is in harmony with the wider development.

**DM28: Specialist housing****Policy Text**

1. Proposals for communal living schemes will be supported where they meet an identified housing need.
2. Where appropriate a facility management plan should be submitted with the planning application and will be secured through a Section 106 agreement. The management plan, should demonstrate how the development will:
  - (a) Positively integrate into the surrounding community; and
  - (b) Be managed and maintained to ensure the continued quality of the accommodation, communal facilities and services.

**Older Persons Housing**

3. The diverse housing needs of older people in the borough will be met by supporting the delivery of specialist forms of residential accommodation to meet the housing needs of older people across all tenures where they:
  - (a) Are situated in a location well-connected to local services and shops by walking, cycling and public transport.
  - (b) Provide sufficient off-street parking for staff, visitors, and where relevant residents.
  - (c) Support proposals to adapt/extend existing residential properties to meet the needs of older people and those with disabilities.
  - (d) Contribute to a mixed and inclusive locality by meeting an identified local need.
  - (e) Is in a location compatible with neighbouring uses.

**Houses in Multiple Occupation (HMOs)**

4. In the interest of maintaining a balanced housing mix and preserving residential amenity, approval will not normally be granted for a new HMO where it would:
  - (a) Result in HMOs representing more than 10% of the housing stock within a 75-metre radius of proposed development,<sup>73</sup> except in exceptional circumstances.<sup>74</sup>
  - (b) Would result in any residential property (C3 use) being situated between two HMOs. This does not apply where the properties are separated by an intersecting highway (a minimum of two lanes), or where properties have a back-to-back relationship in different streets.
5. Notwithstanding the threshold limit and exceptional circumstances, other material considerations (such as intensification of use, highway safety, residential amenity of future and existing occupiers) arising from the impact of the proposal will be assessed in accordance with relevant Local Plan policies and guidance.

<sup>73</sup> All measurements are taken to/from the midpoint of the main external entrance to a property.

<sup>74</sup> Where necessary, this radius will be extended to ensure that a minimum of ten residential properties are included in the calculation.

## Improving our prospects and quality of life

6. Bedrooms in houses of multiple occupation (HMO) granted a licence under Part 2 of the Housing Act 2004 must, as a minimum, meet the space requirements set out in (Appendix 4). When determining the area of the room, any parts where the height of the ceiling is less than 1.5 metres will not be considered.

### **Student Accommodation**

7. Purpose built student accommodation will be supported where it can be demonstrated that:
  - (a) The proposal responds to an existing identified need.
  - (b) The proposed responds to an increase in full-time students, arising from the provision of additional academic and/or administrative floorspace taking place within Pendle or the wider Functional Economic Market Area.
  - (c) Occupation is restricted to individuals in full-time education on courses of one, or more, academic years.
  - (d) There is no unacceptable impact on amenity for local residents.

### **Policy Justification**

- 6.112 Throughout the country an increasing number of people are starting to see the appeal of communal housing, where purpose-built communities recreate the neighbourhoods of the past. Whilst new models of communal living may be emerging across Britain, three types of communal living currently dominate the housing market.

1. Older Persons Housing
2. Homes in Multiple Occupation
3. Student Accommodation

- 6.113 The Accommodation with Support Plan (2023) outlines the approach of the councils in Lancashire and their National Health Service (NHS) partners to provide appropriate housing for older people and working age adults with support needs.

### **Older Persons Housing**

- 6.114 People are living longer. This means that there are more active older people in good health in the population. There are also more people living with on-going conditions that may affect their mobility. This restricts their ability to get out-and-about. If unable to socialise, this can lead to issues of loneliness and isolation.
- 6.115 According to the 2018-based Sub National Population Projections (ONS, 2020) the number of people in Pendle aged 65 or over is projected to increase by 32% from 17,005 in 2018 to 22,459 by 2043.
- 6.116 The provision of adult social care is a major consideration, as the number of older people who are like to have care and support needs is projected to increase significantly in the coming years. The 65+ population is expected to grow by 28% by 2038 and the 75+ population by 32% over the same period. By 2038 it is estimated that an additional 268 extra care housing units for older people will need to be provided in Pendle, with almost half of these required before 2028.

## Improving our prospects and quality of life

- 6.117 The number of working age adults with support needs is also projected to increase over the next 10 years with an estimated 53 new units needed by 2033.
- 6.118 New provision should be designed so that occupants are able to live fulfilling, healthy and independent lives. Purpose-built specialist housing is one solution. Several options are available, but the two most common types are:
- Age restricted community (sheltered) housing – self-contained units built specifically for sale or rent to older people. Communal facilities; an on-site or mobile manager; and alarm call systems are typically provided.
  - Assisted living (or extra-care housing) – offers more support than sheltered housing. Residents occupy their own home but receive care and assistance from support staff within the complex.
- 6.119 The Council’s evidence on viability identifies that both private and public sector housing for older people can make a positive contribution towards the provision of affordable housing. It also has the potential to free-up larger family homes.
- 6.120 The Pendle Housing and Economic Development Needs Assessment (HEDNA) (2023) highlights the likely increase in demand for specialist housing for older people. It suggests that there is a need to double the current level of provision, particularly for enhanced sheltered and extra care provision.
- 6.121 The HEDNA also notes that the majority of older people want to stay in their own homes, with help and support provided when needed. So as well as increased provision overall, it is important that a more diverse range of housing options is provided to meet the housing needs of older people.
- 6.122 This policy sets out the Council’s approach to supporting the provision of purpose-built shared living accommodation and associated facilities for older people. But it is the market that will determine if such development proposals come forward. Further support for the provision of housing suitable for older people is provided in [Policy DM21](#) (Design and Quality of New Homes) and [Policy DM22](#) (House Types and Sizes) with the requirements for homes to be accessible and adaptable and for Bungalows at certain sites.
- 6.123 Purpose-built shared living developments should seek to create a sense of community. Developments should be designed and managed in a way that lowers barriers to social interaction and encourages engagement. Where appropriate this should include amenities (e.g. gymnasium) capable of use by both residents and the surrounding community.
- 6.124 There are currently no minimum space standards for units within such developments. Individual units should be of an appropriate size to be comfortable and functional for the needs of the tenant.



## Improving our prospects and quality of life

### Houses in Multiple Occupation

- 6.125 A House in Multiple Occupation (HMO) is defined by the Housing Act 2004 as:
- A house or flat which is let to three or more unrelated tenants who share a kitchen, bathroom, or toilets. For example, properties let to students or bedsits; or
  - A building which is converted into non-self-contained flats; or
  - A building which is converted entirely into self-contained flats and the conversion does not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.
- 6.126 Those with shared facilities must be licensed, to ensure that minimum standards of safety, welfare and management are maintained.
- 6.127 Except where an Article 4 Direction is in force a change of use between Use Classes C4 and C3 is covered by permitted development rights, unless external building works are involved, or a material change of use takes place. The test of whether the change of use is material, or not, depends on the circumstances, including any impact on the amenities of the adjoining area.
- 6.128 An Article 4 direction may be imposed to introduce the requirement for planning permission where it is in the interest of:
- Preventing a high concentration of HMOs, which could erode the character of a particular area; or
  - Supporting an appropriately balanced housing mix across the borough.
- 6.129 To help preserve residential amenity and a balanced housing mix throughout the borough, a threshold on the number of HMOs in a particular location has been identified.
- 6.130 Where the threshold has already been breached, planning permission may be granted in exceptional circumstances. This recognises that long-term residents of owner-occupied properties in these areas may find it difficult to sell their homes for continued C3 use.
- 6.131 Exceptional circumstances are considered to exist where 80% of the existing properties within the defined area of impact (see policy text) are HMO dwellings. Applicants should submit a supporting statement with their planning application to demonstrate that there is no reasonable demand for the existing residential property as a continued C3 use.<sup>75</sup>

### Student Accommodation

- 6.132 In Pendle, most students do not live in purpose-built accommodation. Instead they tend to house-share in the private rental market. Given the low number of students in Pendle, this has little impact on the availability of larger houses in the general market.

<sup>75</sup> No reasonable demand will be considered to have been demonstrated where the property has been advertised for a period of at least six months at a price or rental level that is considered to reflect values in the local property market for a property of a similar type and condition. This should be verified in writing by a qualified person in a relevant profession such as an estate agent.

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Improving our prospects and quality of life

- 6.133 Should this position change during the lifetime of the plan, increasing the amount of purpose-built student accommodation may be beneficial to the wider housing market.
- 6.134 Any new student accommodation should be designed and managed so that it is attractive to students.

## Improving our prospects and quality of life

**DM29: Gypsy, traveller and travelling showpeople community****Policy Text**

1. Planning permission for residential pitches will be granted for gypsy, traveller and travelling showpeople where the Council is satisfied that the following criteria have been met:
  - (a) The proposal is responsive to a genuine need arising within the borough.
  - (b) Sites make efficient use of land without resulting in overcrowding.
  - (c) Sites respect areas of high conservation and ecological value.
  - (d) Sites do not harm the historic environment.
  - (e) Sites are compatible with established neighbouring uses safeguarding the health and wellbeing of their occupiers.
  - (f) Sites do not compromise the purpose or function of the Green Belt and protects the rural and tranquil character of the open countryside.
  - (g) Sites are accessible to local shops, services, schools and healthcare facilities by walking, cycling and public transport.
  - (h) Sites are acceptable in respect of vehicular access, parking and services.
  - (i) Sites are not located in Flood Zones 2, 3a or 3b, and are not subject to a high risk of flooding from other sources.
2. Residential pitches must be adequately serviced with electricity, water and waste water supply provided. Each pitch should feature enclosed waste storage space. Sufficient turning space should be provided within sites to allow for entry and exit by refuse vehicles in forward gear.
3. Means of site security and/or boundary treatments must not obstruct safe access to and from the highway.

**Policy Justification**

- 6.135 Members of the Gypsy, Traveller and Travelling Showpeople communities form part of the local housing need. They are included in national population and household projections.
- 6.136 The duty for local authorities to produce assessments of the accommodation needs for Gypsies and Travellers was revoked by [Section 124 of the Housing and Planning Act 2016](#). But the requirement to periodically review local housing needs remains and these must consider the needs of people *“residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed or places on inland waterways where houseboats can be moored.”*
- 6.137 National planning policy for the Gypsy, Traveller and Travelling Showpeople communities is set out in the NPPF and the accompanying document [Planning Policy for Traveller Sites](#) (2015). In the latter, paragraph 3 makes clear that the traditional and nomadic way of life of these communities should be facilitated while respecting the interests of the settled community.

## Improving our prospects and quality of life

- 6.138 Members of the Gypsy, Traveller and Travelling Showpeople communities wishing to maintain a nomadic lifestyle may require the provision of space to rent for the temporary pitching of caravans. However, a more settled existence can offer benefits in terms of access to health and education services, and employment, and can contribute to greater integration and social inclusion within local communities. In these circumstances the preference may be to buy a site. Alternatively they may choose to move into “*bricks and mortar*” accommodation.
- 6.139 Analysis carried out for the [Lancashire Sub-Regional Gypsy and Traveller Accommodation and Related Services Assessment](#) (2007) and the [Burnley and Pendle Gypsy and Traveller Accommodation Assessment](#) (2012), together with the latest evidence presented in the HEDNA (2022) reveal that Pendle is not in an area of high demand for such accommodation. The general absence of unlawful encampments reinforces this conclusion.
- 6.140 Based on the results of these studies, no site is proposed for allocation to meet the specific needs of the Gypsy, Traveller and Show People Communities. Instead Policy DM29 provides a policy framework for the determination of this type of development should they come forward through the planning application process during the plan period. Future reviews of the Local Plan and its supporting evidence will reconsider the need for sites for Gypsy, Traveller and Show People Communities.

## Improving our prospects and quality of life

### Promoting health and wellbeing

- 6.128 There are important linkages between health and wellbeing and the natural and built environment. Improving physical and mental health is a key objective of the Council and its partners. It is a theme that cuts across many of the policies in this Local Plan.
- 6.129 The NPPF is clear that to deliver the social dimension of sustainable development, planning must support the development of strong, vibrant and healthy communities.
- 6.130 Pendle has some significant pockets of deprivation in Nelson and Brierfield. Life expectancy for both men and women is below the regional and national averages, with significant variations in life expectancy across the district.
- 6.131 Our health and wellbeing is influenced by a wide range of factors including poverty, economic activity, education, access to services and housing, and lifestyle choices such as engaging in physical activity, nutrition, smoking and the consumption of alcohol.
- 6.132 To help combat health inequalities the Local Plan encourages new development to provide a high-quality living environment and promote healthy lifestyles. Its policies not only seek to influence the design of new buildings, but they also consider wider impacts beyond the site boundary. Well-designed neighbourhoods, with safe streets and easy access to walking and cycling networks provide an opportunity for residents to access green and open space and experience leisure, cultural and recreational activities.
- 6.133 Recognising that sport and recreation play an important role in the health and wellbeing, particularly for children and young adults, existing facilities are protected unless they are surplus to requirements or improved alternative provision can be made. Our Open and Playing Pitch strategies set minimum standards for provision and identify any local deficiencies.
- 6.134 Obesity is one of the biggest challenges facing the UK. Approximately one quarter of all adults are obese. There is a clear link between increased body fat and the risk of medical conditions including diabetes, cancer, heart and liver disease. Once obesity is reached, it is difficult to treat, and an obese adolescent is likely to remain so into adulthood. Influencing the location of fast-food outlets and promoting the production of healthy food options are just two ways in which planning can help to combat poor health in our communities.
- 6.135 By helping to reduce health inequalities and enhance public safety we can have a positive influence on health and wellbeing outcomes.

## Improving our prospects and quality of life

**DM30: Healthy places and lifestyles****Policy Text**

1. All development should support improvements in public health, or a reduction in health inequalities by:
  - (a) Providing a healthy living and working environment.
  - (b) Supporting healthy lifestyles.
  - (c) Promoting social and economic inclusion.
  - (d) Ensuring good access to a full range of health facilities.
  - (e) Protecting amenity, health and wellbeing.
  - (f) Ensuring compatibility with neighbouring land uses.
  - (g) Addressing contamination and taking steps to minimise pollution.
2. Improvements in the quality and accessibility of primary health care facilities will be supported, including the co-location of GP practices where this would help to deliver positive health outcomes.
3. A Health Impact Assessment (HIA) will be required where a development proposal is likely to have a significant adverse impact on health and wellbeing. The evidence in the HIA should be proportionate to the significance of the scheme and show:
  - (a) Evidence that the development proposal has been assessed for its effects on health and wellbeing.
  - (b) The health and wellbeing benefits of the proposal.
  - (c) Steps taken through the design process to address any effects that have been identified, including matters related to the scale and layout of the proposal, its detailed design features and open space provision.
  - (d) Where relevant an action plan and monitoring measures to address health and wellbeing impacts of a proposal during its operation.

**Policy Justification**

- 6.136 Promoting good health is a guiding principle for the Local Plan.
- 6.137 Health professionals have started to take a new look at land-use and urban design. They have become advocates for building healthy communities; particularly those that promote increased physical activity.
- 6.138 In 2020 UN-Habitat and the World Health Organisation issued the report '*Integrated Health in Urban and Territorial Planning*' which encourages towns and cities to be planned and built with a focus on human and environmental health.

## Improving our prospects and quality of life

- 6.139 In 2016, Public Health England (PHE), in its written evidence to the House of Lords Select Committee on National Policy for the Built Environment, noted that:
- “Some of the UK’s most pressing health challenges – such as obesity, mental health issues, physical activity and the needs of an ageing population – can all be influenced by the quality of our built and natural environment. In other words, the considerate design of spaces and places can help to promote good health; access to goods and services; and alleviate, and in some cases even prevent, poor health and thereby have a positive impact on reducing health inequalities.”*<sup>76</sup>
- 6.140 Planning plays an important role in helping residents live longer and healthier lives. The relationship between different land-uses has a strong influence on people’s lifestyles. Movement and connection not only provide the essential structure of form and place, but also helps to support healthy living. This was recognised in the joint report [‘Integrating health in urban and territorial planning’](#) issued by UN-Habitat and the World Health Organisation in May 2020.
- 6.141 According to PHE as little as 30 minutes of moderate exercise each day, including brisk walking, can bring about significant health benefits. Development can help to create safe and attractive routes for walking and cycling, which will help to reduce the need to travel by car. In turn, this reduces the risk posed by allergies and ailments associated with air pollution. It also cuts down the stress and health risks linked with travelling in heavy traffic.
- 6.142 Planning policy seeks to address health concerns from many different perspectives and joint working is essential to help achieve positive health outcomes. The PHE ‘whole systems approach’ to obesity acknowledges the multidisciplinary nature of health interventions. [Policy SP10](#) recognises that the Local Plan seeks improve health and reduce health inequalities through a wide range of policy interventions.
- 6.143 Where evidence suggests that the magnitude, nature or extent of any adverse impact on health and wellbeing is likely to be significant, a Health Impact Assessment (HIA) may be required. The HIA should maximise the positive health impacts of the proposed development and minimise any potentially negative outcomes. The Public Health England publication [Health Impact Assessment in Spatial Planning](#) (2020) provides information about the use of HIA when designing development proposals.

<sup>76</sup> Building Better Places: Report of Session 2015-16 to (2016) The Stationery Office. London.

**DM31: Open space, sport and recreation****Policy Text**

1. Designated areas of Open Space with a site area of 0.2ha or greater are identified on the Policies Map. Sites below this threshold are shown on larger scale plans in the Open Space Audit.
2. Built facilities for sport and recreation together with any land identified as open space on the Policies Map, or in the most recently adopted Open Space Audit (or Strategy), will normally be protected from development.

**New Provision**

3. The additional pressures arising from new development and/or any identified deficiencies in open space provision should normally be mitigated through the on-site provision of open space.
4. Where on-site provision of new open space (e.g. sports pitches) is neither feasible nor appropriate, a financial payment will be secured through a signed legal agreement to help fund:
  - (a) The acquisition of an alternative site for the provision of new open space or sports facilities.
  - (b) Improvements to the quality, accessibility and management of existing open space provision or sports facilities.
  - (c) Improvements to the quality, ecological value and accessibility of green infrastructure assets ([Policy DM06](#)),
5. The amount and type of new open space to be provided should address the needs set out in the most recent Open Space Audit or Strategy adopted by the Council.
6. New open space must be accessible, well-designed and fit for purpose. Future management and maintenance of these new spaces or facilities will be secured by appropriate planning conditions or legal agreements.
7. Where possible, built sports facilities attracting large visitor numbers should be located in Main Towns and be easily accessible by public transport, cycling and walking.

**Existing Provision**

8. The Development of existing open space will be granted permission where:
  - (a) The proposal includes alternative provision that is equivalent or better in terms of quantity, quality, accessibility and management arrangements.
  - (b) Evidence can be provided that the open space site is surplus to requirements.
  - (c) Its loss does not lead to a deficiency for that open space typology within the Electoral Ward and/or Area Committee area in which it is located. This calculation will be based on evidence in the most up-to-date Open Space Audit or Strategy.
  - (d) The site is not suitable to meet any identified deficiency of another open space typology.



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(e) There is no harm, or adverse impact caused to:

- i. A designated landscape or townscape feature.
  - ii. The historic environment.
  - iii. Ecological value on a site designated for its biodiversity value or the integrity of the Green Infrastructure network.
  - iv. Amenity value.
  - v. The level of flood risk (particularly beyond the boundary of the site) from all sources.
9. The redevelopment and replacement of existing buildings will be permitted where this maintains or enhances the use of the open space or its context.
  10. The design of replacement structures should be sensitive to their setting; not normally exceed the footprint or height of the existing structure; and wherever feasible incorporate living roofs/walls and Sustainable Drainage Systems (SuDS).
  11. Development adjacent to an area of existing open space (including outdoor sports) should seek to safeguard its appearance and wider setting by having no adverse impact on:
    - (a) Accessibility
    - (b) Amenity value (including any important views out of the site)
    - (c) Ecological value
    - (d) Established uses, including the use designated open spaces or sports facilities.

### Other Recreation Pressures

12. Residential developments that will contribute to recreational pressure on the South Pennine Moors SPA and SAC will be required to mitigate these effects through provision of new natural green spaces for recreation or to contribute towards improvements to existing open spaces including Suitable Alternative Natural Greenspace (SANG) (see Policy [DM08](#))
13. Within the Forest of Bowland AONB, new or enhanced open space should reflect the primary purpose and special qualities of the AONB.

### Policy Justification

- 6.144 Open space, including sport facilities and places for recreation, make a valuable contribution to our health and wellbeing. They are highly valued by the communities they serve providing opportunities for social interaction, relaxation, exercise, recreation, education, and enjoyment.
- 6.145 The [Environmental Improvement Plan 2023](#) includes an ambitious commitment that everyone should live within 15 minutes' walk of a green (or blue) space.
- 6.146 Open space fulfils a wide variety of needs for residents, workers and visitors. It provides opportunities for healthy living, enhances local amenity and improves quality of life. It is often a valuable component in our Green Infrastructure network, with many spaces offering a valuable opportunity to step back and admire the best of our built environment.

## Improving our prospects and quality of life

- 6.147 The role and importance of open spaces, sports and recreation facilities in promoting the health and wellbeing of communities is recognised by national planning policy with the NPPF establishing protections against the loss of land and facilities in these uses.<sup>77</sup>
- 6.148 The NPPF requires policies on open space, sport and recreation to be based on robust and up to date assessments of needs and opportunities. The following evidence base documents inform this policy and several others in the Local Plan:
- Rossendale, Pendle & Burnley Playing Pitch Strategy, Action Plan and Assessment (Knight, Kavanagh & Page, 2016)
  - Pendle Review of Indoor Sports Review (Pendle Council, 2017)
  - Pendle Open Space Audit (Pendle Council, 2019)
  - Pendle Green Infrastructure Strategy (Pendle Council, 2019)
- 6.149 These studies look at open space from different perspectives. Each identifies where existing stock of sites could be improved, or redeveloped, and highlights areas of the borough where additional provision may be needed. The [Pendle Open Space Audit](#) (2019) has established local standards for the quantity, quality and accessibility of open space by typology.
- 6.150 The open space designation covers a wide range of different typologies including parks and gardens, natural and semi-natural spaces, green corridors, amenity and local green space, provision for children, allotments, civic spaces and areas offering opportunities for sport and recreation.
- 6.151 Where evidence shows that there is a shortage of open space, or sports provision, or that such a shortage will be generated by new development, the Council will expect proportionate provision to be provided on-site, in the first instance, or, where justified, financed through off-site contributions.
- 6.152 The requirements for new open space or sports provision, its placement within a development, and the role that these will play in helping to promote beautiful high-quality places should be considered in the early stages of the design process, with its long term functionality and maintenance also being taken into account.
- 6.153 Open spaces should form attractive, inclusive, and connected spaces, accessible by pedestrian and cycling routes. They should be easily found and logically positioned within a development providing a safe space that will ideally benefit from natural surveillance. The spaces or facilities provided should be of a sufficient scale and quality to meet any identified needs. In some cases it may be appropriate for spaces to fulfil a dual functionality by also providing opportunities for Biodiversity Net Gain, reducing flood risk or enhancing the setting of key features within the historic environment.
- 6.154 Open space sites may also have the potential to support ground source heating systems for nearby homes (see Policies ENV2 and ENV19).

<sup>77</sup> See NPPF paragraph 99.

## Improving our prospects and quality of life

### DM32: Walking and cycling

#### Policy Text

1. Development proposals which affect an existing public right of way should, in the first instance, seek to incorporate this into the development as an exclusive route for walkers and cyclists. Where this is not possible, the proposals should provide an alternative route that is safe and attractive for all users.
2. To help promote the use of sustainable modes of transport, the Council will require development proposals to:
  - (a) Maintain and where possible improve existing pedestrian and cycling infrastructure, including the Public Right of Way (PROW) network.
  - (b) Avoid adverse impacts on the safety of the pedestrian and cycling environment, including the PROW network.
  - (c) Provide appropriate access for all sections of the community.
  - (d) Use good design and, where appropriate, lighting to improve the safety and security of pedestrians and cyclists both within, and adjacent to, the development site.
  - (e) Encourage greater opportunities for walking and cycling by:
    - i. Linking to the existing footpath, bridleway and cycle way networks
    - ii. Providing secure cycle parking and storage facilities.
    - iii. Be located close to existing services (including shops) and sources of employment.
3. To ensure future maintenance, where appropriate new links should be the subject of a Section 106 agreement with the local highway authority.
4. Non-residential development that is likely to generate a significant level of footfall, should be located in highly accessible locations such as a town or local shopping centre, which provide good access for pedestrians and cyclists.

#### Policy Justification

- 6.155 Walking and cycling are beneficial for personal health and the environment. They can also bring economic benefits to an area through increased footfall and the promotion of tourism.
- 6.156 The local topography can be challenging in some areas. But Pendle's towns and larger villages are relatively compact. To take advantage of this we want to encourage people to walk or cycle to the places they visit on a regular basis. To become a viable alternative to the car, taxi or bus; development should be situated in locations accessible to the public footpath and cycling network. We need to maintain, improve and extend a network of safe and attractive routes. These will connect places of origin with common destinations. Our journeys for work, education, shopping, recreation and leisure tend to start from home, or the nearest bus or railway station.

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Improving our prospects and quality of life

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- 6.157 All developments should seek to provide safe and attractive linkages with existing footpaths, bridleways and cycle ways. To ensure future maintenance and to help protect routes from obstruction and interference new footpath and cycleway links should ideally be included in a Section 106 agreement.
- 6.158 The design of major developments should also promote walking and cycling through the layout and orientation of buildings on the site. They should seek to create safe routes for walkers and cyclists by:
- Reducing the potential for conflict with other road users.
  - Helping to slow the flow of traffic.
  - Provide physical segregation, wherever possible, by providing wider pavements and well located crossing points.
  - Provide appropriate levels of natural surveillance; artificial lighting; CTV and maintenance to increase security.
- 6.159 They should also provide facilities for the safe parking and storage of cycles.
- 6.160 New (estate) roads should avoid following the route of an existing footpath, bridleway or cycle way, wherever possible. Where this is unavoidable a new route of equivalent benefit should be established for walkers and cyclists.
- 6.161 Where practicable proposals should address the needs identified in the current [Local Cycling and Walking Infrastructure Plan](#) (LCWIP), but in particular the opportunity to address missing links in the cycle network.
- 6.162 Pendle Council will seek to maintain and improve the environment for pedestrians and cyclists. To do this it will work with Lancashire County Council, in its capacity as the local highways' authority, and other key stakeholders.
- 6.163 Footpaths and cycle ways are also an important part of our green infrastructure network. We will seek to protect their integrity and the benefits they provide for the natural environment.

## Improving our prospects and quality of life

**DM33: Hot food takeaways****Policy Text****Hot Food Takeaways**

1. Within town and local shopping centres applications for Hot Food Takeaways will normally be supported provided that the proposal:
  - (a) Will not result in an over-concentration, or clustering of Hot Food Takeaways (Sui Generis) uses to the detriment of the character and function of that centre.
  - (b) Will not result in an unacceptable adverse impact on the health and wellbeing of existing and future occupants of neighbouring land and buildings due to its associated operational effects, including the generation of litter.
  - (c) Proposed external features including shop front facia, advertisements, security fittings, and lighting, do not degrade the urban environment.
2. Outside the boundary of a designated town or local shopping centre:
  - (a) Extended opening hours will only be permitted where it can be demonstrated that there would be no unacceptable impact on residential amenity or highway safety.
  - (b) In support the Council's objective to reduce levels of childhood obesity in the borough, applications for new Hot Food Takeaways (Sui Generis), will only be approved where the development is:
    - i. Beyond 400m walking distance of an entrance to a secondary school, youth centre, leisure centre or Public Park; and
    - ii. Outside a ward where more than 15% of the Year 6 pupils, or 10% of reception pupils have been classified as very overweight in the preceding three-year period.
3. Where a takeaway service is to be offered by a restaurant or café, in determining the dominant use class for the premises, consideration will be given to:
  - (a) The internal and external layout of the premises.
  - (b) The proportion of space designated for hot food preparation.
  - (c) Other servicing requirements.
  - (d) Designated customer circulation space.

**Policy Justification**

- 6.164 Reducing levels of obesity is a key objective for Pendle Council. Recorded levels of adult obesity and childhood obesity, at reception and year six, are all above the regional and national comparators. And the prevalence of obesity is often greater in those wards with the highest levels of deprivation.<sup>78</sup>

<sup>78</sup> <https://www.lancashire.gov.uk/lancashire-insight/health-and-care/health/lifestyle/healthy-weight/>

## Improving our prospects and quality of life

- 6.165 Obesity is estimated to reduce life expectancy by up to nine years.<sup>79</sup> It affects comfort and mobility. It can also lead to health conditions as diverse as respiratory and cardiovascular diseases (heart disease and stroke), cancer, diabetes, depression and anxiety.<sup>80</sup> This adds pressure to public service capacity and may affect economic participation and productivity.
- 6.166 Research shows that if obesity develops in adolescence, it is likely to continue into adulthood.<sup>81</sup> To help prevent the physical, psychological and social consequences of childhood obesity it is important to promote healthy lifestyles from an early age.
- 6.167 The majority of hot food takeaways offer food that is energy dense, nutritionally poor and high in salt, all contributory factors to unhealthy eating habits and obesity. Controlling their proliferation and clustering can also help to make a positive contribution to promoting healthier living and tackling obesity levels.
- 6.168 In June 2018, the Government published the second chapter of its Childhood Obesity: Plan for Action. East Lancashire was selected as one of five Trailblazer authorities to develop, deliver, review and expand ambitious plans to tackle childhood obesity. The control of hot food takeaways was selected as the focus for the planning strand.
- 6.169 The viability of hot food takeaways and cafés are often reliant on late evening trade. For the purposes of planning fast food outlets (Sui Generis use) are differentiated from restaurants and cafés (Class E use). This is because they raise a number of environmental issues associated with odour, litter; long opening hours; and greater level of traffic and pedestrian activity. Hot food takeaways requiring late opening hours should normally be located within a town or local shopping centre. The opening hours of fast food outlets located outside a designated town or local shopping centre boundary will normally be restricted.
- 6.170 This approach is consistent with the [PPG on Healthy and Safe Communities](#) which considers how planning can help to create a healthier food environment (Paragraph Reference ID: 53-004-20190722).
- 6.171 Hot food takeaways can also detract from the retail function and character of a town or local shopping centre. The dead frontage created by security shutters outside opening hours creates a break in the continuity of shopping frontages. When clustered in a particular location this can magnify any adverse impacts and significantly increase the potential for anti-social behaviour. [Policy DM42](#) seeks to maintain vibrant town centres and active shopping frontages.
- 6.172 The external design of Hot Food takeaway premises including facia, proposed signage, and lightning, should be considerate of its built and natural surroundings, to ensure that the quality of the built environment is maintained. Further guidance on shopfront design is set out in the Pendle Design Principles SPD.

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<sup>79</sup> Insert references

<sup>80</sup> Insert references

<sup>81</sup> Insert references

## Improving our prospects and quality of life

### Improving our quality of life

- 6.173 In 2019 Pendle was the 33<sup>rd</sup> most deprived local authority in England. Deprivation is concentrated within specific pockets in the inner urban wards of Brierfield, Nelson and Colne.<sup>82</sup>
- 6.174 The key indicators of deprivation in Pendle include educational attainment, which at Key stage 4 is significantly lower than the national and regional average<sup>83</sup> and wages, which lag behind the county average.<sup>84</sup>
- 6.175 Measures of health show a lower life expectancy in Pendle, with higher rates of obesity.<sup>85</sup> The long-term effects of the COVID-19 pandemic on service quality and capacity, health, and mental health could become a significant concern if left unaddressed. Rising inflation and the increased cost of living, together with the threat of a global recession, are likely to compound these issues, meaning that the standard of living for an increasing proportion of residents will worsen before it improves.
- 6.176 The physical environment in which people live, learn, work and play is a significant factor on health and wellbeing. A poor physical environment, with poor accessibility, and open spaces exacerbate wider health problems experienced by the local population. The planning system plays a major role in ensuring that the built and natural environment protects and where possible enhances the health and wellbeing of residents. The Local Plan seeks to ensure that health and wellbeing considerations are key to the design, decision making and construction process, supporting Design and Open Space policy.
- 6.177 Evidence shows that connected and empowered communities are healthy communities. The Local Plan provides an important opportunity for our communities to help shape new development in their area and the services within it. Communities form a key stakeholder to the development process and should be engaged early on in the decision-making process in a meaningful and transparent manner.
- 6.178 Drawing on the assets and resources in an area fosters place-based solutions, which help to integrate public services; build local resilience; improve health and wellbeing and reduce health inequalities. The challenge for planning is to create the conditions in which communities can thrive and help to remove barriers and enable key services to work for local communities. The policies in this section aim to ensure that communities are supported by adequate health, education, and social infrastructure, as well as promoting exercise, access to recreational resources and travel by foot/bicycle.
- 6.179 Specific guidance is provided on land uses which have the potential to have significant implications for communities, health and wellbeing. This includes parking provision, hot food takeaways, taxi-booking offices and communications infrastructure.

<sup>82</sup> <https://www.lancashire.gov.uk/lancashire-insight/deprivation/indices-of-deprivation-2019/2019-deprivation-analysis/>

<sup>83</sup> <https://www.lancashire.gov.uk/lancashire-insight/education/key-stage-4/>

<sup>84</sup> <https://www.lancashire.gov.uk/lancashire-insight/economy/income-earnings-and-benefits/average-earnings-and-hours-of-work/>

<sup>85</sup> <https://www.lancashire.gov.uk/lancashire-insight/health-and-care/health/lifestyle/healthy-weight/>

**DM34: Engaging the community****Policy Text**

1. Before submitting a planning application, applicants should engage in proportionate pre-application discussions with members of the community, including neighbours, and where relevant statutory bodies and providers. Applicants should confirm how this engagement process has influenced their proposals.
2. A consultation statement should be prepared for proposals which are strategic in nature, or which conflict the development plan.<sup>86</sup> The statement should address:
  - (a) The means of engagement employed including details of the participants.
  - (b) Details of material issues raised.
  - (c) Details of responses made to these issues, highlighting any changes made to the proposal.
3. The Council expects a developer or body preparing a site-wide Masterplan (in response to policy requirements) or a Design Code to have thoroughly engaged with the local community. The submitted Masterplan or Design Code, should provide details of the public engagement undertaken, including:
  - (a) A timescale of events, inclusive of means of consultation, and relevant details of participants.
  - (b) Topics of discussion during consultation events, information presented, and a summary of feedback gained.
  - (c) Details of how engagement has influenced design/policy development within Masterplan/Design Code, including any specific measures introduced as a result of engagement.
4. The engagement strategy for consulting on such Masterplans or Design Codes should incorporate a wide variety of consultation techniques, including but not limited to:
  - (a) Social media
  - (b) Newspapers/leaflet distribution
  - (c) Community Groups/Parish Council meetings and presentation
  - (d) Topic specific workshops
  - (e) Public exhibitions (including virtual events)

**Policy Justification**

- 6.180 The NPPF recognises the benefits of early community involvement, with good quality pre-application engagement enabling better coordination of resources and improved outcomes for communities. Community involvement plays an important role in securing high quality development. This is recognised both by the NPPF and the National Design Guide and Codes which place community consultation at the centre of the design process.

<sup>86</sup> For the purpose of this policy 'strategic' is defined as sites of 50 dwellings or more, or for non-residential proposals, sites of 1.5 hectares or 5,000m<sup>2</sup> or more of commercial floorspace when not on an allocated site or part of a Protected Employment Area.



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Improving our prospects and quality of life

- 6.181 The residents and workforce of Pendle form the heart and soul of the borough. They contribute significantly to the identity and culture of each settlement and what makes them unique. Communities are uniquely affected by development proposals from conception and design to construction, through to occupation and operation. Communities offer valuable knowledge and insight to the everyday workings of an area through a variety of conditions. Their views on design and how proposals integrate with their community are important and should be taken into account, with the aim of creating integrated, vibrant, desirable and sustainable proposals which benefit from real community support.
- 6.182 Pre-application engagement provides the opportunity to establish an early dialog with members of the community, giving rise to the potential to overcome any objection which may arise and increase support for the proposal, thereby improving trust, transparency and clarity, and helping to reduce the time taken for decision making. The Council's commitment to engaging communities through the planning process is set out within the adopted [Statement of Community Involvement](#). This document sets out how, when and why communities are consulted both through plan making and decision-taking and sets the standards for community involvement in the planning system within Pendle.
- 6.183 The submission of a Statement of Community Involvement as part of a planning application will form an important role in demonstrating how applicants have been consulted, summarise comments made during the consultation, and set out what responses have been made. A Statement of Community Involvement should be prepared and submitted for schemes which are strategic in nature, or which are potentially in conflict with the development. For all other schemes details of any community involvement undertaken should be set out within the submitted Design and Access Statement (DAS).
- 6.184 Proportionate consultation should be undertaken depending on the size, location and significance of the proposal. Larger proposals, especially those in conflict with the development plan, should include face to face exhibitions, and where feasible workshops. Whilst online events can attract greater numbers of participants and no doubt fulfils a valuable role in the process, in-person events are often greatly valued by the community, giving them a sense of respect and involvement in proposals by the developer. The timing of consultations is also important; events should be timed to promote their attendance; they also should be timed to allow changes to be made to proposals ahead of submission to the Council. These matters are particularly important where a masterplan or Design Code is being prepared. Details of potential methods of consultation are set out in the Council's adopted Statement of Community Involvement.
- 6.185 The Council does not expect applicants proposing householder developments to engage with their neighbours ahead of submission. The Council does however recommend that adjoining neighbours are consulted before an application is made particularly where the proposal development may affect them in some way. This engagement may be beneficial in removing any potential of objections to a proposal before they are received. It may also result in a design change potentially overcoming issues which might have otherwise resulted in the proposal being refused.

## Improving our prospects and quality of life

**DM35: Community facilities****Policy Text**

1. The Council will support proposals for Use Class F2 development where:
  - (a) Shop proposals largely sell only essential items including food.
  - (b) Shop proposals do not exceed a floorspace of 280m<sup>2</sup>
  - (c) There is no other such facility within a 1km radius of the proposal.
  - (d) The proposal would respond to a need or aspiration of a community as confirmed within an adopted Neighbourhood Plan or Parish Plan.
  - (e) The proposal promotes the suitable multifunctional use of existing buildings.
2. Proposals for Use Class F2 development should as far as practical:
  - (a) Prioritise the redevelopment of existing buildings.
  - (b) Be well related to existing built form, where it can be demonstrated that redevelopment is not feasible.
  - (c) Respond positively to the local built-up character, in terms of scale, appearance, materials, massing and layout.
  - (d) Be accessible via foot, bicycle and public transport to the community it serves.
  - (e) Be safely and sufficiently accessed from the local highway network and responsive to parking requirements set out in [Appendix 5](#).
3. Any proposal to change the use of a building or land which is already in Use Class F2 will only be supported where:
  - (a) Replacement facilities of a similar scale and function, which maintains or enhances local built character, and is accessible via sustainable transport links to the community served, are provided; or
  - (b) It is evidenced that there is no need or demand for the facility to remain in that use.
4. To protect the sustainability and vitality of local communities, the Council may remove permitted development rights of proposals approved in accordance with this policy.
5. The temporary use of vacant buildings and sites by creative, cultural and community organisations will be supported where they will help to revitalise town centre locations and incorporates proportionate measures to ensure that local amenity is protected during the period of proposed use.

**Policy Justification**

- 6.186 Neighbourhood shops together with community, social and health facilities, within walking distance of residential properties, are a valued element within neighbourhoods and help to minimise social exclusion. They are of particular benefit to residents without cars, or with constrained mobility, who might otherwise be effectively deprived of the services they provide. Such facilities are integral to the sustainability, health, and wellbeing of neighbourhoods and rural communities.

## Improving our prospects and quality of life

- 6.187 The importance of this type of development is reflected by recent changes made to the Use Class Order which places such uses into one single new use class (Use Class F2). The change made recognises the role such uses have in maintaining healthy and vibrant communities important in fulfilling the social objectives for sustainability as set out in Paragraph 8 of the NPPF. The amendment made to the Use Class Order better supports communities by enhancing available flexibility in permitting the use community uses, whilst safeguarding existing facilities from being lost to alternative uses.
- 6.188 For clarity and for the purpose of this policy, Use Class F2 development is defined to include:
- A shop of not more than 280m<sup>2</sup> mostly selling essential goods, including food and at least 1km from another similar shop.
  - Hall or meeting place for the principal use of the local community.
  - Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreation not involved in motorised vehicles or firearms.
- 6.189 The policy sets out the Council's support and guidance for Use Class F2 developments. It seeks to support the development and enhancement of community services and facilities in a sustainable manner which is consistent with the local built and natural environment. The policy enables the alteration and maintenance of existing facilities to support their longevity and continuing role within existing communities. It seeks to safeguard existing community uses where there is a threat of loss.
- 6.190 Community action is playing a growing part in rural service provision, especially where there is declining provision as a result of public sector austerity or competitive market pressures. [Policy SP10](#) sets out strategic measures taken by the Council to support communities through the planning policy including safeguarding existing facilities.
- 6.191 The demographics of rural areas and, in particular, the growing number of older people also has implications for the future of services. It places considerable extra pressures on public services such as GP surgeries and adult social care, especially as funding has been reducing and seems likely to continue. In contrast older age groups are more likely to be users of local services such as convenience stores, thus helping them to survive. Retired people who remain in good health are also likely to make up a good proportion of the volunteers engaged with providing community-run services.
- 6.192 This policy seeks to ensure that local communities have appropriate provision of community facilities by working with public, private and voluntary sector providers to meet demonstrable need and by encouraging new provision in locations which are accessible by public and sustainable modes of transport.

**DM36: Education and training****Policy Text**

1. Great weight will be applied in favour of proposals for new, replacement or expanded education facilities where:
  - (a) The site is safely accessible to its catchment area by existing foot, bicycle, and public transport links, including a school bus service.
  - (b) Sufficient off-road parking is provided on site for staff and visitors (accounting for any increase in demand created by the development). See [Policy DM37](#).
  - (c) Sufficient capacity can be provided within the surrounding highway network to accommodate the proposal ([Policy SP11](#)).
  - (d) Buildings in use for teaching are located outside of Flood Zones 2 or 3 and are not at unacceptable risk of flooding from other sources ([Policy DM02](#)).
  - (e) The proposal is designed to minimise consumption of non-renewable materials and resources (Policies [SP06](#) and [DM01](#)).
  - (f) The development would not result in unacceptable lasting harm to the historical environment, landscape quality, or the setting and character of a settlement.
  - (g) The proposal accords with the requirements of [Policy DM04](#) Biodiversity Net Gain.
  - (h) Sufficient mitigation is provided to ensure that the proposal does not have an unreasonable adverse effect the amenity or operations of neighbouring land uses.
  - (i) The proposal maintains sufficient outdoor space to accommodate on-site recreation and sporting activities and learning.
2. Where appropriate, any sports facilities and hall space should be made available for community use outside of term time.
3. Proposals to redevelop existing education sites, into non-education uses will only be supported where:
  - (a) Evidence is provided to show that the site is no longer required for education purposes; or
  - (b) An alternative suitable site with sufficient capacity for education use has already been legally secured; and
  - (c) In all cases, the proposal:
    - i. Is compatible with adjacent land uses and does not prejudice the functionality of these uses.
    - ii. Safeguards existing playing fields from development, making these publicly accessible to the wider community.
    - iii. Is safely and sufficiently accessible from the public highway, taking into account the scale and nature of the proposal.

## Improving our prospects and quality of life

4. In demonstrating the economic benefits of a proposal, applicants are encouraged to make employment and training opportunities available to the residents of Pendle. The nature of these opportunities should be proportionate to the scale and type of development proposed (See [Policy SP12](#)).

### Policy Justification

- 6.193 Access to education is important for developing skills and knowledge, improving employment and income prospects, and providing important opportunities for social integration, and developing social skills.
- 6.194 The importance of ensuring access to education is made clear by the NPPF. Paragraph 93 of the NPPF requires policy makers to plan positively for education provision and ensure that the needs of existing and future residents are supported by adequate infrastructure.
- 6.195 Education provision within Pendle is largely limited to school aged children with Nelson and Colne College forming the only tertiary education institution within the borough. There is no university in Pendle with students having to leave the borough should they wish study a degree course.
- 6.196 Policy DM36 aims to support the sustainable expansion and improvement of education facilities located in the borough. The policy provides clarity of site requirements. This recognises that facilities have specific teaching and locational needs as well as the impacts had by education facilities on their surroundings. It is therefore necessary for the policy to ensure that such facilities can be accommodated where needed without unacceptable adverse effects on existing uses, infrastructure, and the built and natural environment. The policy also seeks to prevent against losses of education facilities except in specific circumstances where they are no longer required or are being replaced with new infrastructure.
- 6.197 Attainment of qualifications and skills is not limited to the schooling environment. The Council has an important role to fulfil in promoting learning and skills development opportunities for residents of Pendle through the policies of the Local Plan. Policies [DM40](#) and [DM41](#) seek to safeguard and expand the authority's employment land supply, helping to retain and where possible expand businesses and business operations within Pendle, and with it the skills and training opportunities provided by these employers.
- 6.198 New development can also make a valuable contribution to improving local skills particularly in new roles created through the development process. Such opportunities will be treated favourably through the decision-making process, forming a recognised and measurable benefit of the development, against which its wider impacts can be assessed. This will also include the provision of new employment opportunities during the construction phase, as well as during its operation, and include opportunities for community involvement and learning. The delivery of these wider opportunities will support the diversification and enhancement of skills in the local economy, improving the wage prospects of residents. They could also help to counter in the longer-term shortages of trained labourers, tradesmen, and engineers. The policy does not apply to householder developments and other small-scale development.

**DM37: Parking****Policy Text**

1. Car parking provision should be adequate to serve the needs of all new development applying the standards set out in [Appendix 5](#). The following exceptions may apply:
  - (a) Where the development is within the boundary of a town or local shopping centre designated in [Policy SP04](#), and it can be demonstrated that sufficient public car parking is available nearby (excluding taxi booking offices); or
  - (b) Where on-street parking is available, and the development would not contribute to congestion or cause an issue for highway safety.
2. Where practical, all parking areas will be expected to include permeable surfaces and/or soft landscaping to help attenuate surface water runoff following a rainfall event. Proposals must demonstrate how these areas will be maintained.
3. Driveways should provide sufficient space enable pedestrian access alongside any parked vehicle.
4. Proposals for parking including driveways should be designed so not to adversely affect the quality and appearance of the street-scene. Parking should help promote a sense of place and allow for the delivery of tree-lined streets.

**Residential Parking and Garages**

5. Parking should be provided on-plot. Parking courts, well-observed from surrounding properties, may offer an acceptable design solution where:
  - (a) Individual circumstances make on-plot provision impractical (e.g. flatted development); or
  - (b) On-plot provision would unduly compromise other material considerations (e.g. design, heritage).
6. As a minimum integral, and external, garages should be:
  - (a) Constructed in accordance with the dimensions shown [Appendix 5](#) (Table 4), to allow passengers to exit their vehicle whilst under cover and to provide space for the storage of bicycles.
  - (b) Set back a minimum of 5.5m from the highway boundary, to allow vehicles to be parked in front of the garage door(s) whilst they are opened and closed without causing any obstruction to the highway (including any pavements).
7. Except where retained for car parking by condition, garages which do not conform to the dimensions set out in Appendix 5 (Table 4) will not be included within the residential car parking standards.
8. A connection to the power supply capable of being upgraded for the charging of electric, ultra-low emission and hybrid vehicles should be provided:
  - (a) At an appropriate point within an integral or external garage.
  - (b) On an external wall of the property and facing onto the driveway.
9. For flatted development with dedicated off-street parking proportionate provision of EV Charge Points should be made available.

## Improving our prospects and quality of life

### Public and Commercial Car Parks

10. Public car parks which are frequently used and conveniently located are designated as Protected Car Parks (see [Appendix 6](#)) and defined on the Policies Map. These car parks should not form part of a development proposal unless alternative car parking can be provided to the satisfaction of the Council.
11. The number, size and layout of parking spaces reserved for people with disabilities should be in accordance with the requirements set out in Appendix 5.
12. Reserved parking spaces, for parents with young children and the mobility impaired, should be next to the main pedestrian exit, including lifts. The route from these spaces to the exit should be accessible, clearly defined and well lit. Where this distance exceeds 50m a segregated (and covered) pathway should be provided.
13. Operational space for commercial and service vehicles should not conflict with any on-site car parking. It should also provide enough manoeuvring space to enable vehicles to exit the site in forward gear.
14. Where developments have more than one land-use operating simultaneously, the combined car parking figures for the individual uses will apply.
15. At supermarkets and other large-scale developments open to the public (e.g. multiplex cinemas):
  - (a) A drop-off zone should be provided. This should be as close as possible to the main building entrance and include under cover seating. The minimum dimensions of the setting down/picking up area should be 2.5m x 8m.
  - (b) A minimum of two equipped Fast (32 amp) EV Charging Unit, plus an additional unit per 50 spaces created.
16. Charging points for electric, ultra-low emission and hybrid vehicles should not harm the significance of a heritage asset (including its setting).

### Cycles, Scooters and Motorcycles

17. All new developments will be expected to provide safe and secure, long stay parking for cycles, motorcycles and scooters where:
  - (a) a total of 20 or more car parking spaces are provided on-site; or
  - (b) a total of 30 or more full or part-time staff are accommodated on-site
18. Long stay cycle parking provision should be covered to help protect parked cycles from the weather. Where horizontal bike lockers are provided, these should be large enough to allow for their use by larger “commuter cycles” (see Appendix 5, Table 4). The installation of vertical bike lockers is not supported as these require cycles to be lifted into place. They are also unsuitable for cycles with mudguards.
19. In town and local shopping centres cycle parking should be provided close to the entrance of key destinations, such as public buildings, leisure facilities, schools and colleges.
20. Cycle parking in residential properties should not involve having to pass through the dwelling to access it.



## Improving our prospects and quality of life

### Policy Justification

- 6.199 Statistics from the UK National Travel Survey (2016) show that the average car is parked for 96.5% of the time. Consequently the availability of parking has a significant influence on the mode of transport people use for their journey.
- 6.200 In 2019 Pendle Council declared a Climate Emergency. It is committed to reducing the number of individual journeys made by car. Where the journey is appropriate and a real choice is available, we will encourage people to car share or use sustainable modes of transport.
- 6.201 Car ownership levels in Pendle are comparatively low, but the Census reveals that the number of households without a vehicle fell from 29.6% to 26.8% between 2001 and 2011. A large proportion of homes in the borough's towns and villages, where a large proportion of the housing stock is terraced houses or former weavers' cottages, do not benefit from off-street parking.
- 6.202 In 2011 the government announced that maximum car parking standards *"lead to blocked and congested streets and pavement blocking"*. A Written Ministerial Statement issued in March 2015 made clear that local planning authorities *"should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that they are necessary to manage their local road network"*. This position is reflected in paragraph 108 of the NPPF.
- 6.203 Development should not be detrimental to the safe and efficient operation of the public highway. To avoid an increase in on-street parking or congestion this policy introduces new standards to ensure:
- the provision of sufficient usable parking to serve new development;
  - promote the efficient use of land;
  - support good design; and
  - encourage the use of sustainable forms of transport.
- 6.204 Specifying a minimum level of car parking provision for different types of property helps to minimise on-street parking and improve the appearance of residential areas. In the first instance, spaces should be made within the curtilage of individual properties.
- 6.205 Domestic garages are normally excluded from the residential car parking standards. This is because they are used extensively for personal storage or converted into habitable rooms without the need to apply for planning permission. An exception is where their retention for car parking is required by a planning condition.
- 6.206 Benchmark figures are used for commercial, recreation and leisure facilities. These figures are more restrictive in areas with high development densities and good levels of accessibility by public transport. In these locations walking, cycling and the use of buses and/or trains provide a practical alternative to journeys by private car or taxi.



## Improving our prospects and quality of life

- 6.207 A three-tier parking standard is employed to:
- Reflect the different levels of accessibility throughout the borough; and
  - Encourage the use of sustainable modes of travel, including public transport.
- 6.208 Developers are expected to achieve the parking standards set out [Appendix 5](#). These are not expressed as a minimum or maximum figure. This is to allow developers to submit supporting evidence on a case-by-case basis, to demonstrate why the benchmark figure is not be considered appropriate; why it cannot be achieved; or should be exceeded.
- 6.209 Any specific parking requirements should be discussed with Pendle Council and the Highways Authority. These discussions will be on a case-by-case basis and take account of land-use class, local circumstances and operational needs.
- 6.210 Modern cars and sport utility vehicles are up to 25% wider than when the recommended minimum size for a car parking space (2.4m x 4.8m) was first introduced. To reflect this, the minimum size for car parking spaces and residential garages in all new developments has been increased (Appendix 5, Table 4). In residential areas this increase will also allow for the secure internal storage of bicycles.
- 6.211 The standards for disabled persons parking have been derived from the national standards and should be included as part of the overall provision for a development. As part of the planning application process the Council will assess whether there are any locally specific circumstances where higher levels of provision may be appropriate.
- 6.212 Existing long and short-stay public car parks are protected where evidence shows that they are well-used. Those that are under-used or poorly located are not protected. These may be suitable for redevelopment.
- 6.213 Manual for Streets (2007) acknowledges the importance of providing cycle parking within developments:
- “Providing enough convenient and secure cycle parking at people’s homes and other locations for both residents and visitors is critical to increasing the use of cycles. In residential developments, designers should aim to make access to cycle storage at least as convenient as access to car parking.”*
- 6.214 The provision of convenient secure cycle parking helps to make cycling a viable alternative, particularly for single occupancy car journeys made over short distances on a regular basis.
- 6.215 External parking should contribute to sustainable water management. Intercepting rainfall at source provides significant benefits. It can help with flow attenuation, pollution control and storage. Where parking is part of a wider sustainable drainage scheme, appropriate design and construction can provide an environmentally sustainable way for reducing the potential for surface water runoff or flooding.
- 6.216 The use of permeable surfaces can offer an opportunity to introduce green infrastructure. In urban areas they can also help to moderate the ambient temperature. On warm days they provide evaporative cooling. In periods of cold weather the air within them acts as a 'night storage heater'. This slowly releases heat to the surface and melts frost.

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Improving our prospects and quality of life

- 6.217 The government has established a 2050 decarbonisation target. In February 2020, the Transport Secretary announced the intention to ban the sale of cars with purely petrol or diesel engines by 2030, subject to consultation. Electric and ultra-low emission vehicles (EVs) will account for an increased share of the UK car market. Going forward we will need to make provision for the charging of EVs.
- 6.218 In 2017, National Grid estimated that that 43% of British homes did not have access to off-street parking. In Pendle, where terraced housing accounts for 56% of the housing stock, this figure is likely to be much higher. As such the owners of EVs will not be able to charge their vehicles at home. They will require the provision of alternative charging facilities.
- 6.219 In 2014 the EU introduced the Alternative Fuels Infrastructure Directive (2014/94/EU). It was brought into UK law by the Alternative Fuels Infrastructure Regulations 2017. One of their objectives is to install standard technical specifications for charging infrastructure.

## Improving our prospects and quality of life

### DM38: Taxis

#### Policy Text

1. Proposals to use premises for the control or administration of taxis and private hire vehicles will normally be permitted where they are within:
  - (a) A town centre.
  - (b) A local shopping centre.
2. Taxi booking offices in a predominantly residential area will not be permitted.
3. Elsewhere, applications for a booking office must provide a supporting statement to show:
  - (a) Why the chosen site is considered to be suitable.
  - (b) How the proposed development meets the requirements of this policy and other relevant policies in the Development Plan for the borough.

#### Amenity

4. Booking offices should not have an adverse impact on the character and amenity of adjacent uses, particularly residential uses, by reason of increased traffic movement, noise, vehicle fumes or other nuisance.

#### Clustering

5. To help maintain the vitality and viability of our town and local shopping centres proposals for a booking office should not contribute to the creation of an extensive non-shopping frontage, or the concentration of similar uses (see Policy DM42).

#### Parking

6. Applications for a taxi booking office (Sui Generis) must comply with the relevant car parking standards set out in Policy DM37 and [Appendix 5](#).

#### Policy Justification

- 6.220 Legislation, regulation and common language refer to hackney carriages, black cabs and cabs. In contrast the collective term used to describe minicabs, executive cars, limousines and chauffeur services is private hire vehicles. In this policy the term taxi is used to describe all such vehicles.
- 6.221 Taxis are a major source of employment and play an important role within our community. They are frequently used by people who do not have access to a car. They are also used by car owners most notably when journeying from home to/from premises licensed for the sale of alcohol; for trips to/from the local airport, bus or railway station, to start or complete a longer journey; and to take children to/from school.

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Improving our prospects and quality of life

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- 6.222 Journeys made by a private hire vehicle must be pre-booked in advance through a licensed operator. [The Town and Country Planning \(Use Classes\) \(Amendment\) \(England\) Regulations 2020](#) defines taxi booking offices as a 'sui generis' use. They have traditionally relied on passing trade and night-time custom continue and operate from town centres and other busy locations. For this type of facility the level of traffic, noise and general disturbance should not adversely affect the occupiers of neighbouring properties, or the surrounding area. This is particularly important where there are adjoining residential properties.
- 6.223 But legislation has not kept pace with advances in technology. Traditional taxi booking offices are in decline. The increased use of mobile phone apps has seen an increasing number of taxis booked through call centres, which fall within the E(g) use class. These facilities often operate on a 24 hour basis, seven days per week, but are rarely visited by operational vehicles. Planning decisions need to reflect these changes.
- 6.224 Whilst call centres falling within the E(g)use class may form an appropriate use within a protected employment area (Policy DM41), booking offices falling within the definition of a sui generis use, will not be permitted in these locations.
- 6.225 Whilst satellite antennae and radio masts can be regarded as permitted development under [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), the large scale equipment often erected by taxi operators will almost always require the submission of a separate planning application (see Policy DM39).

## Improving our prospects and quality of life

**DM39: Digital and electronic communications****Policy Text****All Development**

1. Developments should not cause significant or unavoidable interference with other digital or electrical equipment; air traffic services; or instrumentation operated in the national interest. Any interference will be assessed against the importance and wider need for the development.

**Network Enhancement**

2. Proposals to enhance network coverage, including the provision of backhaul connections<sup>87</sup> will normally be supported, provided that their impact on the environment is proportionate and acceptable.
3. When considering applications for the development of digital and electronic communications, the Council will have regard to the operational requirements of the network and the technical limitations of the technology.

**Infrastructure Requirements**

4. The installation of new equipment and any supporting structures will normally be permitted provided that the application:
  - (a) Offers a reasoned justification for the development, including evidence of local need.
  - (b) Demonstrates that any new apparatus is necessary and is compliant with the International Commission guidelines on Non-Ionising Radiation Protection (ICNIRP) on the limitation of the exposure of the general public to electromagnetic fields.
  - (c) Shows that the proposal minimises any adverse impacts on the environment and that the impact is acceptable.
  - (d) Ensures that new infrastructure provision does not cause unacceptable harm to visual amenity; areas of ecological or geodiversity interest; areas of landscape importance; examples of the best and most versatile agricultural land;<sup>88</sup> or heritage assets and their setting.
  - (e) Provides appropriate mitigation, where adverse impacts cannot be avoided. To avoid causing unacceptable harm to the character and appearance of the surrounding area and/or the external appearance of the building or structure to which it will be attached, proposals should:
    - i. Seek to share a mast, cabinet or other existing infrastructure wherever possible, or state why this may not be appropriate.
    - ii. Minimise the size and scale of any new apparatus.
    - iii. Use appropriate colours to camouflage any new apparatus.

<sup>87</sup> Backhaul refers to that side of the telecommunications network, which communicates with the global internet.

<sup>88</sup> Defined as Grades 1, 2 and 3a in Annex 2 of the NPPF.

## Improving our prospects and quality of life

- (f) Makes provision to ensure that equipment which has become obsolete, or is no longer in use, is removed as soon as practicable and the site restored to its former condition.

### Policy Justification

- 6.226 Advanced, high quality and reliable communications are essential for economic growth and social wellbeing. Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles.
- 6.227 The European Electronic Communications Code (EECC) was introduced by EU Directive 2018/1972. Its purpose is to establish a harmonised framework for the regulation of electronic communications networks and services throughout the EU. Although the UK left the EU on 31 January 2020, under the terms of the Withdrawal Agreement, the UK remained under an obligation to transpose the EU Directive 2018/1972 into domestic law. The Government made a number of changes to UK legislation to transpose the EECC into UK law via the [Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020](#).
- 6.228 [The telecoms regulatory framework in the UK](#) explains relevant corrections to UK law, introduced through secondary legislation – [The Electronic Communications and Wireless Telegraphy \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) – ensured that the framework remained operable after the UK left the EU.
- 6.229 In England, the NPPF requires local plans to support the expansion of electronic communications networks, including telecommunications and high-speed broadband (NPPF paragraphs 114- 118).
- 6.230 The [Future Telecoms Infrastructure Review](#) (2018), announced as part of the government's [Industrial Strategy](#) (2017), seeks to drive forward the changes necessary for the UK to remain globally competitive in a digital world. The proposals seek to stimulate commercial investment, provide greater consumer choice and secure full fibre broadband coverage by 2033, essential for the rollout of 5G across the UK.
- 6.231 In 2017, Approved Document R of the Building Regulations (2010) introduced the requirement for copper or fibre-optic cables or wireless devices capable of delivering broadband speeds greater than 30 Mbps to be installed in all new buildings and those undergoing extensive renovation (excluding dwellings). In March 2020, the government unveiled secondary legislation, which will effectively make it mandatory for property developers to ensure that almost every new home is built with support for gigabit-speed (1Gbps) and broadband ISP connections fit for the future.
- 6.232 Improving digital connectivity is one of the five foundations for growth set out in the emerging [Lancashire Local Industrial Strategy](#). New development should support the introduction of improvements in digital and electronic communications to help enhance local economic performance and increase competitiveness. Widespread access to high-speed broadband will be key to successful delivery of this objective.

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- 6.233 The roll out of full fibre broadband and the upgrading of existing wireless technologies for mobile networks is a priority in helping to address rural isolation and promote homeworking. Given the borough's extensive rural geography it is important to consider the potential impact on our landscape, when developing an enhanced communications network. The need to support both economic growth and sustainable development, requires a balanced approach.
- 6.234 Proposals for new infrastructure provision should seek to site equipment on existing masts or buildings; protect public health and undertake appropriate pre-application consultation in accordance with national policy and telecommunications codes of conduct. It is also important to protect the successful functioning of existing digital and electronic infrastructure. This includes the ability of residents to access strong and unbroken television reception.
- 6.235 Proposals should adequately address the outcome of any consultation concerning the development. Where an adverse impact on the successful functioning of existing infrastructure or the landscape is not practicable, appropriate mitigation should be provided. These mitigation measures will be assessed alongside the need for the proposed development.
- 6.236 Some digital and electronic communications proposals are permitted development under [Part 16 of The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#).

## Creating a dynamic and competitive economy

### 7. Economic

#### Creating a dynamic and competitive economy

- 7.1 Creating an environment which attracts businesses and enables them to create new jobs is essential for the borough's long-term economic sustainability and success. Existing strengths in advanced manufacturing and businesses that support the largest aerospace manufacturing cluster in the UK require support if we are to develop those elements of our economy that provide the highest levels of innovation and added value. We also need to provide opportunities for entrepreneurs to capture the value created through the growth of new businesses in other sectors/industries.
- 7.2 In November 2017, the government launched its flagship [Industrial Strategy for the UK](#). Its purpose is to boost the economy, build on the country's strengths and embrace the opportunities of technological change. A key part of this strategy is the [Northern Powerhouse](#) which is backing business growth to give cities across the north of England the power and resources they need to reach their untapped potential.
- 7.3 To help realise this ambition [Transport for the North](#) was formed in 2018. The objectives in the [Strategic Transport Plan](#), build on those highlighted by local transport authorities in their [Local Transport Plans](#) (LTP), to make the case for strategic transport improvements that will help to transform the region by:
- Increasing efficiency, reliability, integration, and resilience in the transport system
  - Transforming economic performance
  - Improving inclusivity, health, and access to opportunities for all
  - Promoting and enhancing the built, historic, and natural environment
- 7.4 Pendle Council has worked in partnership with local authorities across the county to help promote economic development and regeneration over many of years. Established in April 2011, the Lancashire Local Enterprise Partnership (LEP) leads the drive for economic growth in the county. Published by the LEP in 2014, the [Lancashire Strategic Economic Plan](#) provides the framework for the Growth Deal with the Government; setting out the county's plans for growth and ambition to create up to 50,000 new jobs by 2024.
- 7.5 The new Local Industrial strategy (2020) for Lancashire sets out a long-term vision for the county's economy. It identifies key proposals that will both safeguard and grow its existing economic strengths. It also identifies opportunities to build new strengths and sectors based on emerging opportunities and technologies.



## Creating a dynamic and competitive economy

- 7.6 Pendle Council has also worked closely with the authorities in Blackburn-with-Darwen, Burnley, Hyndburn, Ribble Valley and Rossendale over many years to deliver economic growth across the East Lancashire sub-region. The [Pennine Lancashire Growth and Prosperity Plan 2016-2032](#)<sup>89</sup> sets out our ambition to accelerate economic growth and housing development in Pennine Lancashire, by closing the productivity gap and ensuring that the area builds on its position as a major contributor to the economy of Lancashire and the Northern Powerhouse.
- 7.7 The [Pendle Jobs and Growth Strategy](#) (2013) was prepared in partnership with the private sector led Pendle Vision Board and is currently being updated. The strategy considers the wider context within which our local economy operates.
- 7.8 The key role of planning is to ensure that there is a suitable portfolio of land, premises and supporting infrastructure available to accommodate different types of businesses at each stage in their development – from low rental properties in traditional areas, to modern large-scale units on dedicated business parks and high spec offices in town centres and other accessible locations.

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<sup>89</sup> Ribble Valley Borough Council is not part of the Pennine Lancashire sub-region.

## Creating a dynamic and competitive economy

### Supporting a dynamic and competitive economy

- 7.9 The NPPF requires planning policies and decisions to help create the conditions in which businesses can invest, expand and adapt. The approach taken should build on the strengths of the area, counter any weaknesses and address the challenges of the future.
- 7.10 The ONS figures for 2019 show that the Gross Domestic Product (GDP) for Pendle prior to the pandemic was worth an estimated £2.2 billion.<sup>90</sup> This represented a small reduction on the previous year.
- 7.11 Manufacturing is the largest sector in Pendle based on the number of jobs. It accounts for 28.9% of all employees.
- 7.12 The ONS figures for 2019 suggest that there are 40,000 jobs in Pendle and that the working-age population (aged 16-65) is 55,225. The job density (i.e. the jobs per member of the working age population) was 0.72 meaning that just over a quarter must travel outside the borough for work.
- 7.13 The mean average salary for full-time employees in 2021 (£29,303) is significantly lower than the comparable regional and national figures. Pendle's unemployment rate of 5.2% in 2019 is the same as the national average.
- 7.14 ONS data on VAT/PAYE registered enterprises reveals a large proportion employ nine employees or less. Levels of entrepreneurship are relatively low, but business survival rates are considerably better than the national average.
- 7.15 The policies in this section seek support economic growth and increased productivity.
- 7.16 It is essential to have a wide range of different employment sites and premises available to help achieve economic growth. Ideally these should be close to residential areas making journeys to work short and relatively inexpensive.
- 7.17 The employment land requirements of the borough have been subject to detailed assessment through the Housing and Economic Development Assessment produced for the Council by consultants Icen Projects. This provides an up-to-date assessment of the future need for employment land in Pendle.
- 7.18 Measures to promote the re-use of previously development land (PDL or Brownfield sites) and vacant buildings for employment help to promote urban regeneration and reduce the demand for Greenfield sites. New employment land allocations respond to modern industrial needs, which are not currently met by our existing supply. Policies also seek to support existing industries and businesses by protecting and enhancing the borough's best located employment areas and facilitating diversification. Policies also seek to direct investment to these sustainable locations to support clustering and to ensure that employment opportunities are accessible.
- 7.19 The sustainable diversification of the rural economy is also supported. Tourist attractions and accommodation support the continued growth of this increasingly important sector.

<sup>90</sup> Gross Domestic Product measures the total value of the goods made, and services provided over a specific period.

**DM40: Employment land requirement and delivery****Policy Text**

1. Over the plan period (2021-2040), provision will be made to deliver 79,100 sqm of Industrial floorspace(B2/B8).
2. This employment land requirement will be delivered by:
  - a. Sites under construction or with planning permission.
  - b. The renewal of derelict land and repurposing of existing buildings on sites located within protected employment areas.
  - c. Specific sites allocated for employment ([Policy AL02](#))
  - d. Other unallocated sites suitable for employment located within defined settlement boundaries.
3. In all cases proposals for employment land uses must:
  - a. Ensure safe access and egress onto and through the highway network accounting for the amount and type of vehicle movements anticipated from its end use.
  - b. Provide sufficient off-street parking to accord with requirements of [Policy DM37](#).
  - c. Promote access by sustainable modes of transport by:
    - i. Directing investment to locations which are well served by existing public transport provision:
    - ii. Improving walking and cycling connectivity by providing new links, and where possible enhancements, to the existing footpath/cycling network.
    - iii. Encourage commuting by bicycle by providing sufficient onsite secure cycling storage, bicycle vouchers, and shower/changing facilities.
  - d. Gain an early understanding of the ground stability and contamination issues affecting a site. Comprehensively and safely address ground stability and contamination through the construction process, including the safe storage and removal of contaminated materials.
  - e. Ensure that proposals do not result in unacceptable adverse effects on public safety, health, wellbeing, and amenity of existing residents, or irreparable harm to protected species and the natural environment during construction and through its future operation.
  - f. Safeguard, and where possible restore, existing watercourses flowing through or adjacent to sites. Ensure that proposals do not create unacceptable risk during future flooding events from all sources. Prioritise natural processes to drain sites, effectively treating surface water flow for pollutants before entering sewer systems/watercourses.
  - g. Where relevant, secure Biodiversity Net Gain in accordance with [Policy DM04](#).

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- h. Conserve the historic environment in accordance with [Policy DM18](#) and where relevant [Policy DM19](#).

### Policy Justification

- 7.20 Section 6 of the NPPF sets out the government’s policies for economic development. It confirms that planning policies should help create conditions in which businesses can invest, expand and adapt. As part of this the NPPF seeks to ensure that planning policies set criteria, or identify strategic sites, for local and investment; address barriers to investment; and be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices, and enable a rapid response to changes in economic circumstances.
- 7.21 A key role of this plan is to protect and diversify the economy of Pendle to ensure that it holds greater resilience through future economic cycles. A fundamental part of this is ensuring sufficient land and opportunity to meet the borough’s future economic needs responding to projected needs, changes in technologies and working practices and economic demand.
- 7.22 To understand current and future development needs, the Council commissioned a Housing and Economic Development Needs Assessment (HEDNA). The HEDNA finds that the Pendle economy is underperforming with below average economic activity rates, and higher than average unemployment. The economy itself is of limited in scale, reflecting the borough’s distance from the core road network and major population centres. Manufacturing is the largest employment sector within Pendle, employing around 30% of the labour market. This is largest, in proportionate terms, in England. The service sector is also significant, particularly in retail and health. The office market in Pendle is very limited in scale, and largely functions to serve the industrial sector. Vacancies within existing employment stock are low, indicating that local demand is largely fulfilled, however the supply of high-quality stock is limited.
- 7.23 The HEDNA projects a growth of 2,100 jobs in Pendle between 2022 and 2032. This is a trend-based position, with new jobs created largely within the manufacturing sector. The rate of jobs growth supported is marginally above the Cambridge Economics forecast. The HEDNA forecasts economic floorspace for the borough taking into account:
- Labour demand based modelling;
  - Past take-up of employment land;
  - Past take-up of property; and
  - Incorporates an allowance for replacement demand.
- 7.24 The HEDNA concludes a requirement for 79,100 sqm (851,425 sqft) of industrial floorspace and 13,200 sqm (142,084 sqft) of office floorspace over the plan period to 2040.
- 7.25 Pendle has a relatively large supply of land committed for employment use. The bulk of this supply is located at two expansions of the Lomeshaye Industrial Estate – the largest and possibly most important employment park within Pendle. Lomeshaye Phase 2 accessed from the Fence by-pass is faced by financing and landownership barriers and is likely to require a redesign before being able to come forward. Policy DM40 reflects the Council’s

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continued commitment to Lomeshaye Phase 2 as originally allocated through the Pendle Core Strategy. It will support the development of the site if it is consistent with the development brief for the site with built form respecting its edge of settlement location, and location near to the Forest of Bowland AONB. Recent consents at Riverside Business Park will further develop this site as an important economic site within the M65 corridor.

- 7.26 The policy sets out several delivery mechanisms to meet the employment requirement needs of the Local Plan. First is the re-use of previously developed land and buildings for employment at protected employment sites. This approach helps to maintain the vitality of the borough's established employment sites which form the borough's most important economic areas safeguarding them from loss to other uses.
  
- 7.27 Secondly, and in accordance with the recommendations of the HEDNA, the sites in West Craven allocated through Policy AL02. The supply identified through Policy AL02 ensures choice of quality sites within the market to encourage economic investment in Pendle and accounts for the need for flexibility. Sites are located within Pendle to best respond to the evidence of economic land needs as identified by the Employment Land Review. They provide the most suitable locations at which to meet economic needs by expanding existing employment sites. The sites also enable the plan to better respond to the spatial requirements of Policy SP02 and SP03 with regard to the distribution of development. Increasing opportunities for employment within the West Craven sub-area. The type and size of employment opportunities identified through Policy AL02 also respond to the findings of this evidence.
  
- 7.28 Thirdly, the policy makes provision for communities to identify and allocate employment land through their Neighbourhood Plans. There are four Neighbourhood Plans in Pendle which may need to be reviewed for their consistency with the strategic policies of this Plan. The policy provides the opportunity for communities to include land for employment which will contribute to overall land needs of the borough, should they wish to do so.
  
- 7.29 Finally, the policy recognises that employment uses might not be limited to the locations set out in this plan, and potential locations suitable for employment could exist outside of these areas but within settlement boundaries. This approach grants additional market choice for employers where established employment sites and allocated sites do not meet the specific operational needs of an employer.
  
- 7.30 Employment uses generate specific material planning considerations which must be considered in determining the suitability of a proposal and site for employment. As well as identifying the sources of delivery for new employment schemes, the policy also sets out the decision-making framework for this type of development. This ensures a consistent and transparent approach to decision making, but also ensures that proposals have been assessed and found to be acceptable for their effects on the wider environment, land uses and residents, and supported by sufficient infrastructure and design measures to accommodate the development and their future operation without adversely affecting others.

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**DM41: Protected Employment Areas****Policy Text**

1. Those sites designated as Protected Employment Areas (PEA), which are primarily intended for industrial (B2), and warehousing (B8) uses, are defined on the Policies Map and listed in the policy justification.
2. Sites or premises within a PEA should remain in employment use unless it can be shown that they:
  - (a) Have been vacant and continuously marketed for employment use, at prevailing local market rates, for a period of not less than two years.
  - (b) Are to be used for industrial or commercial training purposes.
3. At Riverside Business Park, Barrowford uses for offices, research and development, and light industry (Use Class E(g)) will be supported. The development of Class E(g) uses at other designated PEAs will be supported where they are ancillary to the main use of the premises.
4. Stand-alone Class E(g) and Sui Generis uses may be acceptable, where consistent with other policies of the development plan, and where the proposal:
  - (a) Does not undermine or prejudice the operations of existing businesses or the purpose of the PEA designation.
  - (b) Is compatible with the existing business operations in terms of amenity, air quality, noise, vibration, odour, public safety and security.
  - (c) Does not individually or cumulatively exceed 25% of the total floorspace and/or site area (whichever is smaller) of the PEA.
5. To avoid diluting the employment base of the Borough and to restrict out-of-centre retailing, a condition will be used to prevent the change of use from Use Class E(g) to other Class E uses in PEAs.

**Policy Justification**

- 7.31 Employment uses are defined here as those activities falling within Use Class B2 and B8 of the Town and Country Planning (Use Classes) Order 1987, as amended. This policy sets out the criteria the Council will use to assess the value of employment sites when determining planning applications which propose to develop them for alternative uses.<sup>91</sup>
- 7.32 The NPPF requires planning to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth (paragraph 8). It should make provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations (paragraph 83).

<sup>91</sup> The term 'employment site' is used to refer to land, premises and floorspace last used or allocated for employment uses.

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- 7.33 Existing employment sites have a strategic and/or locally significant role where they:
- represent major concentrations of employment activity and/or have the potential to provide further employment;
  - are well located in relation to the strategic highway network;
  - provide the capacity to contribute to local regeneration initiatives; and
  - offer good quality premises and/or development opportunities.
- 7.34 Those areas that best meet these objectives and which also demonstrate high levels of occupancy and evidence of recent investment in new or refurbished premises, are designated as Protected Employment Areas (PEAs):
- Lomeshaye Industrial Estate, Nelson (including extensions)
  - Southfield Business District, Nelson
  - Hallam Road Business District, Nelson
  - Riverside Business Park, Barrowford
  - White Walls Industrial Estate, Colne
  - Crow Nest Industrial Estate, Barnoldswick (including Bankfield and Long Ing)
  - Eden Works, Kelbrook
  - West Craven Business Park, Earby (including extension)
- 7.35 Maintaining a range of employment sites across the borough also helps reduce the need to travel, especially by car. Due to their strategic economic importance only employment generating development proposals falling within Use Classes B2 and B8 will normally be permitted within PEAs, except for a small allowance for the provision of public open space, shops and leisure facilities to serve the needs of employees and the immediate area, helping to reduce the need to travel.
- 7.36 Changes to the Use Classes Order made in 2020 now mean that uses previously defined as B1 (offices, research and development, and light industry), now sit within a wider category (Use Class E). B1 uses (now Use Class E(g)) can provide suitable and complementary uses within Protected Employment Areas. However, Use Class E contains a broader range of uses which if not controlled could result in harmful effects for employment land supply, the retention of local skilled jobs, and the vibrancy of town centres. To prevent the dilution of the employment base of the borough and an increase in out-of-town retailing, developments permitted for Use Class E(g) under this policy will be conditioned precluding their change of use to broader uses within Class E. The development of office space to support existing businesses in Class B2 or B8 use is however supported.
- 7.37 Isolated business premises may also have particular economic importance to an area, due to the lack of alternative sites in the immediate vicinity. Their retention will also help to provide employment and business opportunities close to where people live. This is particularly important in those parts of Pendle experiencing persistently high levels of socio-economic deprivation.

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- 7.38 Outside the Protected Employment Areas, it may be appropriate to safeguard existing employment sites in accessible locations that help to sustain local employment and/or meet regeneration objectives. Sub-divided former textile mills have provided small and low-cost premises attractive to new start-ups, helping to ensure that an appropriate overall balance of uses will continue to be maintained in the borough. Where isolated industrial uses cause nuisance or loss of amenity, alternative uses (including employment) may be considered appropriate, should the site become available.
- 7.39 It is acknowledged that over the course of the plan period to 2040, circumstances may change and that it may be necessary to consider making allowances for the loss of employment sites.
- 7.40 Applications for other uses will be positively considered on their own merits without undermining the fundamental aim of Local Plan policy, which is to ensure that suitable employment sites are available on an on-going basis throughout the plan period.



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### Creating a vibrant and viable retail experience

- 7.41 Town centres play an important role in the social and economic development of places and in the lives of people who live there. They are facing long-term issues that merit sophisticated and sustained solutions to promote cooperation between different sectors and partners.
- 7.42 Changes in modern lifestyles were already impacting the needs and requirements of local communities before the onset of the COVID-19 pandemic in 2020, although this event has hastened many of these changes.
- 7.43 Many famous high street retailers are closing their smaller stores, re-focussing on larger centres and online sales. In Pendle, small independent shops dominate our town and local shopping centres, so the borough has been insulated from this large-scale restructuring programme.
- 7.44 Town centres are now at a critical point. In response to these economic and social shifts they need to find a new purpose and rebalance their many functions. In doing so they will reinforce and redefine their role and function at the centre of the community they have served so well for many years.
- 7.45 Going forward vibrant town centres are likely to be mixed-use, densely populated and incorporate a wide range of complimentary uses. The Government-backed [Digital High Street 2020 Report](#) concluded that investment in digital infrastructure and basic skills could play a critical role in revitalising our town centres. In its report [The Changing Face of the High Street: Decline and Revival](#) (2013), Historic England highlighted that the historic environment can make a positive contribution to modern town centres. At a time when people are increasingly looking for a leisure experience, rather than simply a range of shops to visit, it can help to create a greater sense of 'destination' and a possible competitive advantage.
- 7.46 A narrow focus on retailing is no longer appropriate. Part of the response to revitalising our town centres will require big thinking. Creative leadership and master planning can help the physical elements of our town centres adapt to changes in our shopping habits and global trends. Regeneration initiatives and large-scale development projects need to look beyond the confines of their site boundaries to consider how their proposals could form the basis of a more significant change for the town centre in which they are located.
- 7.47 To future-proof development consideration should be given to improving energy efficiency by using sustainably sourced and energy-efficient materials and incorporating natural ventilation. And, in addition to addressing climate change, the introduction of green infrastructure can help to create safe spaces that promote social interaction.

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### DM42: Vibrant town centres

#### Policy Text

1. The town and local shopping centres identified in [Policy SP04](#), will be the focus for retail development and other main town centre uses in Pendle.
2. To support the spatial development strategy (Policies [SP02](#) and [SP04](#)) all applications for main town centre uses, which are intended to serve a borough-wide catchment should be in Nelson or Colne.
3. Where justified, a condition may be used to prevent the change of use within Class E without the prior written consent of the local planning authority.

#### Primary Shopping Areas

4. Primary Shopping Areas are designated for each of the borough's Town Centres and their boundary is defined on the Policies Map.
5. Within Primary Shopping Areas, residential development is supported above ground floor level.
6. Within the Primary Shopping Area, Sui Generis and Use Class F1 uses may be permitted at ground floor level where the development:
  - (a) Would not lead to a clustering of businesses not within Use Class E and/or result in more than 25% of ground level uses within that Primary Shopping Area not being within Use Class E<sup>92</sup>.
  - (b) Would add to the range and diversity of uses on offer, helping to increase footfall.
  - (c) Would not harm amenity or give rise to increased noise, litter, disturbance, or antisocial behaviour.
  - (d) Can be suitably accessed, serviced and ventilated.
  - (e) Is designed to promote public safety and prevent crime.
  - (f) Maintains an active street frontage, inclusive of security features.
  - (g) Makes use of a continuously vacant unit marketed for a period of 12 months for sale/rent with no demonstrated interest.
7. Outside the Primary Shopping Area a broader range of uses will be supported at ground floor level, where these are consistent with other Local Plan policies, and provided that:
  - (a) The proposed use is compatible with and does not compromise surrounding existing uses or users.
  - (b) Maintains or enhances existing levels of amenity, environmental quality, security and safety.
  - (c) Secures an efficient use of the site and where possible existing buildings.
  - (d) Supports the role and vitality of the Town and Local Shopping Centre.
  - (e) Is suitably accessible and serviced by necessary infrastructure such as highways, parking, water and waste water supply, gas and electric.

<sup>92</sup> As reported through the Council's AMR/Retail Occupancy Survey.

## Creating a dynamic and competitive economy

### Policy Justification

- 7.48 Chapter 7 of the NPPF provides extensive support for town centres. Specifically Paragraph 86 recognises that they are at the *“heart of local communities”*.
- 7.49 An established network of centres (Policy SP04), providing a wide range of facilities and services, play a valuable social role in the local community. As accessible locations where people meet, they also help to reduce the need for multiple journeys and contribute to carbon reduction.
- 7.50 The NPPF encourages local planning authorities to support competitive town centres that provide consumers with a diverse offer and individuality. To this end the Council will encourage the redevelopment of and investment in the borough’s six town and local shopping centres. This follows findings of the Pendle Retail and Leisure Capacity Study (Lichfields, 2023) which finds no requirement for specific allocations to meet future retail and leisure needs in the borough, recommending the encouragement of the reuse of existing floorspace through the implementation of a positive and flexible decision-making framework.
- 7.51 Changes in technology, habits, and practices mean that the role and function of town centres is evolving. This is influenced by the greater role played by online shopping in purchasing goods<sup>93</sup>, and evidence of a shift in how household income is spent with an increasing amount spent on eating out, culture and recreation<sup>94</sup>.
- 7.52 Locally, this shift has already started to impact our town centres with varying consequences. In Colne, eating out and experiences have driven a revitalisation of the High Street in recent years. Whilst, Barrowford has found a niche in the market, providing high value quality goods. The implication of this shift is not so positive for Nelson, the borough’s largest town centre, where vacancy rates remain high.
- 7.53 To ensure that the borough’s town centres are flexible in their use to adapt to changing needs, prevent their overall decline, and attract investment, there is a need for planning policy to adapt to support the town centres of the 21<sup>st</sup> Century. This is recognised by the Government who have amended the Use Class Order 1987 and General Permitted Development Order 2015 to reflect the wider role that a Town Centre now fulfils<sup>95</sup>. For commercial uses, this amendment combines A1, A2, A3, B1 and specific other uses (such as nurseries, gyms, and medical centres) into one single use class (Use Class E; Commerce, Offices and Services).

<sup>93</sup> ONS data shows that online shopping has increased from 6.6% of total retail sales at start of the plan period in April 2010 to just over 20% at the start of 2020 (pre-COVID).

<https://www.ons.gov.uk/businessindustryandtrade/retailindustry/timeseries/j4mc/drsi>

<sup>94</sup> ONS data for family spend 2012 to 2019.

<https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/expenditure/bulletins/familyspendingintheuk/april2018tomarch2019>

<sup>95</sup> Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

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Creating a dynamic and competitive economy

- 7.54 Policy DM42 confirms the six town and local shopping centres as the focus for commercial activity within the borough. Within each, a Primary Shopping Area, comprising of the principle high street and shopping frontages, is defined on the policies map, where non-Use Class E activity is to be restricted at a ground floor level. The intention of the policy is to protect and develop the commercial role played by these centres within the wider borough and promote active frontages. Beyond the Primary Shopping Area, a broader range of uses is acceptable subject to material planning considerations.
- 7.55 Clusters of hot food takeaways can create 'dead frontages' and have a detrimental impact on the vitality and viability of town and local shopping centres. They can also lead to complaints about noise, disturbance, odours and litter. In assessing proposals for hot food takeaway use consideration will be given to the adverse cumulative impacts that may arise from the proposal (see [Policy DM33](#)).
- 7.56 Alterations have been made to the Town Centre boundaries for Colne, Nelson, Brierfield and Earby have been amended. These amendments reflect changes in patterns of development which have taken place since they were first designated and the altered role that these centres fulfil for their wider communities. The alternations seek to ensure that the best use of land continues in a pattern which would benefit the community and their needs. Primary Shopping Areas have been designated in Colne and Barnoldswick. This follows changes made to the Use Class Order and introduction of Class E development which renders Primary and Secondary Frontages obsolete. The scale and extent of the Town Centre designations illustrated by the Policies Map broadly align to the recommendations of the Pendle Retail and Leisure Capacity Study (Lichfields, 2023).

## Creating a dynamic and competitive economy

### DM43: Mixed-use development

#### Policy Text

1. Provided that they do not compromise broader spatial objectives, development proposals that promote and retain a mix of uses including housing, to help create mixed use neighbourhoods will be supported in order of preference in:
  - (a) Town and local shopping centres ([Policy SP04](#)).
  - (b) Edge of centre sites, as defined in the NPPF.
  - (c) Other locations which are highly accessible by means of transport other than the private car.
2. Subject to compliance with [Policy DM41](#) proposals relating to the redevelopment of employment floorspace will be supported where they:
  - (a) Provide an element of commercial, business and service use together with residential, community, leisure and cultural uses as appropriate
  - (b) Avoid any unacceptable harm to the historic or natural environment and where possible deliver an improvement in the physical quality of the urban environment.
  - (c) Attract further investment where the environment is poor, and unemployment and levels of deprivation are high.
  - (d) Increase footfall and business investment opportunities.
3. Where mixed-use development incorporates a residential element, it will be important to ensure that the operational requirements of existing businesses in the vicinity are not prejudiced through redevelopment and that residential amenity and the safety of occupants is maintained.
4. The relocation of existing community, leisure and cultural uses (including arts) into a town or local shopping centre will be considered where it helps to maintain centre vitality and is accessible to the community served.
5. Sufficient off-street parking must be provided to support the development in accordance with [Policy DM37](#).

#### Policy Justification

- 7.57 In planning the term 'mixed use' refers to land or buildings where the occupants fall into more than one use class.
- 7.58 Mixed use development has become a more prominent feature of planning policy in recent years. The NPPF (paragraph 120) acknowledges that to make effective use of land planning policies and decisions should:
- 'encourage multiple benefits from both urban and rural land, including through mixed use schemes (and) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production'*

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- 7.59 National planning practice guidance suggests that promoting healthy communities should include:
- ‘...opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity.’*
- 7.60 Mixed use development provides an opportunity to deliver new housing and other uses as part of a managed process. This can help to consolidate retail and office markets in difficult times. It is most likely to be a consideration where high values for a particular element of the proposed scheme can support the provision of other complimentary uses.
- 7.61 The vitality of our town and local shopping centres depends on viable employment activity being retained and growth enabled. Significant amounts of new and affordable housing is also needed to support the associated growth in employment. Considering the relationship between these two elements at a neighbourhood level will help to support local amenities and create a sense of place.
- 7.62 Residents value access to good quality local shops, cafes, restaurants and other leisure amenities. These facilities need day-time trade to thrive, and commercial workplaces provide this vital footfall. In its simplest form mixed use development promotes the introduction of residential use on the upper floors of existing retail and commercial premises, to help support vital and viable shopping streets.
- 7.63 Combining residential, business and commercial uses makes efficient use of land and helps to create vibrant places where people want to live, work and relax. It also generates multiple benefits for the community by reducing the need to travel; generating new employment opportunities; creating more interesting urban environments and enhancing local property values. As such mixed-use developments have played an increasing role in revitalising town centres.
- 7.64 A mix of elements provides choice and opportunity. It also adds to the vibrancy of the public realm as people move through and between places at different times of the day. Their interactions make a positive contribution to vitality and have positive implications for safety and security as places become naturally observed and policed by a broad range of people throughout the day.
- 7.65 In recent years rapid advances in technology have given rise to a transformation in shopping habits and business practices, contributing to an increase in vacant floorspace in shopping centres and established business areas. The regeneration, conversion and imaginative re-use of older buildings has provided an opportunity to introduce a wider mix of uses into these areas; helping to maintain vitality and support future growth.
- 7.66 Regeneration initiatives and transport improvements can also open up new opportunities to increase the range, choice and diversity of uses in accessible locations beyond our town centres, helping to bring forward new homes and employment space.
- 7.67 What is appropriate on a particular site will be largely determined by the characteristics of the area in which it is located. Schemes will need to fit in with and be complementary to their surroundings; the likely impact on sustainability; overall travel patterns and car use.

## Creating a dynamic and competitive economy

The character of existing residential and business areas should not be undermined by inappropriate new uses.

- 7.68 Major mixed-use developments that would attract a significant number of trips should be in locations that are well served by public transport, have adequate infrastructure and are properly integrated, in terms of land use and design, with surrounding areas.

## Creating a dynamic and competitive economy

### DM44: Out-of-centre retail and commercial development

#### Policy Text

1. Beyond the defined boundaries of the Town Centres, Local Shopping Centres and Local Frontages, proposals for new Main Town Centre Uses will not normally be permitted unless supported by a robust Sequential Assessment and where necessary a Retail Impact Assessment. Such proposals should be located in order of priority in:
  - (a) Edge of centre sites, as defined in the NPPF.
  - (b) Within settlement boundaries subject to compatibility with adjacent uses.
  - (c) At locations accessible to high frequency public transport routes closely related to a settlement boundary.
2. Where justified, a condition may be used to prevent the change of use within Class E without the prior written consent of the local planning authority.

#### Local Frontages

3. The extent of the designated Local Frontages is defined on the Policies Map and identified in the policy justification.
4. Businesses in Use Class E are acceptable in principle in Local Frontages provided:
  - (a) There is no detrimental effect on the amenity or built/environmental character of the site and surrounding area.
  - (b) The scale and nature of the proposed development is consistent and compatible with existing uses.
  - (c) The site is accessible and serviceable without compromising highway safety. Sufficient means of parking is available to support additional use.
  - (d) The proposal does not prejudice existing uses/users.
5. In addition, Sui Generis uses may be permitted provided that:
  - (a) The proposal accords with [Policy DM33](#).
  - (b) Sufficient means is provided to ensure that any odour, noise, lighting, air pollution, fumes and litter arising from the site and its use, is dealt with effectively and without harm to the local environment or local health and wellbeing to the satisfaction of the Council.
  - (c) Its approval would not result in more than 25% of the frontage units becoming non-Class E uses.

#### Existing Retail Locations

6. Existing retail locations are defined on the Policies Map.
7. In existing retail locations:
  - (a) Premises in Use Class E can be replaced by another retail or commercial use of the same floorspace, mass, and height.
  - (b) Existing retail and commercial uses will be permitted for modest expansion, whichever is smaller of, up to 25% of the existing gross internal floorspace, or does not exceed 400m<sup>2</sup> (gross) of additional floorspace.



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8. Proposals which exceed these thresholds will be required to submit a Sequential Assessment and Retail Impact Assessment proportionate to the scale of the proposal.
9. All proposals will be required to demonstrate:
  - (a) The proposal can be accommodated without adverse effects on the operation of existing uses.
  - (b) There is sufficient highway capacity, the proposal would not adversely affect the safety of road users, and that there is sufficient on-site parking available consistent with parking standards as set out in [Appendix 5](#).
  - (c) The proposal is adequately accessed, serviced and ventilated without harm to amenity and the environment.

### Policy Justification

- 7.69 Commercial activity exists beyond the Town Centres. Established sites feature prominently in our daily lives and make a strong contribution to the local economy. Policy DM44 recognises the important role these sites fulfil, confirming these areas as suitable locations for Use Class E development.
- 7.70 To safeguard the role of our town centres as the main commercial drivers in the local economy and to help direct investment towards these sustainable locations, opportunities for Use Class E outside a designated town or local shopping centre ([Policy SP04](#)) will be restricted. These restrictions also acknowledge that Use Class E development is not always appropriate in certain locations, as it can have significant impacts for neighbouring development, infrastructure and the local environment.
- 7.71 Local Frontages can complement the role of the nearby shopping centres or perform an important role within a particular neighbourhood. Local frontages can give communities access to essential goods and services locally, reducing the need to travel. They provide opportunities for local employment, contribute to social interaction, and create a sense of community.
- 7.72 To support local communities, proposals for new Use Class E development within local frontages will be acceptable in principle. Non-use Class E development will be limited to safeguard the role that local frontages are intended to fulfil:
- 114a-142 Manchester Road, Nelson
  - 94-146 Scotland Road, Nelson
  - 129-151 Leeds Road, Nelson
  - 94-112 Barkerhouse Road, Nelson
  - 45-51 Burnley Road, Colne
  - 198-216 Keighley Road, Colne
  - 69-79a Keighley Road, Colne
  - 15-25 Skipton Road, Colne
  - 4-7 Gladstone Terrace, Gisburn Road, Barrowford
  - 1-6 King Edward Terrace, Gisburn Road, Barrowford

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- 51-63E Gisburn Road, Barrowford
- 47-65 Gisburn Road, Barnoldswick
- 1-5 Ribbledale Buildings, Gisburn Road, Barnoldswick

7.73 Guidance for proposals for small local shops falling under Use Class F2 is provided in [Policy DM35](#).

7.74 Retail parks form well establish centres of commercial activity meeting a broad range of retail needs for residents of the borough. They are, in broad terms, less constrained by neighbouring uses, including impacts on residents, and are served by better infrastructure, which can accommodate potentially intensive operations associated with Use Class E development. As such, outside of town centres, existing Retail Parks form appropriate locations for Use Class E development, including redevelopment works and, subject to wider impacts, modest expansion of existing premises.

7.75 Four out-of-centre Retail Parks are identified and defined on the Policies Map. These are:

- B&Q and Pendle Village, Brierfield
- White Walls Retail Park, Colne
- Boundary Outlet, Colne
- North Valley Retail Park, Colne

## Creating a dynamic and competitive economy

### Attracting visitors

- 7.76 Visitors are attracted to Pendle in increasingly large numbers.
- 7.77 Literary connections with the Brontë sisters have turned the secluded hamlet of Wycoller into a tourism honey pot. Tales of the Pendle Witches draw people in large numbers to Barley and the villages that nestle in the shadow of the imposing Pendle Hill. This iconic feature of the local landscape is a destination in its own right. The view from the top offers breath-taking views over some of the most stunning landscapes in the country, including the Forest of Bowland, the South Pennines Moors and the Yorkshire Dales. Our associations with the industrial revolution attract visitors into our historic towns and villages where the Colne Muni and other theatres fuel the night-time economy.
- 7.78 Above all else tourism in Pendle is highly dependent on the unspoilt beauty of its natural environment. The Local Plan therefore places strong emphasis on protecting and enhancing this unique asset. Securing sustainable development is essential if our countryside is to maintain its appeal and areas potentially sensitive to large visitor numbers are not to be harmed.
- 7.79 Yet the development of tourist facilities in the countryside can support greater diversity in the rural economy and enhance the visitor experience. But promoting enjoyment of the countryside should ideally be focussed on those activities which draw on the character of the countryside itself, its beauty, culture, history and wildlife, and be based around an existing resource.
- 7.80 Staying visitors make a significant contribution to the local economy. The availability of a range of tourist accommodation is essential in establishing a successful and prosperous tourist industry. The range of accommodation in the borough includes serviced accommodation such as hotels, guest houses, inns and bed and breakfast establishments and non-serviced accommodation such as youth hostels, self-catering cottages, caravan parks, camping and glamping sites.
- 7.81 The provision of tourist accommodation in both the urban and rural areas, will be subject to the environmental policies in this Plan and other considerations such as access, design and landscaping.
- 7.82 Policies elsewhere in the Local Plan support the development of tourism by promoting our town centres as sustainable destinations for shopping, leisure and entertainment; by expanding recreational facilities and improving public and sustainable transport links.

## Creating a dynamic and competitive economy

**DM45: Tourist facilities and accommodation****Policy Text**

1. Proposals relating to tourism activities, accommodation and facilities will be supported where they:
  - (a) Are to be located in a Main Town or Local Service Centre.
  - (b) Provide for the enhancement of existing tourist attractions or accommodation.
  - (c) Increase the supply of quality serviced and self-catering accommodation.
  - (d) Do not involve the loss of tourism accommodation unless there is no realistic prospect for its continued use.
  - (e) Support active use along the Leeds and Liverpool Canal ([Policy DM19](#)), consistent with environmental and amenity factors.
  - (f) Conserve and where possible enhance a natural or historic asset.
  - (g) Develop new markets for local produce, particularly those that support land-based industries and cultural assets.
  - (h) Help to promote a year-round tourism industry.
  - (i) Are capable of access by public transport, cycle ways and footpaths.
  - (j) Protect residential amenity.
2. Conditions may be applied to restrict the occupation of dwellings for holiday, tourist or visitor usage. Proposals to remove these conditions will be normally refused unless the proposal is in conformity with other policies in the development plan.
3. Major development proposals for tourism must address:
  - (a) Transport infrastructure requirements
  - (b) How they will assist urban or rural regeneration
  - (c) Benefits they will bring to local communities.

**Rural Tourism**

4. In Rural Service Centres tourist and visitor facilities should, wherever practicable, be situated within an existing or replacement building.
5. Proposals for new tourism facilities and accommodation outside a defined settlement boundary ([Policy SP02](#)) and in the open countryside ([Policy DM09](#)) must:
  - (a) Be in a location, and of a scale, that is in keeping with the rural character of the countryside and its wider landscape setting.
  - (b) Protect local landscape character and not have an adverse effect on a designated environmental site (Policies [DM10](#) and [SP08](#)).
  - (c) Provide evidence that the facilities support a particular countryside attraction.
  - (d) Demonstrate that no alternative buildings or sites are available for re-use.
  - (e) Make use of appropriate materials, which are sympathetic to the locality.

## Creating a dynamic and competitive economy

6. Small scale retail,<sup>96</sup> at an existing facility, including farms, or visitor attraction will be supported where it is:
  - (a) Located in an existing building, or in a new building which is closely related to the tourist attraction.
  - (b) Enables the purchase of local produce.<sup>97</sup>
  - (c) Ancillary to the main permitted use.
7. Where the proposed development is not ancillary to an existing facility or visitor attraction, it will be necessary to demonstrate that a location within the open countryside or AONB is necessary.
8. Within the Forest of Bowland AONB and its immediate setting great weight is given to the conservation and enhancement of its landscape and scenic beauty. Development within the AONB must address the requirements of [Policy DM11](#). Proposals relating to tourism activities, accommodation and facilities will be considered favourably where they:
  - (a) Make effective use of existing redundant buildings of permanent and substantial construction.
  - (b) Do not introduce built development into an area devoid of structures (other than where related to agriculture and forestry).
  - (c) Are in keeping with the character of the landscape area and reflect the local vernacular, scale, style, features and building materials .
  - (d) Replace existing static caravans with log cabins or lodges.
  - (e) Make provision for small-scale touring caravans and camping between 1 March and 31 October on a site that is not visible from public roads, open spaces or public footpaths.

### Policy Justification

- 7.83 The NPPF supports sustainable rural tourism that benefits rural communities, enhances the visitor experience and respects the character of the countryside.
- 7.84 Tourism is of growing importance to the Pendle economy. The borough has a wealth of tourism facilities and attractions, the majority of which connected with the area's environmental assets.
- 7.85 The rich history of the area, the unspoilt countryside, and its many attractions draw visitors from across Britain and overseas. We wish to retain this appeal whilst supporting and enhancing the existing tourist offer, to help promote Pendle as a year-round destination for tourism, recreation, and culture.
- 7.86 Tourist facilities in the borough are generally small scale. In 2015 the total number of jobs supported by tourism was almost 1,500. Total spend was £106m, with over 25% attributed to staying customers, although they only accounted for 10% of all tourist visits (Source: Marketing Lancashire, 2016). The tourism specific economic impact model STEAM estimated that visitor spend in the borough had risen to over £130m in 2018.

<sup>96</sup> Defined as being under 280m<sup>2</sup> in [Policy DM35](#).

<sup>97</sup> Defined as being within 15 km of the development.

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- 7.87 Most of the tourist accommodation in Pendle is well-established. It ranges from hotels and guest houses in the larger towns and villages to self-catering or bed and breakfast establishments in private homes and public houses in the rural areas.
- 7.88 Opportunities to improve the current stock of accommodation remain. The Fence Gate Lodge is the only hotel in Pendle to be awarded a 4- or 5-star rating, although a number of guest houses achieve this status. Many other establishments are highly commended by Visit Britain or Marketing Lancashire.
- 7.89 The challenge for the Local Plan is to ensure that the needs of the visitor, the tourism industry and the community can be met within environmental limits. This is particularly important at the so-called “*tourist honeypots*” of Barley and Wycoller. These are respectively located within an Area of Outstanding Natural Beauty (AONB) and close to the South Pennine Moors Site of Special Scientific Interest (SSSI).
- 7.90 The Forest of Bowland AONB is a unique and special area, receiving the highest level of protection under national planning policy and legislation, equivalent to a National Park. The Countryside and Rights of Way (CROW) Act 2000 states under s.82 the primary purpose of this designation is to conserve and enhance natural beauty and under s.85 places a statutory duty on a public body to have regard to the purpose of designation in the performance of its functions, which for local authorities includes the production of planning policy.
- 7.91 The AONB already has a large concentration of static caravans on sites close to Roughlee that were established many years ago in prominent locations, where they detract from their landscape setting.
- 7.92 Whilst additional provision for touring caravans and tents may be appropriate in parts of Pendle where appropriate environmental criteria can be met, this is unlikely to be acceptable within the AONB. The provision of additional static caravans within the AONB will only be acceptable, where applicants can provide robust evidence to demonstrate that their proposals would result in a significant improvement to the appearance of the existing site and its setting within the AONB.
- 7.93 Where approval is sought for self-catering accommodation, the need to attach a condition to any permission, which either limits the use to holiday accommodation only, or limits occupation to certain seasons, will be a consideration.
- 7.94 This policy seeks to maximise the benefits to be obtained from tourism, especially in respect of income and improved employment opportunities. It does so by promoting Pendle as a destination for visitors interested in a high quality, sustainable tourism offer, whilst recognising the need to protect the environmental quality of the borough and maintaining the quality of life for its residents.

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## Creating a dynamic and competitive economy

- 7.95 Where new opportunities, or local needs, are not met by existing facilities the provision and expansion of tourist and visitor facilities will be supported in appropriate locations. Expansion and improvement of the range and type of tourist facilities should be carried out in a sustainable manner, which safeguards the local environment. Any projected increase in visitor numbers should avoid contributing to traffic congestion, undue pressure on public parking, user conflicts in the open countryside and the commercialisation of the historic environment.
- 7.96 The promotion of sustainable tourism in Pendle will focus on qualitative improvements, which may include the expansion of existing facilities. Environmental safeguards together with improved standards in the quality and range of accommodation and attractions will help to secure high quality sustainable development.
- 7.97 The Council will support proposals to expand and upgrade tourist attractions or accommodation provided that they are not detrimental to the surrounding built environment or the high-quality landscape of the area. New facilities should make the best use existing public transport services in the vicinity of the application site and explore all opportunities to improve accessibility to the borough's main urban centres.
- 7.98 In rural areas the economic benefits of any proposal will be weighed against the need to protect the environment. Any harm to the features that attract local residents and visitors alike into our countryside, principally the high quality of the landscape and the natural and historic environment, should be avoided or subject to suitable mitigation.

## Creating a dynamic and competitive economy

**DM46: Equestrian development****Policy**

1. Equestrian development should take account of ecology, historical and agricultural interests as a design consideration ensuring no unacceptable harm or adverse effects.
2. The development of equestrian facilities including private stables, tack rooms and hay stores will be permitted where the proposal:
  - (a) Is in close proximity to the established highway and bridleway networks
  - (b) Is well related to buildings of a permanent nature
  - (c) Is of an appropriate size and scale, relative to its intended use and the fields concerned
  - (d) Minimises visual impact and does not adversely affect the landscape by means of location, siting, scale, appearance and design (including external materials, landscaping and boundary treatments)
  - (e) Makes best use of existing infrastructure by using existing vehicular and field access tracks, bridleways, utilities and buildings;
  - (f) Includes a pasture management plan and keeps ancillary development (manèges, storage facilities, hard standing, access tracks, exercise pens etc.) to the minimum necessary
  - (g) Would not result in an intensification of use that could:
    - i. Harm the character of the open countryside by reason of cumulative impact;
    - ii. Create a hazard for highway users;
    - iii. Lead to the deterioration of the bridleway network;
    - iv. Impact on the openness of the Green Belt, or conflict with the purposes of including land within it;
    - v. Adversely affect the amenity of neighbouring properties and the wider area by reason of noise, smell, overlooking, or other general disturbance.
3. In accordance with [Policy DM13](#), applications to install floodlighting will not be approved where light pollution is likely to cause unacceptable:
  - (a) Levels of glare for neighbouring properties, or local ecology; or
  - (b) Visual, highway safety or landscape impacts.

**Policy Justification**

- 7.99 The NPPF requires planning policies to “*promote the development and diversification of agricultural and other land-based industries ... and support leisure developments which respect the character of the Countryside*” (paragraph 84).



## Creating a dynamic and competitive economy

- 7.100 Equestrian activities, such as horse riding, are popular forms of recreation in the countryside. Stabling, studs and livery yards complement traditional farming activities. They also help to strengthen and diversify the rural economy by supporting saddlers, farriers, veterinary services and producers of feed and bedding.
- 7.101 To support sustainable tourism and rural diversification new equestrian development will be supported, particularly where it is close to the Pennine Bridleway (National Trail).
- 7.102 An increasing number of equestrian concerns are not associated with existing agricultural activities. The cumulative impact of the infrastructure required to support such activities (e.g. stables, manèges, lighting, fencing and access roads) can have a detrimental impact on the character of the countryside. This is often worse where fields are divided into paddocks, each with their own accumulation of jumps and horse boxes. This level of visual intrusion may have a detrimental impact on the openness of the Green Belt. In addition, greater equestrian usage can also lead to the overgrazing of pasture and the overuse of bridleways.
- 7.103 Planning must balance the need for equestrian development with other plan objectives. Attention to siting, design, layout, construction materials, lighting schemes and landscaping will help to reduce the impact of equestrian development by:
- avoiding any adverse impact on the character and appearance of the countryside;
  - preserving the openness of the Green Belt; and
  - protecting the amenity of neighbouring properties; by reducing noise, smell, light or other general disturbances.
- 7.104 The re-use of existing buildings is preferred to the erection of new structures, particularly if the proposal is for a large-scale commercial use. Where this is not possible the development should be appropriate in scale to the land on which it is situated, and the landscape that it is situated within. This also applies to the erection of stables or loose boxes within the curtilage of a dwelling (i.e. within a garden not an adjoining paddock), where this is not permitted development.
- 7.105 The increased sub-division of fields, fenced with a variety of materials detracts from the character of an area. This type of development should be avoided as it gives an impression of clutter and over intensive use of the land. Controls will be put in place to avoid unsightly paraphernalia in fields.
- 7.106 Boundaries and field sub divisions should be in sympathy with the surrounding landscape. A well-managed hedge provides natural shelter from the weather. It is one of the best boundaries for horses and wildlife. Where manufactured fencing is required, the materials used should be both effective and blend in to the surrounding countryside.
- 7.107 To demonstrate that the proposed development will not adversely impact upon the character of the landscape or the ecological value of the land, by reason of overgrazing or otherwise, applicants will be expected to submit a pasture management plan. The plan should include an assessment of possible erosion on the land; on-site storage of manure, feed and machinery; damage to trees and hedgerows; and any measures that will be taken to reduce these impacts. The Council's Environmental Health team and the Environment Agency can provide further advice if concerns about runoff are a potential issue.

## Creating a dynamic and competitive economy

## **Part Four: Site Allocations**

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## Our foundations for a sustainable future

## 8. Site Allocations

### Locations for sustainable development and growth

- 8.1 Site allocations establish the specific locations where development will occur in the borough. They ensure that enough land for different uses is available in appropriate locations to meet the growth targets set out in the Local Plan. Where necessary, phasing sets out when sites should come forward for development.
- 8.2 [Policy SP03](#) addresses the distribution of development to meet anticipated growth over the plan period. The amount of housing that is needed is detailed in [Policy DM20](#). The amount of land needed for businesses in Use Classes B2 (General Industrial) and B8 (Storage and Distribution), which are not readily compatible with residential areas, is addressed in [Policy DM40](#).
- 8.3 The supporting evidence for the Local Plan has indicated that there is no need to allocate additional land for new retail floorspace or community facilities in the period up to 2040.

## Locations for Sustainable Growth

**Locations for sustainable development and growth**

- 8.4 Identifying specific areas of land for development establishes where change and growth will take place up to 2040. The final selection of sites for allocation in the Local Plan has been informed by a comprehensive site assessment process.
- 8.5 The key objectives of allocating land for future growth and development are to:
- Support development that supports the delivery of our spatial vision, strategic goals and spatial strategy.
  - Protect and enhance the natural and historic environment and local amenity.
  - Ensure a high standard of design in new developments.
  - Create safe and attractive environments.
  - Secure a more sustainable future for Pendle.
- 8.6 Any on-site requirements developers are expected to address on an allocated site are highlighted.
- 8.7 The sites allocated in this Plan are expected to deliver 505 new homes (planning permission having already been granted for around 1,400 new homes) and 28.39 hectares of employment land in the period up to 2040. This provision is broken down as follows between the spatial areas:

Spatial Area	Housing		Employment	
	Land (ha)	Dwellings	Land (ha)	Est Jobs
M65 Corridor – Urban	10.92	329	16.00 <sup>98</sup>	1,296
M65 Corridor – Rural	0	0	0	0
West Craven	6.47	176	12.39	1,004
<b>Pendle</b>	<b>17.39</b>	<b>505</b>	<b>28.39</b>	<b>2,300</b>

- 8.8 A number of settlements within the M65 Corridor spatial area have already met their development needs in full. Further development within the M65 Corridor Rural spatial area is therefore not appropriate or would require the release of land within the Green Belt. It has been concluded that further Green Belt release is not appropriate given that developments on the edge of the M65 Corridor Urban spatial area (e.g. Trough Laithe) can help to meet this need in the short to medium term.

<sup>98</sup> This relates to the area of Lomeshaye Phase 2 first allocated through the Pendle Local Plan Part 1: Core Strategy and carried forward through this Local Plan.

## Locations for Sustainable Growth

**AL01: Housing site allocations****Policy Text**

1. In addition to the strategic housing site at Trough Laithe (Keld), between Nelson and Barrowford (capacity 500 dwellings), to help meet the housing requirement set out in [Policy DM20](#) the sites listed in Table AL01a are allocated for housing.
2. The boundary of each housing site allocation is defined on the Policies Map.
3. Development proposals on allocated housing sites will be required to:
  - (a) Meet the site-specific policy requirements, which follow the Policy Justification.
  - (b) Address the design principles set out in [Policy DM21](#) and any other relevant policies in the Pendle Local Plan, or a 'Made' Neighbourhood Plan.
  - (c) The indicative distribution of housing development within each spatial area ([Policy SP03](#)).
    - i. Support the re-use of previously developed land that is of low environmental value and well-served by public transport.
    - ii. Contribute toward improved infrastructure provision ([Policy SP12](#)), including affordable housing ([Policy DM23](#)).

**Table AL01a Housing site allocations**

Ref	Site Name and Location	Typology	Area (ha)	Units
P026	Land at former Riverside Mill, Reedyford Road, Nelson	Brownfield	2.79	140
P052	Land at Former Railway Sidings, Railway Street, Brierfield	Brownfield	1.59	40
P060	Land at former Mansfield High School, Taylor Street, Brierfield	Brownfield	1.54	43
P064	Land at Brook Shed, New Road, Earby	Brownfield	1.40	48
P067	Land South of Colne Water, Cotton Tree Lane, Colne	Brownfield / Greenfield	3.48	50
P237	Land at former Barnsey Shed, Long Ing Lane, Barnoldswick	Brownfield / Greenfield	5.07	128
P257	Land at Giles Street, Nelson	Brownfield	0.95	35
P267	Land at former LCC Depot, Halifax Road, Brierfield	Brownfield	0.25	9
P326	Barkerhouse Road, Nelson	Brownfield	0.32	12
<b>Totals:</b>			<b>17.39</b>	<b>505</b>

## Locations for Sustainable Growth

4. To help meet the borough-wide housing requirement, the sites listed in Table AL01b have been allocated in a 'made' Neighbourhood Plan. Development proposals should respond to the policy requirements set out in the relevant Neighbourhood Plan.

**Table AL01b Housing site allocations in neighbourhood plans**

Ref	Site Name and Location	Typology	Area (ha)	Units
CNDP6/4	Buck Street, Colne	Brownfield	0.29	10
CNDP6/6	Shaw Street, Colne	Greenfield	0.55	18
CNDP6/9	Thomas Street, Colne	Brownfield	0.15	8
CNDP6/15	Bankfield Street (Bunkers Hill), Colne	Greenfield	1.87	56
KS HOU 1	Dotcliffe Yard, Kelbrook <sup>2</sup>	Brownfield	0.16	3
KS HOU 2	Land at Cob Lane, Kelbrook <sup>2</sup>	Greenfield	0.68	9
TFNP 009	Land north of Dean Street, Trawden <sup>2</sup>	Brownfield	0.70	20
TFNP 011	Land adjacent to 37 Hollin Hall, Trawden	Greenfield	0.18	6
TFNP 012	Land to rear of Black Carr Mill, Trawden	Brownfield	0.14	10
TFNP 014	Land at Hall House Farm, Foulds Road Trawden <sup>1</sup>	Brownfield	0.05	2
TFNP 015	Part Black Carr Mill, Trawden <sup>2</sup>	Brownfield	0.42	14
<b>Totals:</b>			<b>5.19</b>	<b>156</b>

Notes: <sup>1</sup> Three dwellings were completed on Site TFNP 014 in 2021/22 monitoring year.

<sup>2</sup> These sites are existing commitments.

5. To help meet the requirements identified in [Policy DM27](#) the following sites are allocated for self-build and custom housebuilding.

**Table AL01c Self-build and custom housebuilding site allocations**

Ref	Site Name and Location	Typology	Area (ha)	Units
P107	Land at Mansfield Crescent, Brierfield	Brownfield	0.08	2
P311	Land at Bamford Street, Nelson	Brownfield	0.21	5
-	Land at Wickworth Street, Nelson	Brownfield	0.15	2
<b>Totals:</b>			<b>0.36</b>	<b>9</b>

## Policy Justification

- 8.9 The policy allocates sufficient land to meet the residual housing needs of the Borough for the remainder of the plan period, up to 2040. It responds to [Policy DM20](#) and ensures that the housing needs of the borough can be met in full.
- 8.10 The housing land supply position in Pendle, at 31 March 2022 is summarised in Table 8.1. The figures are based on a housing requirement of 140 dwellings per annum (dpa), as set out in Policy DM20.



## Locations for Sustainable Growth

**Table 8.1: Residual Housing Requirement at 31<sup>st</sup> March 2022**

<b>A</b>	Housing requirement 2021/22-2039/40 (140 dpa)	<b>2,660</b>
<b>B</b>	Housing delivery 2021/22	285
	Housing delivery 2022/23	tbc
<b>C</b>	Dwellings with planning permission at 31 March 2022 (including 10% lapse rate) <sup>1, 2</sup>	807
	Anticipated delivery at the strategic housing site (Trough Laithe) to 2039/40 <sup>3</sup>	477
	Small sites windfall allowance (38 dpa) <sup>4</sup>	570
<b>D</b>	Residual requirement [A-B-C]	<b>521</b>

<sup>1</sup> Excludes dwellings on the strategic housing site at Trough Laithe, where delivery has commenced (C)

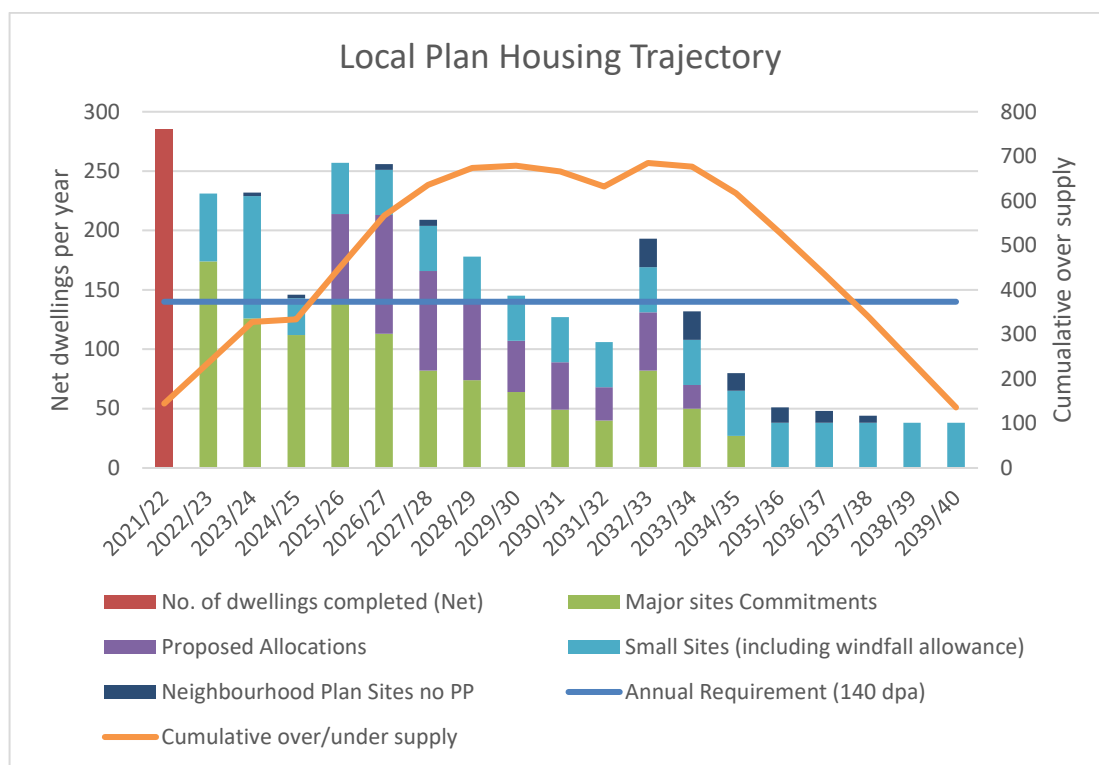
<sup>2</sup> Applies a lapse rate of 15% (137 dwellings) to account for planning permissions not proceeding (913 in total).

<sup>3</sup> Excludes 23 dwellings completed in 2021/22 (included in Row B) and delivery outside the plan period.

<sup>4</sup> Excludes first four years, where dwellings are likely to be in the completions (B) and existing commitments (C)

- 8.11 Paragraph 68 of the NPPF requires local authorities to have a clear understanding of their housing land supply. This is achieved through the annual publication of a [Strategic Housing Land Availability Assessment](#) (SHLAA) and the maintenance of a [Brownfield Land Register](#). The annual SHLAA update includes a Call for Sites to identify any land that has become available since the previous version was published. The availability, suitability and likely economic viability of all potential housing sites is then evaluated.
- 8.12 The role of the SHLAA is to consider whether a site *could* be developed for housing. It does not consider whether a site *should* be developed. The inclusion of a site in the SHLAA does not imply that it will receive planning permission, or be allocated, for housing.
- 8.13 Site allocations also go through a robust and rigorous site assessment process and are subject to Sustainability Appraisal (SA). The SA process helps to identify any cumulative impacts that may arise from their development.
- 8.14 The housing sites allocated in this policy:
- Provide a sufficient supply and mix of new homes to meet our housing needs.
  - Ensure the housing land supply can deliver new homes throughout the plan period.
  - Represent an appropriate strategy to meet those needs.
- 8.15 The Housing Trajectory ([Appendix 1](#)) shows how dwellings on sites with an extant planning permission and on allocated sites are expected to come forward over the remainder of the plan period. The trajectory reflects a snapshot in time based on up-to-date evidence and the judgement of planning officers. [Policy DM20](#) defines the steps to be taken by the Council should housing supply and delivery does not meet requirements. A summary of this trajectory is provided in figure 8.1 below. It demonstrates that the housing requirement will be met in full by committed and allocated supply providing a 136-dwelling surplus against requirements illustrating that the plan has been positively prepared in its approach to securing sustainable development.

## Locations for Sustainable Growth

**Figure 8.1 Indicative Housing Trajectory (Summary)**

- 8.16 The allocation of sites considers the spatial distribution of housing completions and commitments. This ensures that the overall delivery of new housing addresses the requirements of [Policy SP02](#) and [Policy SP03](#), which seek to promote a sustainable pattern of development; support investment in infrastructure; and enable development which is consistent with the vision and objectives of the Local Plan.
- 8.17 To respond to the requirements of the NPPF (paragraph 68), we have made sure that at least 10% of future allocated growth is identified at sites of one hectare or less. This is to provide opportunities to small and medium sized enterprises, promote quicker build rates, and encourage the delivery of a broader range of house types and products in response to wide range of housing needs.
- 8.18 Evidence of housing land supply shows that the housing requirement can be met in full on sites in Pendle, in accordance with the approach set out in [Policy SP02](#).
- 8.19 The release of land currently designated as Green Belt is not required. There is no requirement for any of Pendle's housing need to be accommodated within a neighbouring authority. Ongoing discussions with neighbouring local planning authorities also indicate that there is no requirement for Pendle to help meet housing need outside the borough's administrative boundary.

## Locations for Sustainable Growth

- 8.20 There will be occasions when planning permission for residential development is granted on sites that have not been formally allocated for housing in the Local Plan. These sites may come forward during the plan period due to circumstances, which cannot be anticipated when the Local Plan is adopted (i.e. obsolete business premises are vacated). These opportunities are referred to as 'windfall sites.' There is strong evidence of consistent delivery on windfall sites in Pendle, so an allowance has been made in the policy (for sites with a capacity of 4 dwellings or fewer), as they will continue to contribute to the Council's housing land supply, where they come forward. Windfall sites above this threshold will also contribute to the housing requirement should they come forward during the plan period, though no allowance is made for this in the plan.
- 8.21 The Council also has a duty to grant permission for sufficient land to match the cumulative level of demand on its self-build and custom housebuilding register, within three years. Requirements for self-build, applicable to allocated sites, are set out in [Policy DM27](#).

### Site Specific Policy Requirements

#### M65 Corridor

P026	Land at former Riverside Mill, Reedyford Road, Nelson	Capacity	140
<b>Site specific requirements:</b> <ol style="list-style-type: none"> <li>1. The site has capacity for around 140 dwellings. A broad mix of dwelling types and sizes should be provided at the site. The provision of affordable homes at the site is encouraged. At least 5% of new homes should be made available for self-build/custom build in accordance with the requirements of Policy DM27.</li> <li>2. Assessment will be required of the potential effects of neighbouring commercial uses located adjacent to the site on the amenity of future residents (i.e. due to noise, vibration, air pollution, odour etc.), with sufficient mitigation measures incorporated into the design of the development to ensure there are no unacceptable effects on health or wellbeing.</li> <li>3. North-South and East-West pedestrian/cycle links should be provided through the site to enhance local connectivity and encourage travel by foot and bicycle. The development should not enable vehicle access between Reedyford Road, Charles Street and Crawford Street.</li> <li>4. Subject to investigation, the Mill Chimney should be retained and incorporated into the design and layout of the development.</li> <li>5. The course of Walverden Water should form the focus of Open Space and ecological enhancements provided as part of the development. Opportunities should be taken to de-culvert this watercourse wherever possible.</li> <li>6. New dwellings should avoid being located in close proximity of Walverden Water, and within parts of the site confirmed as being at risk of flooding in accordance with the findings of detailed modelling as set out in the Council's Strategic Flood Risk Assessment.</li> <li>7. Prior to the construction of any new buildings, comprehensive and safe remediation of the site is required informed by detailed site investigation submitted to and approved by the Council A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the site.</li> </ol>			

## Locations for Sustainable Growth

**Justification:**

Riverside Mill is a cleared former employment site which sits within the settlement boundary of Nelson. The site is currently allocated for housing within the Bradley Area Action Plan and is identified as an opportunity site within the adopted Nelson Masterplan. Its identification for housing through the new local plan represents a continuation of the Council's aspiration to redevelop the site and make effective use of the opportunity provided to support the broader regeneration of Bradley. The site is available for redevelopment having recently changed ownership as confirmed by the recent submission of a planning application at the site.

The site forms a suitable location for new housing, sitting within the urban heart of Nelson with good access to the Town Centre, existing services, public transport and road infrastructure.

The site has been used recently as a disposal ground for spoil from other development site locations and as such may be contaminated. The former employment use at the site further increases the potential contamination requiring further assessment.

The site sits on the course of Walverden Water and is known is potentially at risk of flooding. As a result, development will need to avoid being in close proximity to the watercourse and parts of the site confirmed to be at risk of flooding. Sufficient water storage and effective means of drainage will be necessary to ensure that new and existing residents and businesses are not put at unacceptable risk from flooding.

The north western part of the site is near existing employment uses. These uses are likely to remain in the longer term and may adversely impact the health and wellbeing of future residents of the site if their effects are not adequately assessed and accounted for through the design and layout of the development.

The Mill Chimney forms a distinctive landmark in the local townscape and is an important historical reference to the site's former use and form. The chimney should be incorporated into any scheme for the redevelopment of the site provided that it remains structurally sound.

The redevelopment of the site provides opportunity to enhance local pedestrian and cycle connections between existing residential areas, and to sources of employment and education, and as such pedestrian links through the site should be provided. A single vehicular access point should be created to enter the site. This is to avoid the site being used as a short cut.

<b>P052</b>	<b>Former Railway Sidings, Railway Street, Brierfield</b>	<b>Capacity</b>	<b>40</b>
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**Site specific requirements:**

1. The site has capacity for around 40 dwellings. A broad mix of dwelling types and sizes should be provided at the site, though a higher density development would be suitable depending on effects on amenity. The provision of affordable homes at the site is encouraged.
2. Vehicle access should be obtained from Railway Street to the north.
3. Opportunities to promote pedestrian and bicycle connectivity with the Sackville Street Playground and MUGA located to the east should be explored.
4. Assessment will be required of the potential effects of railway operations on future occupiers by way of noise and air pollution as well as vibration, with sufficient

## Locations for Sustainable Growth

mitigation measures incorporated into the design of the development to ensure there are no unacceptable adverse effects on the health or wellbeing for future site occupiers.

5. Existing trees should be retained and protected from construction works particularly where they contribute to protecting residential amenity. A tree survey should be undertaken to assess the quality of existing trees on site. Any trees lost should be replaced in accordance with [Policy DM07](#).
6. An 8m easement either side of Sefton Brook which flows east-west through the site will need to be kept free from housing development. Proposals should ensure that the structural integrity of this culverted watercourse is at all times safeguarded during the construction process.
7. Prior to the construction of any new buildings, comprehensive and safe remediation of the site is required informed by detailed site investigation submitted to and approved by the Council. A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the site.

### Justification:

The former railway sidings at railway street provide an underutilised brownfield site in the heart of Brierfield. The site is currently used for the storage of building materials for a local building merchant, however, has been confirmed as available for redevelopment. The site is identified within the Brierfield Railway Street SPD as an opportunity for housing but has thus far not been redeveloped. The allocation of the site for housing through the Local Plan represents a continuation of this position.

The site sits close to Brierfield Town Centre and Railway Station and is nearby to Brierfield Mill which has recently been regenerated for a mixture of uses including office, residential, leisure and education. The site offers the opportunity to extend recent investments in Brierfield which have been transformative; helping to continue to improve the quality and diversity of housing stock available in the town and enhancing the quality of the urban environment.

The site's location and accessibility represent an opportunity for higher density development to be accommodated at the site subject to effects caused on adjacent land uses. The site's proximity to railway infrastructure means there is a need to assess and potentially adjust the layout, form and technical standards of the development in response to conclusions made regarding this constraint.

The site formally formed part of railway infrastructure serving Brierfield. It is therefore possible that the site is contaminated, and the policy adopts a cautious approach in relation to this matter. It is also known that the culverted watercourse of Sefton Brook passes beneath the site roughly 5m below the surface. In the interest of protecting against flooding events and the potential for ground movements, it is necessary to ensure that this culvert is left undisturbed by the development. Safeguards are therefore put in place through the policy to secure this.

<b>P060</b>	<b>Former Mansfield High School, Brierfield</b>
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<b>Capacity</b>
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<b>43</b>
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### Site specific requirements:

1. The site has capacity for around 43 dwellings. A broad mix of dwelling types and sizes should be provided on site. The provision of affordable housing on site is encouraged.

## Locations for Sustainable Growth

2. New dwellings should positively address existing road frontages as far as possible. The scale and density of the development should be in broad accordance with surrounding built form.
3. Existing trees located along the boundaries of the site should be retained and incorporated into the layout of the development.
4. Care must be taken through the design and construction of the development to avoid damage to the existing culvert which crosses east west through the site. Investigation of the route and condition of this culvert may be required to avoid increased flood risk, to maintain structural integrity of buildings and infrastructure and to minimise the risk caused to the public. A sufficient off-set should be provided within the layout to avoid the construction of new dwellings over the top of this culverted watercourse.
5. A ground investigation is required to survey the potential for underground mine workings on site. The findings of this assessment must inform the capacity, layout and form of the development.
6. The development must incorporate sufficient drainage capacity applying the SuDS Hierarchy to respond to periodic surface water flooding accounting for the effects of Climate Change. Open space could be included as part of this drainage infrastructure where suitable.

**Justification:**

The site sits within the settlement boundary of Brierfield and is a short walk to the town centre and public transport services operating along Colne Road. The site is highly accessible to local services and facilities helping to reduce the reliance of future residents on travel by car.

The site is located within an established residential area. The development of new homes in the area will assist with continuing efforts to regenerate Brierfield, which has seen some success in recent years with the redevelopment of Brierfield Mills. Whilst the site currently provides an area of openness within an area of dense settlement, the site is not publicly accessible and as such does not have a formal role in providing recreational opportunities for local residents.

The site is cleared and is subject to only limited constraints. One such constraint is the potential for surface water flooding from an existing culverted watercourse. The Council's SFRA confirms the extent of this local flooding, and its recommendations should be taken forward to inform the layout and design of the development. Sufficient drainage capacity, applying the SuDS hierarchy, is required on site to remove the potential for flood risk on site (accounting for the effects of Climate Change). Development must avoid any adverse effects for the existing watercourse which crosses the site through a culvert. Detailed assessment of this culvert is required to understand its condition and its potential as a source of flooding, with any improvement required, delivered as part of the development of the site for housing.

A further potential hazard is the potential of the site's historic use for mining. To ensure that the redevelopment of the site does not pose a risk to human health, cause environmental pollution, or undermine the structural integrity of existing nearby buildings and infrastructure, a ground investigation examining the site for mining works will be required as part of any planning application to develop the site.

To ensure that the site does not adversely affect local character or local biodiversity, the development should integrate with the existing community and retain existing site

## Locations for Sustainable Growth

features such as trees. New dwellings should reflect the scale and form of nearby existing dwellings, and positively address existing roads fronting these as far as possible.

P064	Brook Shed, Earby	Capacity	48
<p><b>Site specific requirements:</b></p> <ol style="list-style-type: none"> <li>1. The site has capacity for around 48 dwellings. A broad mix of dwelling types and sizes should be provided on site. At least 5% of new homes should be affordable housing. The development of apartments as a proportion of dwellings provision at this site may be suitable.</li> <li>2. Vehicle access is to be taken from New Road.</li> <li>3. Subject to confirmation of structural integrity, the existing chimney at New Road should be retained and incorporated into the design and layout of the development.</li> <li>4. Proposals should make use of the Engine House fronting New Road, prioritising the reuse of the building. The use of this building must: <ol style="list-style-type: none"> <li>a. Not cause unacceptable effects on the amenity of existing or new residents,</li> <li>b. Comply with the Council's parking standards (<a href="#">Policy DM37</a>),</li> <li>c. Protect the operation and safety of the public highway and road users,</li> <li>d. Safeguard internal and external features of historic value,</li> <li>e. Comply with Policies <a href="#">DM42</a> and <a href="#">DM44</a>.</li> </ol> </li> <li>5. It must be demonstrated how the proposal responds to the character and qualities of the local built environment, including the Earby Conservation Area.</li> <li>6. New Cut should form the focus of open space and ecological enhancement measures provided as a part of the development.</li> <li>7. Development must avoid areas of the site confirmed to be within Flood Zone 2/3 as set out in the Pendle Phase 2 SFRA.</li> <li>8. Prior to the construction of any new dwelling, comprehensive and safe remediation of the site is required to address any ground contamination resulting from the site's former use. A Construction Method Statement will be required confirmed how contaminated materials will be stored and removed from the site.</li> </ol>			
<p><b>Justification:</b></p> <p>The site is located centrally within Earby. The site was occupied by a mill which has now largely been cleared, is vacant, and is partially overgrown. The site in its current form largely detracts from the quality of the wider built environment. However it does feature a number of structures which contribute to the historic environment. The site is also located near the Earby Conservation Area. Special regard will be required to the built qualities and character of the wider Earby Conservation Area particularly for the development and treatment of the frontage to the site.</p> <p>New cut flows along the western boundary of the site and has associated flood risk. This flood risk, as confirmed through the SFRA, will require a design response. Sufficient water storage capacity will be required on site to protect future users from flooding as well as other nearby land uses. The watercourse provides an opportunity to focus the provision of new open space and ecological enhancements to the benefit of residents and wildlife.</p>			



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The site is previously developed and was formerly used for industrial activity. The site is therefore likely to experience some level of contamination which will need to be treated effectively before the redevelopment of the site for housing takes place. Safe removal and storage of removed materials will also be required.

<b>P067</b>	<b>Land South of Colne Water, Cotton Tree Lane, Colne</b>	<b>Capacity</b>	<b>50</b>
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**Site specific requirements:**

1. The site has capacity for around 50 dwellings. A broad mix of dwelling types and sizes should be provided on Site. The provision of affordable housing is encouraged. At least 5% of new homes should be made available for self-build/custom build in accordance with the requirements of [Policy DM27](#).
2. The existing open frontage of the site adjacent to Colne Water should be kept free from development to maintain the character of the site when viewed from Cotton Tree Lane.
3. Prior to the construction of any new dwellings on site, a structural survey of the existing bridge over Colne Water should be undertaken to understand its long-term structural integrity and its suitability as the principle point of access into the development site (during construction and through the site's long term occupation).
4. Prior to the construction of any new dwellings, comprehensive and safe remediation of the site is required informed by detailed site investigation submitted to and approved by the Council. A Construction Method Statement will be required confirming how contaminated and waste materials will be stored and removed from the site.
5. The development must not result in any existing or proposed properties being at unacceptable risk of flooding from any sources. Surface water flooding should be managed within the site, with a greenfield run-off rate for surface water discharge into Colne Water. Means of treatment of surface water should be provided within the drainage system provided on site to avoid the polluting of Colne Water. A permanently dry means of accessing the site should be provided.
6. Prior to construction of any new dwellings, detailed investigation is required relating to the structural integrity of the riverbank of Colne Water for its risk of future collapse or erosion. Any works required in response should not be a barrier to natural river processes, result in adverse effects for biodiversity, or obstruct recreation use and access to the river. New dwellings must be sufficiently offset from the riverbank to ensure that they are not at regular risk of flooding, do not pollute the watercourse, or are at risk from collapse as a result of future erosion.
7. The development should preserve the role of Colne Water within the local Green Infrastructure network.
8. A footpath link connecting the site with the existing footpath network along Colne Water should be provided. This link should promote accessibility for all members of the community.

**Justification:**

The site is currently occupied by an engineering business but will soon become vacant due to planned relocation. The site is made up of both previously developed land and greenfield land. The site is located at the edge of the settlement boundary of Colne and is currently open countryside. Existing residential development is located to the north and west of the site on the north bank of Colne Water. The site benefits from relatively



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strong containment provided by surrounding natural features and its low-lying position, which helps to limit the site's visibility from wider viewpoints. The site is located close to an existing bus route providing public transport services into Colne, Nelson and Burnley. The site is within walking distance of shops and services located at the nearby roundabout. Recreation and school provision is also accessible nearby.

Development of the site would meet the residual housing needs of Colne and the wider M65 corridor. The locality has proven a popular location for the market with strong sales and build rates recorded. As a result the proposal is considered deliverable within the plan period as demonstrated by the submission of a recent planning application for the redevelopment of the site for housing.

The site is however not without its constraints and sensitivities which need to be fully accounted for through the design and construction process to avoid adverse effects for local landscape, biodiversity, and recreation.

Based on a desktop assessment of the site it is estimated that 2ha are developable. Site specific evidence will be required to inform the capacity of the site.

The site is currently used for manufacturing and as such may be subject to contamination. This will require careful management and disposal through the construction process to avoid harmful effects for the local environment.

The site relates closely to Colne Water. The SFRA confirms a level of surface water flood risk at the site, which needs to be managed effectively through the development of the site to avoid any increased risk of flooding for new or existing residents. The close relationship of the site to Colne Water also means that there is a potential for pollution through the development process and future occupation. This again requires specific attention through the design process in order to ensure that this is avoided.

To ensure safe development of the site the integrity of the existing road bridge and riverbank will need to be assessed and addressed as part of any development of the site. The solutions for these works will however need to be taken into account and protect natural river processes, biodiversity and the role of the area for recreation to avoid potentially significant adverse consequences for these issues as a result of developing the site for housing.

The site however benefits from opportunities brought by its well contained riverside location. This includes the potential for a high-quality development that integrates sensitively into the wider natural environment. Opportunity to link with and expand the green infrastructure network as provided by Colne Water should be taken by development proposals relating to the site's development.

<b>P237</b>	<b>Land at former Barnsey Shed, Long Ing Lane, Barnoldswick</b>	<b>Capacity</b>	<b>128</b>
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### Site specific requirements:

1. The site has capacity for around 128 dwellings. A broad mix of dwelling types and sizes should be provided on Site. At least 5% of new homes should be affordable housing in accordance with [Policy DM23](#). A further 5% of new homes should be made available for self-build/custom build in accordance with the requirements of [Policy DM27](#).

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2. Vehicular access is to be taken from Long Ing Lane. The Development should provide pedestrian connectivity with the Leeds and Liverpool Canal Towpath and wider footpath network.
3. New dwellings should be of a high-quality design and appearance, with the scale and density of development consistent with the site's edge of settlement location. New dwellings should positively address the Leeds and Liverpool Canal. The development should enhance the setting of Barnoldswick.
4. The effects of neighbouring commercial uses on future residents of the site will need to be assessed with appropriate mitigation measures implemented through the design and layout of the development.
5. Prior to the construction of any new dwellings, comprehensive and safe remediation of the site is required informed by detailed site investigation submitted to and approved by the Council. A Construction Method Statement will be required confirming how contaminated and waste materials will be stored and removed from the site.
6. New dwellings should be sufficiently offset from the Leeds and Liverpool Canal to retain its structural integrity. This offset should be used effectively to enhance the Leeds and Liverpool Canal as a green corridor and support its role for biodiversity.
7. A landscaping scheme is required which provides effective management and enhancement of the site's boundaries, inclusive of the offset to the Leeds and Liverpool Canal.
8. A sufficient drainage scheme, prioritising the use of SuDS, should be incorporated through the design and layout of the proposal, securing greenfield runoff rate with sufficient allowance made to account for the predicted effects of climate change.

**Justification:**

Land at the former Barnsey Shed, forms a now overgrown previously developed site located to the south east of Barnoldswick. The site is accessible to existing shops, services and sources of employment available within the town, and provides the opportunity to make effective use of the town's brownfield land supply to meet its housing needs. The site itself extends beyond Barnsey Shed to the south and includes greenfield land that is located within the open countryside.

The site has previously benefited from outline planning permission for housing (now lapsed). The principle of developing the site for housing is therefore established. The detailed application was refused and dismissed at appeal for insufficient information regarding drainage issues identified within the field to the south. It is anticipated that an acceptable solution exists to address this matter.

The availability of the site is demonstrated by recent application activity on site. The site is being promoted by a housebuilder with a strong record of housing delivery locally. The site is therefore deliverable in full within the plan period and will help meet residual housing needs identified both within Barnoldswick and the wider West Craven spatial area.

Despite being partially previously developed, the site has some sensitivities which require a careful design response to avoid adverse effects for landscape, the environment, or existing residents and users of the Leeds and Liverpool Canal. A detailed assessment of contamination on site and solution for its effective remediation is

## Locations for Sustainable Growth

required as part of any planning application to avoid harmful effects for the local environment or future residents.

The site is also located close to the manufacturing plant and distribution centre of Silentnight, an important local employer and contributor to the local economy. A design solution is required to ensure that its operations do not adversely affect future residents of the site.

The site is adjacent to the Leeds and Liverpool Canal. The development must not threaten the integrity of the canal structurally, as a source of recreation, or its role for biodiversity, and should as far as possible enhance this corridor where this is suitable. This includes providing pedestrian linkages between the site and canal to encourage its use for recreation to support the health and wellbeing of residents. Ensuring that development faces towards and addresses the canal, to provide for a quality environment and experience. Siting open space and landscaping along the canal corridor to support the canal's recreation and biodiversity role.

The site is located at the edge of Barnoldswick with open countryside located beyond to the south and east which fulfils a strong role within the Drumlin field Landscape Character Area. The development must ensure that any adverse effects on local landscape are kept temporary in nature. It should ensure that any perceptions of urban sprawl are minimised. It should make the most of the opportunity provided to enhance the setting of the settlement and soften the settlement edge and boundary between urban and rural.

### P256 Land at Giles Street, Nelson

### Capacity

30

#### Site specific requirements:

1. The site has capacity for around 30 dwellings. The site could accommodate a range of dwelling types and sizes and may be suitable to address specialised housing need. The delivery of affordable housing on site is supported.
2. Subject to effects of adjacent uses and users, the site represents a suitable location for a high-density development.
3. The development should provide for quality new housing which enhances the local built environment.
4. Development should promote surveillance of existing spaces, and as far as possible positively address existing major roads.
5. The effects of neighbouring commercial uses on future residents of the site will need to be assessed with appropriate mitigation measures implemented through the design and layout of the development.
6. Subject to confirmation through detailed site modelling, attenuation storage may be required on site to minimise the potential of flooding and mitigate the effects of climate change.

#### Justification:

The site is identified as a housing opportunity site being within the Bradley Area Action Plan and adopted Nelson Masterplan. The principle of developing housing on site is therefore established. Its development would help to increase the number of high-quality homes available within Nelson, providing for an increased amount of housing stock.

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The site is highly accessible to existing shops, services and sources of employment located within Nelson Town Centre and further afield. The site sits just off Leeds Road (A56) which is a high-quality public transport corridor. Adopting National Planning Policy, and subject to the consideration of effects of doing so on existing residents and uses, the site may be suitable to accommodate a high-density development.

The site is located close to the culverted course of Walverden Water and may be subject to flood risk. Subject to confirmation through detailed on-site modelling commissioned by the Council, attenuation storage capacity should be provided on site as part of any development of the site.

The site is cleared and is made up of several streets which is currently absent of development. The redevelopment of the site may make use of this street pattern or adopt a new internal layout depending on the type of development which comes forward at the site. In the interest of the prevention of crime, the development should be designed to promote surveillance and safe walking routes. In the interest of good design the development should be outward facing, positively addressed existing and retained streets.

**P267 Land at former LCC Depot, Halifax Road, Brierfield****Capacity****9****Site specific requirements:**

1. The site has capacity for around 9 dwellings. A broad mix of dwelling types and sizes is encouraged at the site.
2. New dwellings should be consistent with the scale and density of adjacent development.
3. Access is to be taken from Halifax Road.
4. A Tree Survey confirming the quality and health of existing trees on site is required. As far as possible existing trees Categorised as A and B should be retained and incorporated into the layout and design of the Development.
5. Prior to the construction of any new dwelling, comprehensive and safe remediation of the site is required to sufficiently address any ground contamination resulting from the site's former use. A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the site.

**Justification:**

The site forms a small scale vacant previously developed location within the settlement boundary of Brierfield. It benefits from excellent accessibility to Brierfield Town Centre, public transport corridors, recreational opportunities, and education provision. The redevelopment of the site for housing would be consistent and compatible with surrounding uses, it would make effective use of previously developed land, and assist with continuing efforts to regenerate Brierfield. At under 1 hectare, the allocation of this site provides an opportunity to broaden the supply of housing land in a sustainable location, providing for greater market choice and support for SME housebuilders.

The overgrown condition of the site may mean that it holds some importance for wildlife which will need to be understood and accounted for before the site is redeveloped for housing. Existing trees of higher quality should be retained to promote tree coverage in the Borough. The previously developed nature of the site means that there is a requirement to safely remove and treat any contaminated land which may exist from its previous use before the site is suitable for the construction of new dwellings. The

## Locations for Sustainable Growth

redevelopment of the site would make an important contribution to housing needs locally and deliver of a mix of sizes and types of dwellings. The provision of affordable housing at the site is welcomed.

**P326 Land off Barkerhouse Road, Nelson****Dwellings****12****Site specific requirements:**

1. The site has capacity for around 12 dwellings. A broad mix of dwelling types and sizes is supported at the site.
2. Proposals should ensure safe and sufficient access and egress accounting for on-street parking and vehicle speeds.
3. Any estate road serving the development should avoid direct access onto Barkerhouse Road.
4. The proposal should not interfere with the existing bus stop on Barkerhouse Road.
5. The scale and type of housing provided should be harmonious with adjacent development.
6. The size, spacing, and orientation of proposed dwellings must not result in unacceptable adverse effects on the amenity of existing or new residents.
7. New dwellings should positively address Barkerhouse Road where possible.

**Justification:**

Former site of a nursery (now demolished and cleared) within the settlement boundary of Nelson. The site is accessible to a good range of services including the One Stop shop located opposite and Great Marsden St John's School located nearby. The number six bus service operates along Barkerhouse Road and has a bus stop outside the site.

The site has previously been subject to promotional activity, having previously gained approval for housing (now lapsed). The principal of developing housing on site has therefore been established. The allocation of the site is aimed at securing the much-needed redevelopment of the site for housing in the longer term. This is reflected by the anticipated delivery later in the plan period.

The site is of limited scale and faces limited constraints. The proposal provides the opportunity to a local housebuilder supporting local SMEs and diversifying housing products provided over the plan period.

Proposals should be compatible in scale and form with existing residential development located close to and adjoining the site. This will ensure that the proposal contributes to the quality of the local built environment and safeguards against adverse effects on health and wellbeing of existing residents. The proposal should be of high quality and provide for attractive frontage along Barkerhouse Road.

## Locations for Sustainable Growth

**AL02: Employment site allocations****Policy Text**

1. In addition to the strategic employment site at Lomeshaye, between Nelson and Brierfield (16 hectares), to help meet the employment land requirement set out in [Policy DM40](#), the following sites are allocated for industrial (B2) and warehousing (B8) uses.
2. The boundary of each employment site allocation is defined on the Policies Map.

**Table AL02a Employment Land Allocations**

Ref	Site Name and Location	Typology	Area (ha)
P013	West Craven Business Park Extension, Earby	Greenfield	7.00
P309 (part)	Land at Jackdaw Road, Barnoldswick	Brownfield/ Greenfield	5.39
Total:			12.39

3. Due to their strategic economic importance these sites are designated as Protected Employment Areas under [Policy DM41](#).
4. Proposals for other uses will be considered in accordance with the requirements of [Policy DM41](#).
5. Development proposals on these sites will be required to:
  - (a) Meet the site-specific policy requirements, which follow the Policy Justification.
  - (b) Address the design principles set out in [Policy DM16](#) and any other relevant policies in the Pendle Local Plan, or an adopted Neighbourhood Plan.

**Policy Justification**

- 8.22 The Pendle Economic Recovery and Growth Strategy (2021) recognises that the future prosperity of Pendle relies on the ability of new and existing businesses to provide a wide range of well-paid employment opportunities for local residents.
- 8.23 To help lay the foundations for a transformation in the Borough's economy, [Policy DM41](#) prioritises new opportunities for economic development that help to strengthen and diversify the local economy; with an emphasis on supporting priority growth sectors; encouraging entrepreneurial activity and new business formation; and assisting regeneration activity.
- 8.24 The on-going availability of a range of sites and premises in the right locations is a decisive factor in ensuring that our employment land supply can support a targeted growth strategy and act as a driver for economic development. The allocation of sites provides a unique opportunity to direct new employment opportunities to sustainable locations close to the areas of greatest need.

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- 8.25 The employment land requirement for the plan period to 2040 is established through the Housing and Economic Development needs Assessment (2023), 'HEDNA' and is reflected in [Policy DM40](#). The extension of the Lomeshaye strategic employment site (16.0 hectares net) has previously been allocated to help meet demand, which is focussed on the M65 Corridor. As evidenced by the HEDNA, the strategic extension to Lomeshaye Industrial Estate fulfils a critical role in achieving economic growth in Pendle over the plan period, the policies of the Local Plan therefore seek to support its delivery. A masterplan for the development<sup>99</sup> and delivery of the site has been prepared and the site benefits from outline planning consent. However, at the time of writing, the development of the site had not yet commenced.
- 8.26 The HEDNA concludes that much of the projected future employment needs of Pendle identified for the period to 2040 is met by committed developments taking place around the borough. The Council's annual monitoring will play a significant role in ensuring that the economic requirements of the Local Plan are fulfilled.
- 8.27 To further supplement this supply, the HEDNA recommends the allocation of two further sites to help ensure that the economic land requirements of the Local Plan are met in full. The report recommends the extension to the West Craven Business Park (as proposed for allocation through the abandoned Local Plan Part 2) and unallocated land at Jackdaw Road, Barnoldswick.
- 8.28 The extension to the West Craven Business Park is allocated to help to meet both quantitative and qualitative needs outside the M65 Corridor. Located immediately north of Earby, the estate has attracted a number of advanced manufacturing businesses because of its proximity to the large the Rolls-Royce facility in nearby Barnoldswick, which is at the eastern end of the largest aerospace cluster in Britain.
- 8.29 Land is also allocated for a small extension to the Crow Nest Industrial Estate in Barnoldswick, making best use of land and existing infrastructure at a location of limited constraint and sensitivity. The allocation of both sites will help support the West Craven economy, provide opportunities for job creation, and provide jobs which are accessible to existing communities.
- 8.30 The economic strategy of the Local Plan is completed by Policies DM41 and DM43. [Policy DM41](#) identifies and offers protection to the key employment areas in the Borough. These include the strategic employment site at Lomeshaye in the M65 Corridor and the site allocations in this policy. [Policy DM43](#), together with several other policies in the Local Plan promote mixed use development, to help make a positive contribution towards sustainable communities and helping to reduce the need to travel. But the HEDNA acknowledges that sites reserved for employment uses offer the most appropriate solution to the Borough's immediate and projected employment requirements. Where sites are not specifically allocated or protected for employment, national and local planning policy will be used to guide planning decisions.

<sup>99</sup> [https://www.pendle.gov.uk/info/20072/planning\\_policies/451/lomeshaye\\_development\\_brief](https://www.pendle.gov.uk/info/20072/planning_policies/451/lomeshaye_development_brief)



## Locations for Sustainable Growth

### Site Specific Policy Requirements

-	<b>Lomeshaye Strategic Employment Site</b>	32.59 ha
<b>Site specific requirements:</b> <ol style="list-style-type: none"> <li>1. The site is allocated for B2 and B8 uses.</li> <li>2. Site specific design requirements are set out in the <a href="#">Lomeshaye Development Brief (2018)</a></li> </ol>		
<b>Justification:</b> <p>The site was removed from the Green Belt and allocated for employment in the Pendle Core Strategy (2015). The Council will continue to promote the use of this land to meet the employment land requirements of the borough.</p>		

<b>P013</b>	<b>West Craven Business Park Extension, Earby</b>	<b>Site Area</b>	7.00 ha
<b>Site specific requirements:</b> <ol style="list-style-type: none"> <li>1. The site is allocated for B2 and B8 uses.</li> <li>2. Vehicular access will be through the existing West Craven Business Park providing direct access to the primary road network and public transport links. This is inclusive of servicing, goods, deliveries, staffing and visitors.</li> <li>3. The site should be accessible to walking and cycling infrastructure, with premises safely and sufficiently accessible by foot and bicycle.</li> <li>4. Early engagement between the applicant and infrastructure providers should be carried out to address any capacity issues and ensure the relevant infrastructure (e.g. utilities, broadband etc) is provided.</li> <li>5. Sustainable drainage systems (<a href="#">Policy DM02</a>) should be incorporated into the scheme and help to address known issues with surface water flooding as identified in the SFRA.</li> <li>6. A high-quality landscaping scheme should be developed, incorporating and enhancing natural features, as appropriate, but particularly where they would benefit the wider landscape character or ecological considerations. In particular the Council will require the Northern, Eastern, and Western boundaries of the site to be strengthened with landscaping and planting to minimise the effect of the development on the wider open countryside and landscape quality.</li> <li>7. A detailed development brief (including a design code) should be prepared to demonstrate that the site will be developed in an appropriate manner.</li> <li>8. The development will be required to addresses any potential environmental impacts arising from proposals including measures to prevent the pollution of Earby Beck.</li> </ol>			
<b>Justification:</b> <p>The site is located North of West Craven Business Park which has proven successful in terms of its occupation and helped to support the development of the aerospace industry in West Craven as a knowledge base cluster attracting higher skilled jobs. The extension of the West Craven Business Park gives the opportunity to build on this success, or to diversify the local economy to other industries.</p> <p>The allocation of the site will increase the opportunity to access sources of employment locally. It will provide for a renewed supply of employment land in West Craven aiding the delivery of a coordinated spatial strategy with the development of new housing</p>			



## Locations for Sustainable Growth

required over the remainder of the Plan period. The site is located adjoined to Earby and is accessible to existing services and facilities by foot, as well as being served (from Skipton Road) by public transport. The site strategically well positioned, being located on the A56 between Colne and Skipton, at the lowest crossing of the Pennines and thus has the benefit of being accessible to both Lancashire and Yorkshire.

It is recognised that the construction of Class E(g) uses at the site is consistent with the employment function of the site and the purpose of its allocation. Such uses may support specific industries provided at the site, strengthening the role and function of the site within the economy, and support the creation of local jobs. As a result a limited allowance for Class E(g) uses is set out within policy. The amount of Class E(g) permitted on site is limited to avoid undermining the allocation of the site for Employment (defined at B2 and B8 in the policy). Class E uses encompasses a wide range of uses which also includes restaurants, retail, and nurseries. As a result, to protect the role and function of our town centres and to avoid a dilution of the primary employment function of the site, planning conditions will be used to prevent the change of use of Class E(g) uses to other forms of development also identified within Class E.

There are a number of constraints affecting the site which need to be satisfactorily addressed before development can be allowed to take place. Parts of the site are confirmed to have a high risk of flooding from surface water, and so it is important, to avoid disruption to potential future occupiers, and an increase of flood risk in offsite locations that these parts of the site remain free from development wherever possible. Sufficient capacity and drainage should also be provided within the design and layout of the development, to avoid any increases in flood risk because of the site's development. Runoff from the site into Earby Beck will need to be treated and managed to prevent an increase in flood risk downstream from the development and to protect the quality of water in the river. The drainage scheme for the site should be developed in consultation with the Environment Agency and Yorkshire Water.

The site sits at the foot of a relatively narrow and steeply sided valley. Whilst West Craven Business Park is highly prominent within this landscape, efforts should be taken through the development to minimise effects caused on the wider rural landscape and viewpoints from public routes. There will be need for careful landscaping and boundary treatment works to ensure that the development does not adversely affect the character and quality of the local landscape. Landscaping and a sufficient buffer to any development along the site's western boundary will be required to minimise the potential for adverse effects on the integrity of the Biological Heritage Site running along the former Colne to Skipton railway line.

-	<b>Land at Jackdaw Road, Barnoldswick</b>	<b>Site Area</b>	5.39 ha
<b>Site specific requirements:</b> <ol style="list-style-type: none"> <li>1. The site is allocated for B2 and B8 uses.</li> <li>2. Vehicle access should be taken from Jackdaw Road.</li> <li>3. The proposal should seek to promote access by foot and bicycle. Premises should be safely accessible by foot and bicycle with on-site secure bicycle storage provided. Proposals should explore opportunities to enhance connectivity to the Leeds and Liverpool Canal Towpath.</li> </ol>			

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4. Early engagement between the applicant and infrastructure providers should be carried out to address any capacity issues and ensure the relevant infrastructure (e.g. utilities, broadband etc) is provided.
5. Sustainable drainage systems ([Policy DM02](#)) should be incorporated into the scheme and help to address surface water flooding issues as identified within the SFRA.
6. A landscaped buffer should be provided between proposed industrial units and the Leeds and Liverpool Canal. This buffer should seek to minimise the visual impacts of the proposal on the setting of the canal. It should also seek to strengthen the green infrastructure corridor provided by the canal and the role provided for wildlife and recreational activity.
7. The development addresses any potential environmental impacts of developing the site for industrial uses and subsequent operational effects, in particular measures to prevent the pollution of the Leeds and Liverpool Canal, Crow Nest Syke, and effects on the health and wellbeing of nearby residences.
8. Proposals should ensure sufficient offset distances are provided to nearby dwellings to prevent overshadowing, overbearing, and effects on privacy/amenity.

**Justification:**

The site is undeveloped sitting within the settlement boundary of Barnoldswick. The site is closely related to exist employment land uses found within the Long Ing Lane Protected Employment Site. The site is not located within this area and is designated as white land. The site provides a logical and relatively unconstrained opportunity at which to meet future employment needs, supporting the growth and diversification of the West Craven economy.

The site is well linked to the Town Centre of Barnoldswick, existing residential areas and road infrastructure. Its development will help sustain local businesses and services and provide new job opportunities to local residents. The centralised location of the site gives rise to the opportunity to promote access by foot and bicycle by the wider workforce limiting the need to travel by car. Design responses within the development, and inclusion of cycling storage facilities and new footpath connectivity to the canal towpath would further encourage this desired modal shift.

The site is located close to existing employment uses and may be subject to contamination. Further assessment is required to understand the presence, nature and extent of this contamination, with this safely treated, extracted and removed, as necessary. This is important noting the sensitive location of the site adjacent to the Leeds and Liverpool Canal and presence of a watercourse which runs along the frontage of the site.

Whilst located in an area which is largely in employment use, the site is also situated near existing dwellings located on Roundell Road and Avon Drive. Proposals must avoid any unacceptable harm caused to the health and wellbeing of existing residents, either because of the construction process, operational effects (i.e. as a result noise, lighting, vibration, odour and air quality) and proximity of development (resulting in overbearing, overshadowing, loss of privacy etc). A full assessment of the likely impacts of the development and existing neighbouring uses on future residents of the site will be required. This assessment will also need to consider the effects of proposals within commercial parts of the site on vulnerable uses or occupiers. The Council will expect effective design responses to be made within proposals for the site's development to ensure that any effects are kept within acceptable levels.

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The Leeds and Liverpool Canal, functions as an important corridor for wildlife and source of recreation for residents. The development of the site should ensure that there are not any harmful effects on the environmental quality of the canal corridor because of developing the site and its longer-term operation/occupation. This includes ensuring that the water course is not contaminated during ground and construction works, and that future industrial activity and processes do not pollute the canal.

The proximity of the site to the Leeds and Liverpool Canal also gives rise to opportunities to enhance this corridor for the benefit of wildlife, to boost recreational activities, and to improve the built and natural environment along the canal. Pedestrian links to the towpath, directly accessible recreation areas from the canal, the provision of ecological enhancement measures along this corridor, and orientating new dwellings of appropriate scale and architecture to positively address the canal are measures outlined within the policy which seeks to secure this.

## Locations for Sustainable Growth

## **Part Five: Appendices**

## **Appendix 1: Housing trajectory**

## Housing Trajectory (Summary)

Supply Source	Total	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39	2039/40	Post 2040
Trajectory of Proposed Allocations	505	0	0	0	75	100	84	66	43	40	28	49	20	0	0	0	0	0	0	0
Trajectory of Neighbourhood Plan Sites without planning permission	108	0	0	3	3	0	5	5	0	0	0	24	24	15	13	10	6	0	0	0
Committed Major Sites with Planning Permission	1132	174	126	112	139	113	82	74	64	49	40	82	50	27	0	0	0	0	0	55
Small Sites with Planning Permission	196	57	103	31	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Small Site Windfall Allowance	570	0	0	0	38	38	38	38	38	38	38	38	38	38	38	38	38	38	38	0
Total Provision (All Sources)	2511	231	229	146	260	251	209	183	145	127	106	193	132	80	51	48	44	38	38	55

### Housing Trajectory (Detailed)

[illegible]

Site Reference	Site Name	Settlement	Net Total	Completed	Available	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39	2039/40	Post 2040
P067	Land south of Colne Water	Colne	50	0	50	0	0	0	20	20	10	0	0	0	0	0	0	0	0	0	0	0	0	0
P237	Barnsey Shed, Long Ing Lane	Barnolds wick	128	0	128	0	0	0	20	20	20	20	20	20	8	0	0	0	0	0	0	0	0	0
P257	Giles Street	Nelson	35	0	35	0	0	0	15	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0
P267	Former LCC Deport, Halifax Road	Brierfield	9	0	9	0	0	0	0	0	0	0	0	0	0	9	0	0	0	0	0	0	0	0
P326	Barkerhouse Road	Nelson	12	0	12	0	0	0	0	0	6	6	0	0	0	0	0	0	0	0	0	0	0	0
TFNP01 1	Land adjacent to 37 Hollin Hall	Trawden	6	0	6	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TFNP01 2	Land to the rear of Black Carr Mill	Trawden	10	0	10	0	0	0	0	0	5	5	0	0	0	0	0	0	0	0	0	0	0	0
CNDP6/4	Buck Street	Colne	10	0	10	0	0	0	0	0	0	0	0	0	0	5	5	0	0	0	0	0	0	0
CNDP6/6	Shaw Street	Colne	18	0	18	0	0	0	0	0	0	0	0	0	0	5	5	5	3	0	0	0	0	0
CNDP6/9	Thomas Street	Colne	8	0	8	0	0	0	0	0	0	0	0	0	0	4	4	0	0	0	0	0	0	0
CNDP6/15	Bankfield Street (Bunkers Hill)	Colne	56	0	56	0	0	0	0	0	0	0	0	0	0	10	10	10	10	10	6	0	0	0



[illegible]



[illegible]





[illegible]

## **Appendix 2: Local Sites**

## Local Sites

Local sites are non-statutory areas designated at local level for their significant nature conservation value. In Pendle they include:

- [Local Nature Reserves](#) (LNR) – a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 (as amended) by a principal local authority.<sup>100</sup>
- [Biological Heritage Sites](#) (BHS) – approved by a review panel, which comprises ecologists from Lancashire County Council, the Wildlife Trust for Lancashire, Manchester and North Merseyside and Natural England.
- [Local Geodiversity Sites](#) (LGS) – identified by [GeoLancashire](#)
- Sites of Local Natural Importance (LNI) – designated by Pendle Borough Council

The following table lists the sites in Pendle by name, in alphabetical order

Site Name	Location	BHS	LGS	LNI	LNR
Alkincoats Woodland	Red Lane, Colne				✓
Antley Gate	Boulsworth			✓	
Ball Grove Lodge	Ball Grove Drive, Colne			✓	
Bank House Flushes	Wycoller	93NW05			
Banks Ends, Middle and Hollin Woods	off Stang Top Road, Roughlee	84SW12			
Barden Lane Fields, Reedley Hallows	off Barden Lane, Reedley Hallows	83NW10			
Barley Car Park Field	The Avenue, Barley	84SW04			
Barley Road Pasture	Heys Lane, Barley	84SW05			
Barrowford Locks Hills and Hollows	off Francis Avenue, Higherford	84SE10			
Birch Hall Lane Grassland	Birch Hall Lane, Earby	94NW02			
Black Moss Pasture	Moss Road, Roughlee	84SW09			
Black Moss Reservoirs	Barley Lane, Barley	84SW06			
Bleara Moor	Bleara Lane, Earby	94NW04			

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<sup>100</sup> As defined in the Local Government Act 1972, Section 270



Site Name	Location	BHS	LGS	LNI	LNR
Broach Pasture	East of Foulridge	84SE09			
Burn Moor	off Gisburn Road, Blacko	84SW14			
Castercliffe	off Southfield Lane, Colne		✓		
Castor Gill	Wheathead Lane, Roughlee	84SW13			
Catlow Valley	Robin House Lane, Catlow	83NE02			
Claude's Clough – Admergill Water	Blacko Bar Road, Roughlee	84SE01			
Coldwell Reservoirs	Back Lane, Coldwell	93NW02			
Colne/Skipton Disused Railway	Colne to Borough boundary	84NE03			
Colne Water Pastures	North East of Cotton Tree	94SW04			
Corn Close / Bent Moor	Boulsworth			✓	
Emmot House Grassland	off Keighley Road (A6068), Laneshaw Bridge	94SW04			
Fir Trees Brook	Fir Tress Road, Higham	83NW02			
Flake Hill Moor	Trawden			✓	
Foulridge Reservoirs	off Skipton Road (A56), Foulridge	84SE07			
Gilford Clough (Trawden Brook)	Trawden	93NW03			
Gib Hill Fields	off Gib Hill Road, Nelson	83NE04			
Greenfield	Greenfield Road, Colne			✓	
Greenfield	Greenfield Road, Colne				✓
Harden Clough	off Dotcliffe Road, Kelbrook	94SW02			
Heald Wood	off Lower Manor Lane, Reedley Hallows	83SW06			
Higher Old Laund Pastures	off Barrowford Road (A6068), Fence	83NW08			
Hollin Brow	Off Stang Top Road, Roughlee	84SW11			
Kelbrook Moor, Wood and Grassland	off Cob Lane, Kelbrook	94SW01			
Leeds and Liverpool Canal Section (1)	Borough boundary to M65 Junction 12	83NW11			
Leeds and Liverpool Canal Section (2)	M65 Junction 12 to Barrowford Locks			✓	

Site Name	Location	BHS	LGS	LNI	LNR
Leeds and Liverpool Canal Section (3)	Barrowford Locks - Foulridge Tunnel	84SE03			
Leeds and Liverpool Canal Section (4)	Foulridge Wharf to County boundary	84SE08			
Lodge Hill Syke, Bracewell	Off Bracewell lane (B6251), Bracewell	84NE01			
Lomeshaye Marsh and Green	off Kirby Road, Lomeshaye Industrial Estate, Nelson	83NW12			✓
Lower Blacko Water	off Gisburn Road, Blacko	84SE02			
Lower Ogden Reservoir Grasslands	Barley	83NW13			
Moor Isles Clough	off Wood End Road, Reedley Hallows	83NW04			
Old Laund Clough	off Barrowford Road (A6068), Fence	83NW09			
Pendle Hill	off Barley Green, Barley	84SW01			
Raven's Clough Wood	off Montford Road, Brierfield	83NW07			
Roundwood Swamp Meadows and Scrub	off Barden Lane, Reedley Hallows	83NW06			
Salterforth Railway Sections, Embankments and Cuttings	off Earby Road, Salterforth	84NE02	✓		
Sandhole Clough	off Standing Stone Lane, Foulridge	84SE04			
Shelfield Farm	Southfield Lane Nelson	83NE01			
Slacks Wood,	Barley New Road, Whitehough	84SW07			
Sough Pasture	off Colne Road, Sough	94NW01			
Spurn Clough	Greenhead Lane, Reedley Hallows	83NW05			
Standridge and Three Acre Cloughs	Standridge Clough Lane, Earby	94NW03			
The Crank	Wycoller	93NW04			
Tum Hill	off Southfield Lane, Colne		✓		
Turf Fields	Barley Lane, Barley	84SW03			
Turnholes Clough	Wycoller	93NW07			
Turnholes Flushes and Grassland	Wycoller	93NW06			
Upper Ball Grove Lodge	off Keighley Road, Colne				✓
Walverden Reservoir	off Brunswick Street, Nelson			✓	

Site Name	Location	BHS	LGS	LNI	LNR
Wanless Bridge Triangle	Red Lane, Colne	84SE11			
West Close Clough and Upper Fir Trees Brook	Barrowford Road, Higham	83NW03			
White Hough and Hugh Woods	Barley New Road, Whitehough	84SW08			
White Moor and Weets Hill	off Higher Lane, Salterforth	84SE06			
Whitemoor Reservoir	off High Lane, Hey, near Foulridge	84SE05			
Windle Field	off Birch Hall Lane, Earby	94NW05			
Wycoller Beck	off Carriers Row, Laneshaw Bridge	94SW03			

### **Appendix 3: Commuted sum calculator for affordable housing**

## Appendices

The off-site provision of affordable housing will be considered where the developer can demonstrate to the satisfaction of the Council that it is neither feasible, nor viable to provide the required level of affordable housing on site.

This methodology sets out how the financial contribution towards the off-site provision of affordable housing – known as a commuted sum – is calculated.

The payment of a commuted sum may be required in the following circumstances:

1. Where all the affordable housing requirement is to be provided off site
2. Where some, but not all the affordable housing requirement is to be provided on site
3. Where the affordable housing calculation yields a 'partial dwelling' (e.g. 7.4), a financial settlement will be required to cover the 'partial value' (e.g. 0.4).

The basis for the commuted sum calculation is either:

1. The average sales price by house type for the postcode area in which the development is located;<sup>101</sup> or where insufficient transactional data is available
2. The proposed sales price for units on the site.

An adjustment factor is used to represent the cost of land purchase and servicing that would be incurred by the Council or Registered provider. Land costs typically represent 40% of the open value market value of housing. Servicing and professional fees are estimated to be about 10% of the land value (or 4% of the total cost). The financial contribution sought will be 44% of the open market value of the residential units to be delivered through the planning permission.

The commuted sum will reflect the different dwelling types to be provided on site (i.e. it will be based on the market value of each dwelling type to be provided).

Where a site covers more than one postcode area the commuted sums payment will be based on the proportion of the proposed development falling within each postcode area.

Where a deferred payment or claw back arrangement is agreed, or where the trigger for payment is a date in the future (e.g. number of dwellings completed on site) the amount set out in the s106 agreement will be linked to future sales prices. If there is a reduction in property price below the value of the site when the s106 was agreed the Council will continue to require the amount set out in the s106 agreement.

The Commuted Sums Calculator on the Council's website can be used to identify any payment that may be required to support the provision of affordable housing in the borough. A screenshot is provided here for information.

<sup>101</sup> Land Registry house sales data for the most recently available calendar year will be used.

# Appendices

## Calculator

### Commuted Sums for Affordable Housing in Pendle

Please enter a value into all unshaded cells

Type of dwelling	Total	Detached	Semi-detached	Townhouse	Terraced	Flat or Maisonette	Source
<b>A</b> Number of <b>market value dwellings</b> to be provided on-site	20	4	4	4	4	4	Developer
<b>B</b> Market value of dwelling type (i.e. sale price) or average sales price for postcode in previous calendar year	£ 3,000,000	£ 200,000 115m <sup>2</sup>	£ 175,000 93m <sup>2</sup>	£ 150,000 90m <sup>2</sup>	£ 125,000 79m <sup>3</sup>	£ 100,000 50m <sup>2</sup>	Developer / VOA MHCLG
<b>C</b> Number of <b>affordable dwellings</b> to be provided on-site	5	1	1	1	1	1	Developer
<b>D</b> <b>Total number of dwellings</b> to be built on site [A+C]	25	5	5	5	5	5	
<b>E</b> Percentage of affordable housing required by Policy LIV4	30%	30%	30%	30%	30%	30%	Local Authority
<b>F</b> Number of affordable dwellings required on-site by Policy LIV4 [DxE]	7.50	1.50	1.50	1.50	1.50	1.50	
<b>G</b> Number of affordable dwellings required off-site to maintain the overall ratio of affordable housing to market housing required by Policy LIV4.	3.57	0.71	0.71	0.71	0.71	0.71	
<b>H</b> Adjustment factor	0.44						
<b>I</b> Commuted sum required	£ 235,714	£ 62,857	£ 55,000	£ 47,143	£ 39,286	£ 31,429	

#### Notes

The adjustment factor represents the cost of land purchase and servicing incurred by Pendle Council or a Registered Housing Provider. Land costs typically represent 40% of the open market value of housing. Servicing and professional fees are calculated at 10% of the land value (i.e. 4% of the total cost). Any commuted sum will, therefore, be equivalent to 44% of the open market value of the residential units to be delivered through the relevant planning permission.

## **Appendix 4: Minimum space standards for new dwellings**

### Minimum Space Standards

The following table is taken from the government publication [Technical housing standards – nationally described space standard](#) (May 2015) with footnotes as amended on 19 May 2016.

Bedrooms (No.)	Bed spaces (Persons)	1-storey dwellings	2-storey dwellings	3-storey dwellings	Built-in storage (m <sup>2</sup> )
1	1	39 (37)	-	-	1.0
	2	50	58	-	1.5
2	3	61	70	-	2.0
	4	70	79	-	
3	4	74	84	90	2.5
	5	86	93	99	
	6	95	102	108	
4	5	90	97	103	3.0
	6	99	106	112	
	7	108	115	121	
	8	117	124	130	
5	6	103	110	116	3.5
	7	112	119	125	
	8	121	128	134	
6	7	116	123	129	4.0
	8	125	132	138	

2. Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m<sup>2</sup> for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.
3. GIAs for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bed spaces. GIAs for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the GIA provided that all aspects of the space standard have been met.
4. Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>, as shown bracketed.
5. Furnished layouts are not required to demonstrate compliance.

### Houses in Multiple Occupation

In December 2017, new rules setting minimum size requirements for bedrooms in houses of multiple-occupation were introduced:

- Room used for sleeping by one (1) adult: No smaller than 6.51m<sup>2</sup>.
- Room used for sleeping by two (2) adults: No smaller than 10.22m<sup>2</sup>.
- Room used for sleeping by children of 10 years and younger: No smaller than 4.64m<sup>2</sup>.



## **Appendix 5: Pendle car parking standards**

**Table 1: Accessibility Zones**

Zone	Position in the Settlement Hierarchy or Retail Hierarchy (Policies SDP2 and SDP5)
1	Main Town (within the Town Centre)
2	Main Town (outside the Town Centre), Local Service Centre (including the Local Shopping Centre)
3	Rural Service Centre, Rural Village or open countryside

**Table 2: Car Parking Standards**

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
B2	General Industrial	1 space per 35m <sup>2</sup> for first 235m <sup>2</sup> <b>plus</b> 1 space per 70m <sup>2</sup> for additional floor area over 235m <sup>2</sup>	As Zone 1	As Zone 1
B8	Storage & Distribution	1 space per 70m <sup>2</sup> for first 235m <sup>2</sup> <b>plus</b> 1 space per 140m <sup>2</sup> for additional floor area over 235m <sup>2</sup>	As Zone 1	As Zone 1
C1	Hotels	1 space per bedroom, including staff parking Any leisure or conference facilities forming part of the hotel complex should be considered separately.	As Zone 1	As Zone 1
C2	Hospitals	1 car space for every 3 beds <b>plus</b> 1 space per staff member 20% of spaces should be for disabled drivers	As Zone 1	As Zone 1
	Care / Nursing Homes	1 space per 4 beds <b>plus</b> 1 space per staff member 20% of spaces should be for disabled drivers	1 space per 5 beds	As Zone 2

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
	Sheltered Accommodation	1 space per 2 beds <b>plus</b> 1 space per resident member of staff <b>plus</b> 1 ambulance space	1 space per 3 beds	As Zone 2
	Training Centres / Halls of Residence	1 space per bed including staff parking	As Zone 1	As Zone 1
<b>C3</b> <sup>1</sup>	Terraced Houses, Townhouses, Flats, Apartments or Maisonettes (up to 2 bedrooms)	1 space per dwelling <b>plus</b> 1 secure cycle space whether parking is within the curtilage or communal parking is provided	As Zone 1	As Zone 1
	Terraced Houses, Townhouses, Flats, Apartments or Maisonettes (up to 3 bedrooms)	2 spaces per dwelling (if parking is within the curtilage) <b>plus</b> 1 secure cycle space <b>or</b> 1.5 spaces per dwelling (if communal parking is provided) <b>plus</b> 1 secure cycle space	As Zone 1	As Zone 1
	Terraced Houses, Townhouses, Flats, Apartments or Maisonettes (4 or more bedrooms)	3 spaces per dwelling (if parking is within the curtilage) <b>plus</b> 2 secure cycle spaces <b>or</b> 2 spaces per dwelling (if communal parking is provided) <b>plus</b> 2 secure cycle spaces	As Zone 1	As Zone 1
	Semi-detached / Detached Houses (up to 3 bedrooms)	2 spaces per dwelling <b>plus</b> 1 secure cycle space	As Zone 1	As Zone 1
	Semi-detached / Detached Houses (4 bedrooms)	3 spaces per dwelling <b>plus</b> 2 secure cycle spaces	As Zone 1	As Zone 1
	Semi-detached / Detached Houses (5 or more bedrooms)	4 spaces per dwelling <b>plus</b> 2 secure cycle spaces	As Zone 1	As Zone 1

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
<b>C4</b>	Small Houses in Multiple Occupation	1 space per bedroom	As Zone 1	As Zone 1
<b>E (a)</b>	Food Retail	1 space per 16m <sup>2</sup>	1 space per 15m <sup>2</sup>	1 space per 14m <sup>2</sup>
	Food Stores (over 2,000m <sup>2</sup> )	1 space per 15m <sup>2</sup>	1 space per 10m <sup>2</sup>	As Zone 2
	Non-Food Retail and Retail Services	1 space per 22m <sup>2</sup>	1 space per 21m <sup>2</sup>	1 space per 20m <sup>2</sup>
	Non-Food Stores (over 2,000m <sup>2</sup> )	1 space per 28m <sup>2</sup>	1 space per 26m <sup>2</sup>	1 space per 24m <sup>2</sup>
<b>E (b)</b>	Restaurants and Cafes	1 space per 6m <sup>2</sup> of public floor area	1 space per 5m <sup>2</sup> of public floor area	1 space per 4m <sup>2</sup> of public floor area
<b>E (c)</b>	Financial & Professional Services	1 space per 32m <sup>2</sup>	1 space per 30m <sup>2</sup>	1 space per 28m <sup>2</sup>
<b>E (d)</b>	Indoor Sport, Gyms	1 space per 23m <sup>2</sup>	1 space per 22m <sup>2</sup>	As Zone 2
<b>E (e)</b>	Medical and Health Facilities	1 space for every 2 members of staff <b>plus</b> 3 spaces per consulting room	1 space for every 2 members of staff <b>plus</b> 4 spaces per consulting room	As Zone 2
<b>E (f)</b>	Crèche, Day Nurseries and Day Care Centres	1.5 spaces for every 2 members of staff <b>plus</b> 1 drop-off zone for every 10 children	As Zone 1	As Zone 1
<b>E (g)</b>	Offices	1 space per 32m <sup>2</sup>	1 space per 30m <sup>2</sup>	As Zone 2
	Research & Development			
	Light Industry			
<b>F1 (a)</b>	Primary Schools, Secondary Schools and Madrasas	1 space per classroom/activity area	1.5 spaces per classroom/activity area	As Zone 2
	Sixth Form Centres and Further Education Colleges	1 space for every 2 members of staff <b>plus</b> 1 space for every 15 students	1 space for every 2 members of staff <b>plus</b> 1 space for every 10 students	As Zone 2
	Training Centres (Non Residential)	1 space per 30m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 1,000 m <sup>2</sup>	As Zone 1	As Zone 1
<b>F1 (b-d)</b>	Art Galleries, Museums and Libraries	1 space per 25m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 2,500 m <sup>2</sup>	As Zone 1	As Zone 1

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
<b>F1 (e-f)</b>	Public Halls and Places of Worship	1 space per 10m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 2,500 m <sup>2</sup>	As Zone 1	As Zone 1
<b>F1 (a)</b>	Essential Retail up to 280m <sup>2</sup> not within 1km of another store	N/A	N/A	1 space per 14m <sup>2</sup>
<b>F1 (b)</b>	Community Halls	1 space per 10m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 2,500 m <sup>2</sup>	As Zone 1	As Zone 1
<b>F1 (c)</b>	Outdoor Playing Pitches	1 space for every three players <b>plus</b> one coach space for every four pitches	As Zone 1	As Zone 1
<b>Sui Generis</b>	Cash and Carry Warehouses	1 space per 45m <sup>2</sup>	1 space per 40m <sup>2</sup>	As Zone 2
	Cinemas	1 space for every 6 seats	1 space for every 5 seats	As Zone 2
	Conference Facilities	1 space for every 6 seats	1 space for every 5 seats	As Zone 2
	Drinking Establishments	1 space per 6m <sup>2</sup> of public floor area	1 space per 5m <sup>2</sup> of public floor area	1 space per 4m <sup>2</sup> of public floor area
	Drinking Establishments with Expanded Food Provision			
	Filling Stations (Fuel)	1 space per pump <b>plus</b> any requirements associated with retail or hot food takeaway element (see Use Class Standard)	As Zone 1	As Zone 1
	Garden Centres	1 space per 25m <sup>2</sup> (enclosed display) <b>plus</b> 1 space per 100m <sup>2</sup> (open display)	As Zone 1	As Zone 1
	Hot Food Takeaways (including Drive Thru' Restaurants)	1 space per 12m <sup>2</sup>	1 space per 10m <sup>2</sup>	As Zone 2
	Large Houses in Multiple Occupation	1 space per bedroom <b>plus</b> 1 cycle space per 2 bedrooms	As Zone 1	As Zone 1
	Marinas (with residential moorings)	1 space for every 3 staff <b>plus</b> 1 space per berth <b>plus</b> 1 articulated vehicle space for every 10 berths	As Zone 1	As Zone 1

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
	Other Leisure Facilities	1 space per 23m <sup>2</sup>	1 space per 22m <sup>2</sup>	As Zone 2
	Places of Worship	1 space for every 8 seats <b>plus</b> 1 coach space (minimum)	As Zone 1	As Zone 1
	Stadia	To be negotiated on a case by case basis	As Zone 1	As Zone 1
	Taxi Booking Offices	1 space for every for every 2 office based members of staff	1 space for every office based member of staff <b>plus</b> 1 space for every 1.5 licensed vehicles.	To be negotiated on a case by case basis
	Theatres	1 space for every 6 seats <b>plus</b> 1 coach space (minimum)	1 space for every 5 seats	As Zone 2
	Vehicle Rental and Hire	1 space per 14m <sup>2</sup>	As Zone 1	As Zone 1
	Vehicle Repair and Servicing	1 space per 50m <sup>2</sup>	As Zone 1	As Zone 1
	Veterinary Clinics	1 space for every 2 members of staff <b>plus</b> 3 spaces per consulting room Where larger animals are treated adequate turning and manoeuvring space for larger vehicles with trailers must be provided	1 space for every 2 members of staff <b>plus</b> 4 spaces per consulting room Where larger animals are treated adequate turning and manoeuvring space for larger vehicles with trailers must be provided	As Zone 2
	Wholesale Car Sales	1 space per 25m <sup>2</sup> (showroom) <b>plus</b> 1 space per 100m <sup>2</sup> (open display) <b>plus</b> 1 space per 20m <sup>2</sup> (workshop)	As Zone 1	As Zone 1

**Table 3: Additional Parking Provision (all accessibility zones)**

Description		Disabled Vehicles	Bicycles	Motorcycles / PTW <sup>1</sup>
Public, Private and Commercial Car Parks	1-14 spaces	Each case treated on its merits with the presumption that an allocation of at least one space will be made where practicable.	1 bicycle space for every 10 car spaces	1 motorcycle space <b>plus</b> 1 motorcycle space for every 20 car spaces (1-99 car spaces) <b>plus</b> 1 motorcycle space for every 30 car spaces (over 100 car spaces)
	15-20 spaces	2 spaces minimum		
	21-199 spaces	3 spaces or 6% of total capacity (whichever is greater)		
	200+ spaces	4 spaces plus 4% of total capacity		
Car Parks for Hospitals, Care Homes and Nursing Homes (C2)	All	20% of all spaces should meet the mobility impaired standard		

<sup>1</sup>The term Powered Two Wheeler is used to describe a wide diversity of vehicles such as motorcycles, scooters and mopeds.

**Table 4: Minimum Dimensions**

Description		Dimensions (metres)			Comment
		Width	Length	Height	
<b>Car</b>	Non-residential space <sup>1</sup>	2.8	5.0	-	
	Mobility impaired space <sup>1</sup>	3.6	6.2	-	A hatched area is normally required to both sides (1.2m) and the rear (1.0m)
	Parent and child space <sup>1</sup>	3.6	6.2	-	A hatched area is normally required to both sides (1.2m) and the rear (1.0m)
	Residential driveway	3.0	5.5	-	If the space is located against a wall, or similar solid structure, the driveway parking width will increase to 3.3m.
	Residential parking court <sup>1</sup>	2.4	5.0	-	
	Residential garage (single)	3.0	6.0	2.4	An increase to 3.5m x 7.0m is recommended to allow for the storage of cycles etc.
	Residential garage (double)	5.8	6.0	2.4	An increase to 6.5m x 7.0m is recommended to allow for the storage of cycles etc.
	Residential garage (triple)	8.6	6.0	2.4	An increase to 9.5m x 7.0m is recommended to allow for the storage of cycles etc.
	Residential garage (with wheelchair access)	3.5	7.0	2.4	A width of 4.0m is recommended
<b>Cycles</b>	Bicycles	0.6	2.0	-	Cycle stands should be far enough apart to allow users to park and lock their cycle with ease. There should be at least a 0.65m gap from any wall, fence or kerb.
	Bicycle lockers (horizontal)	0.7	2.0	1.3	
	Motorcycles	1.4	2.4	-	
<b>Commercial / Specialist Vehicles</b>	Light Van	2.5	7.5	-	
	Rigid HGV / Ambulance	3.5	12.0	-	
	Coach	3.5	14.0	-	
	Articulated Vehicle	3.5	18.5	-	
	Operational Space	NA	NA	NA	Operational space should be provided in accordance with the requirements of the highways authority.

<sup>1</sup> A minimum of 6.0 metres clearance is required to enable cars to reverse out of a parking space.



## **Appendix 6: Protected Car Parks**

## Appendices

Name of Car Park	Settlement	Duration of Stay	Bays	Location
The Avenue	Barley	Long-stay	110	Out-of-Centre
Brook Street	Barnoldswick	Long-stay	20	Edge-of-Centre
Jepp Hill	Barnoldswick	Long-stay	5	Town Centre
North Avenue	Barnoldswick	Long-stay	21	Town Centre
Rainhall Road	Barnoldswick	Long-stay	44	Town Centre
Station Road	Barnoldswick	Long-stay	20	Town Centre
Wellhouse Road	Barnoldswick	Long-stay	38	Out-of-Centre
Booths (Pasture Lane)	Barrowford	Long-stay	98	Edge-of-Centre
Greenfield Road	Barrowford	Long-stay	30	Open Countryside
Holmefield Gardens	Barrowford	Long-stay	24	Out-of-Centre
Cross Street	Brierfield	Long-stay	26	Edge-of-Centre
Railway Street	Brierfield	Long-stay	14	Edge-of-Centre
Tunstall Square	Brierfield	Short and Long-stay	32	Town Centre
Wood Street	Brierfield	Long-stay	19	Town Centre
Colne Heath Centre	Colne	Short-stay	65	Town Centre
Colne Lane	Colne	Long-stay	28	Town Centre
Cross Skelton Street	Colne	Long-stay	41	Town Centre
Dockray Street (Red Lion)	Colne	Short-stay	91	Town Centre
Edward Street	Colne	Long-stay	26	Town Centre
Great George Street	Colne	Long-stay	6	Town Centre
Greenfield Road	Colne	Long-stay	30	Edge-of-Centre
Linden Road	Colne	Long-stay	83	Town Centre
Midgley Street	Colne	Long-stay	34	Town Centre
Nelson Street	Colne	Long-stay	44	Town Centre
Queen Street	Colne	Long-stay	29	Town Centre
Stanley Street	Colne	Long-stay	22	Town Centre
Windy Bank	Colne	Long-stay	10	Edge-of-Centre
Albert Street (Edward Street)	Earby	Long-stay	50	Town Centre
Water Street	Earby	Long-stay	8	Edge-of-Centre
Booth Street	Nelson	Short-stay	16	Town Centre
Broadway	Nelson	Short-stay	41	Town Centre
Calder Street/Clayton Street	Nelson	Long-stay	32	Edge-of-Centre
Carr Road	Nelson	Long-stay	50	Out-of-Centre
Wavelengths	Nelson	Short-stay	28	Town Centre
Chapel Street (2)	Nelson	Long-stay	67	Town Centre
Chatham Street	Nelson	Long-stay	20	Out-of-Centre

## Appendices

Name of Car Park	Settlement	Duration of Stay	Bays	Location
Cuba Street	Nelson	Long-stay	23	Town Centre
Every Street (Cross Street)	Nelson	Short-stay	20	Town Centre
Goitside	Nelson	Short-stay	148	Town Centre
New Brown Street	Nelson	Short-stay	22	Town Centre
Rigby Street	Nelson	Long-stay	35	Town Centre
Sagar Street	Nelson	Long-stay	19	Town Centre
Stanley Street	Nelson	Short-stay	20	Town Centre
The Palace, Holme Street	Nelson	Short-stay	28	Town Centre

## **Appendix 7: Criteria for the designation of Local Green Space**

## Appendices

In all instances the Council will require evidence why a site is of particular significance to the local community and why it warrants additional protection when compared to other areas of open space in the borough.<sup>102</sup>

**Stage 1:** A desktop assessment of the factual information provided. Criteria 1-5 are addressed in sequence. Where a site fails to comply with a particular criterion, no further assessment work is carried out and the site is not considered for designation as Local Green Space.

<b>Stage 1</b>	Criterion 1	The site nomination has been submitted by a Parish or Town Council on behalf of the local community.
	Criterion 2	There is no current planning permission on the site, which once implemented would undermine the merit of the proposed Local Green Space designation.
	Criterion 3	The site is not allocated for development as part of an adopted Local Plan or Neighbourhood Plan, or required to meet the borough's development needs.
	Criterion 4	The site is local in character and is not an extensive tract of land.
	Criterion 5	The Local Green Space designation would provide additional policy protection and its special characteristics cannot be protected through another policy designation or more adequate means.

**Stage 2:** For sites which pass through Stage 1, an assessment of the evidence submitted against each of the criteria is carried out. In view of the subjective nature of this assessment, the views of external organisations will be sought prior to designation, including but not limited to, commentary from the Lancashire Environmental Records Network (LERN) and the Lancashire Historic Environmental Record (LHER).

<b>Stage 2</b>	Criterion 6	Where the site is publicly accessible, it is within a reasonable walking distance of the community (or communities) that has nominated it for consideration.
	Criterion 7	The site is demonstrably special to one (or more) local communities and holds a particular local significance because of the "unique and special qualities" associated with its natural beauty, historic significance, recreational value, tranquillity or richness of wildlife.
	Criterion 8	The special characteristics of the site, together with any uses or activities which form part of the case for its designation, can be maintained and managed for the duration of the plan period.

A report setting out the conclusions of the assessment will form part of the evidence base for the Local Plan.

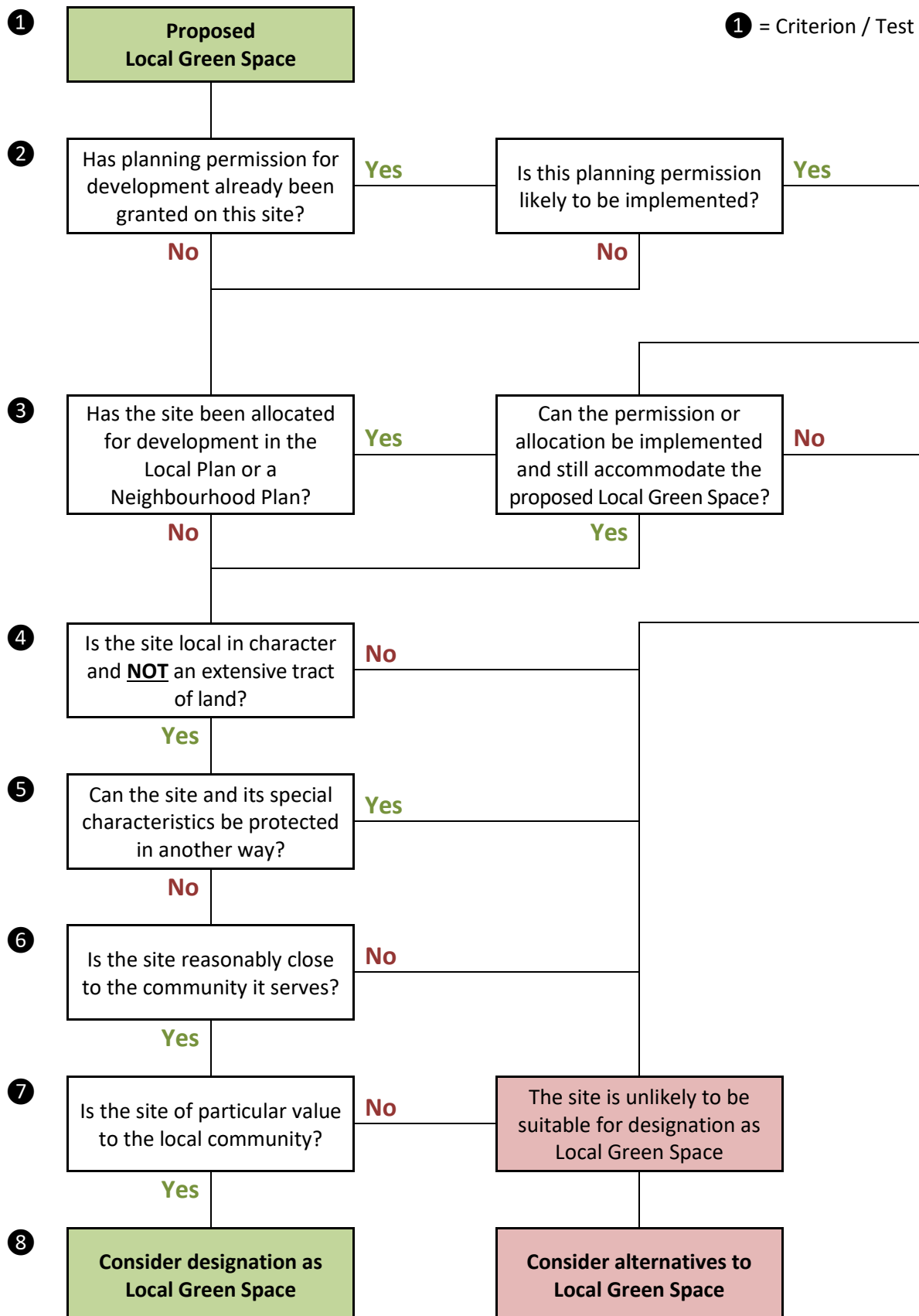
Pendle Council will endeavour to contact the landowners of sites it is proposed to designate as Local Green Space in the draft Local Plan, in advance of any public consultation.

<sup>102</sup> Evidence supporting a nomination could include historic records; photographs; wildlife reviews etc. The Council reserves the right to request additional evidence where needed.



## Appendices

### Local Green Space – Decision Tree



## **Appendix 8: Local Green Space sites in Pendle**



## Appendices

Local Green Spaces in Pendle have either been designated in an adopted neighbourhood plan or were previously designated as Sites of Settlement Character in the Replacement Pendle Local Plan 2001-2016) and are now considered to qualify as Local Green Space. The list is incomplete, and Appendix 7 shows how additional sites can be identified for future designation.

Site	Settlement	Statement of Significance
Barrowford Memorial Park	Barrowford	Barrowford Memorial Park in its present form was created in two distinct phases. The first was the purchase at auction on 27 July 1921 by two local benefactors Mr. S. Holden and Mr. Dixon of Lot 12 Lower Park Hill, which was gifted to the people of Barrowford in perpetuity as a memorial park. The mill lodge, mill race and the old mill were purchased several years later by Barrowford Urban District Council, with the aid of public subscription, when the land went up for sale. Much of the work was carried out during the depression by unemployed local people. The Park still is Barrowford's Memorial to the two world wars. It contains a sunken garden and small Memorial at which the Armistice Wreath Laying Ceremonies are performed.
Bullholme Playing Fields	Barrowford	Bullholme Playing Fields were part of the original gift for the Memorial Park, along with the allotments and the cemetery. The current playing fields were originally allotments and hen-pens. They were low lying and prone to flooding. The whole area was used as a local landfill and when tipping was finished were converted for use as new playing fields. The football pitches replaced those sited high up Pasture Lane. Bullholme is the home of both Barrowford Cricket Club and Barrowford Celtic Football Academy. A cycle way skirts the playing fields linking with the adjacent Memorial Park and other cycle routes.
Victoria Park	Barrowford	Victoria Park straddles Pendle Water, the boundary between Barrowford and Nelson. It was Nelson's first municipal park. It is an extension of the earlier playing fields and was created to mark Queen Victoria's Diamond Jubilee. The parkland lying within Barrowford contains an ornamental lake. A path passes through a late Victorian Grotto and under Carr Road, connecting the lake with a scenic wooded area. This widens out into a large open space which contains a Grade II Listed Bandstand. The park also acts as a flood plain when Pendle Water is in flood preventing extensive flooding of residential properties. Significant flood events have occurred in 1967, 2000 and 2015.
Land between Broadway and Gisburn Road	Barrowford	This strip of land was acquired by Barrowford Urban District Council (UDC) when it bought farmland that was formerly part of the Oaklands Farm. Most of the land was developed for council housing during the late 1940s and early 1950s. Barrowford UDC left this green strip along Gisburn Road, possibly as an acknowledgement of the former green field break between Newbridge and Barrowford. This area is currently planted with shrubbery

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Site	Settlement	Statement of Significance
		and grass and is the last vestige of the rural boundary between Newbridge and Barrowford.
Field to rear of Holmefield House	Barrowford	The field is part of the curtilage of a former mill owner's house. It is known locally as "back of Sam Holden's canteen" after the last owner. It is currently used as a community centre and Council offices. The field abuts the natural boundary between Newbridge and Barrowford. It is situated amongst predominantly late Victorian terraces and acts as a "village green." For several generations it has been used by local children.
Triangle land at Dickie Nook	Barrowford	This is an open area of land, which once included a toll house and a barn/workshop which was demolished after being hit by a Charabanc in the 1920s. The area has remained open except for the creation of the bus turnaround and includes a raised garden with lawns and trees. The area stretches between Gisburn Road and Barnoldswick Road, providing a green backdrop which enhances the amenity and setting of the Higherford Conservation Area. This land abuts the Conservation Area but is not included within it.
Water Meetings and Utherstone Wood	Barrowford	This is part of the original Higherford Promenade where, in late Victorian and Edwardian times, young people promenaded after Sunday Service. The route to the Water Meetings passes the Grimshaw Oak, one of the oldest trees in the area. The Water Meetings has been a destination for families over generations and once had a tea room providing light refreshments. In recent years, the main path has become part of the Pendle Way. The open area of floodplain at the confluence of two streams is particularly popular with both visitors and local residents before the valley narrows and climbs steeply into the area known as Utherstone Woods.
Pasture Lane Wildlife Area	Barrowford	This is an area of sloping banking running down to a small stream, nestled behind residential houses. It contains a footpath that meanders down through the site across a little brook at the bottom and links up to the public footpath running from the top of Halstead Lane. The area contains several mature trees with glades providing natural ground cover for both small mammals and birds.
Land at North Park Avenue Carr Hall	Barrowford	This narrow strip of land runs from the end of Park Avenue along the riverside and under the A6068 Barrowford Road. It marks the start of Footpath 29, which follows Pendle Water from Victoria Park to Pendle Street. It links with Footpath 31 at Newbridge, which leads to Sandy Lane. It is essential route linking Barrowford with the strategic housing site at Trough Laithe; the Vantage Court Business Park; the Carr Hall area of Nelson and the Lomeshaye Industrial Estate. It also provides a wildlife corridor connecting Victoria Park and the wider area.
Higham Park	Higham	Previously designated as a Site of Settlement Character in the Replacement Pendle Local Plan 2001-2016.

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Site	Settlement	Statement of Significance
Church Fields	Kelbrook	Previously designated as a Site of Settlement Character in the Replacement Pendle Local Plan 2001-2016.
Land at Dean Street	Trawden	Previously designated as a Site of Settlement Character in the Replacement Pendle Local Plan 2001-2016.
Recreation Ground	Trawden	‘The Rec’ has been assessed to have particular significance for the parish. It is situated high above the Trawden Brook valley and is used by residents from all three of the parish’s ‘villages’ (Trawden, Winewall with Cotton Tree and Wycoller). Its uses are varied, including supporting the local football club (Trawden Celtic) which also runs several junior teams. It is an important amenity for dog-walkers, joggers and residents simply out for a stroll. The annual village show, reputedly the largest village show in England, is held on the Rec each August. Loss of this resource would have a significant negative impact on the health and wellbeing of our local community and adversely impact the range of social and leisure activities available in the Parish.
The Poetry Garden	Trawden	The Poetry Garden is on a site formerly occupied by a public toilet. The garden became a place to promote and record the work of local poets. A local competition was held, and the two poems judged to be the best entries were engraved and mounted in the garden. Features that are relevant to the history of the parish were added: a water pump from a local farm and a very large pan that is reputed to have come from Hartley’s Jam Factory. On special occasions adults and children have written commemorative poems, which have been added. The garden is lovingly maintained by local volunteers who are known as Trawden in Bloom.
The Millennium Garden	Trawden	The Millennium Garden is on the site of a derelict former garage, which had become an eye-sore as you entered the village. The site was inherited by the Parish. The garage was removed, and a garden created to a design, which was considered the best following a local competition. The garden lies across the road from land planted with black poplars. These trees are also known as cotton trees, from which the area acquired its name. The original poplars were felled in 2016, because they were deemed to have become dangerous. To retain the historic connection, new young black poplars were planted nearby shortly afterwards. The garden is lovingly maintained by local volunteers who are known as Trawden in Bloom.

Note: Any Local Green Spaces subsequently designated in a ‘made’ neighbourhood development plan, must also be taken into consideration.

## **Appendix 9: Glossary**

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Term	Description
<b>Affordable housing</b>	Housing for sale or rent to those people who would otherwise be unable to afford a home of their own. It includes housing that provides a subsidised route to home ownership and/or is provided for essential local workers. The most commonly referred to definition is set out in Annex 2 to the <b>National Planning Policy Framework (NPPF)</b> .
<b>Air Quality Management Area (AQMA)</b>	An area designated because it is not likely to achieve national air quality objectives by the relevant deadlines.
<b>Ancient or veteran tree</b>	A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.
<b>Ancient woodland</b>	An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).
<b>Archaeological interest</b>	A <b>heritage asset</b> that holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
<b>Best and most versatile agricultural land</b>	Land in grades 1, 2 and 3a of the Agricultural Land Classification.
<b>Brownfield land</b>	See <b>previously developed land</b> .
<b>Brownfield Land Register</b>	A list of previously developed land that is considered to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Suitable sites can be granted <b>permission in principle</b> for residential development where the required procedures are followed.
<b>Climate change adaptation</b>	Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.
<b>Climate change mitigation</b>	Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.
<b>Primary Shopping Area</b>	That part of a town centre where retail development and other commercial activity is concentrated.
<b>Deliverable</b>	To be considered deliverable housing sites should be <i>available</i> now; offer a <i>suitable</i> location for development now; and be <i>achievable</i> , with a realistic prospect that housing will be delivered on the site within five years.
<b>Designated rural areas</b>	National Parks, Areas of Outstanding Natural Beauty and areas designated as 'rural' under <a href="#">Section 157 of the Housing Act 1985</a> .
<b>Developable</b>	To be considered developable, sites should be in a suitable location for housing development, with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

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Term	Description
<b>Development plan</b>	Defined in <a href="#">section 38 of the Planning and Compulsory Purchase Act 2004</a> , it includes adopted <b>local plans</b> and any <b>neighbourhood plans</b> that have been approved at referendum and then formally ‘made’.
<b>Development Plan Document (DPD)</b>	Any document that forms part of the statutory <b>development plan</b> .
<b>Edge of centre</b>	For retail purposes, a location that is up to 300 metres from, and well connected to, a <b>primary shopping area</b> . For all other main town centre uses, a location within 300 metres of a town centre boundary.
<b>European site</b>	Collective term for sites protected under the Birds Directive (Special Protection Areas (SPA)), Habitats Directive (Special Areas of Conservation (SAC)) and Ramsar Convention (Ramsar Wetlands).
<b>Geodiversity</b>	The range of rocks, minerals, fossils, soils and landforms.
<b>Green infrastructure</b>	A network of multi-functional urban and rural green space, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.
<b>Habitat Regulations Assessment (HRA)</b>	Tests whether a plan or project proposal could significantly harm the designated features of a <b>European site</b> .
<b>Habitats site</b>	Any site included within the definition at Regulation 8 of the <a href="#">Conservation of Habitats and Species Regulations 2017</a> .
<b>Heritage asset</b>	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include: <ul style="list-style-type: none"> <li>(a) Designated heritage assets – A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.</li> <li>(b) Non-designated heritage assets – identified by the local planning authority (non-designated heritage assets) including those in a <b>Local List</b>.</li> </ul>
<b>Historic environment</b>	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
<b>Local list</b>	Used to identify <b>significant</b> heritage assets which help to reinforce a sense of local character and distinctiveness but have not been formally designated.
<b>Local plan</b>	A plan drawn up by the local planning authority in consultation with the local community, setting out the future development of the area.

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Term	Description
<b>Main town centre uses</b>	Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).
<b>Major development</b>	For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m <sup>2</sup> or more, or a site of 1 hectare or more, or as otherwise provided in the <a href="#">Town and Country Planning (Development Management Procedure) (England) Order 2015</a> .
<b>Material consideration</b>	A matter that should be taken into account when determining whether or not to approve an application for planning permission or decide an appeal against a planning decision.
<b>Neighbourhood (development) plan</b>	A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area.
<b>Open space</b>	Areas considered to be of public value, They include not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.
<b>Original building</b>	A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
<b>Out of centre</b>	A location which is not in or on the edge of a town centre but is not necessarily outside the urban area.
<b>Out of town</b>	An <b>out of centre</b> location that is outside the existing urban area.
<b>Permission in principle</b>	A form of planning permission establishing that 'in principle' a site is suitable for housing-led development. The site must receive a grant of technical details consent before development can proceed.
<b>Planning condition</b>	A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990). Also applies to a condition included in a Local or Neighbourhood Development Order.
<b>Planning obligation</b>	A legal agreement entered into under <a href="#">section 106 of the Town and Country Planning Act 1990</a> to mitigate the impacts of a development proposal.

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Term	Description
<b>Previously developed land (PDL)</b>	<p>Land which is or was occupied by a permanent structure; its curtilage and any associated fixed surface infrastructure. This definition excludes:</p> <ul style="list-style-type: none"> <li>• land that is or was last occupied by agricultural or forestry buildings;</li> <li>• land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made;</li> <li>• land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and</li> <li>• land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.</li> </ul>
<b>Priority habitats and species</b>	<p>Species and Habitats of Principal Importance included in the <a href="#">England Biodiversity List</a> published by the Secretary of State under <a href="#">section 41 of the Natural Environment and Rural Communities Act 2006</a></p>
<b>Renewable and low carbon energy</b>	<p>Renewable energy for electricity, heating and cooling is generated from sources whose energy flows occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat.</p> <p>Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).</p>
<b>Scheduled monument</b>	<p>Any monument which is included in the schedule [compiled and maintained by the Secretary of State for Culture, Media and Sport] under s1(11) of the <a href="#">Ancient Monuments and Archaeological Areas Act 1979</a>.</p>
<b>Significant</b>	<p>In heritage policy significance refers to the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.</p>
<b>Site of Special Scientific Interest (SSSI)</b>	<p>Sites designated by Natural England under the <a href="#">Wildlife and Countryside Act 1981</a>. Used to describe an area that is of particular interest to science due to the rare species of fauna or flora it contains – or important geological or physiological features that may lie within its boundaries.</p>
<b>Strategic policies</b>	<p>Policies and site allocations which address strategic priorities in line with the requirements of <a href="#">Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004</a>.</p>



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Term	Description
<b>Supplementary Planning Document (SPD)</b>	A document which adds further detail on how to interpret and apply policies in a development plan document. They can be used to provide guidance on the development of a specific site, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.
<b>Strategic Environmental Assessment (SEA)</b>	<p>A legally enforced assessment procedure required by EU Directive 42/2001/EC and transposed into UK law. The directive aims to introduce a systematic assessment of the environmental effects of strategic planning and land use decisions. The environmental assessment requires:</p> <ul style="list-style-type: none"> <li>– The preparation of an environmental report</li> <li>– The carrying out of consultations</li> <li>– Taking into account the environmental report and the result of the consultations in decision making</li> <li>– The provision of information when a plan or programme is adopted; and</li> <li>– Showing that the results of the environmental assessment have been taken into account.</li> </ul> <p>For planning documents, the SEA requirements have been incorporated into the Sustainability Appraisal.</p>
<b>Sustainability Assessment (SA)</b>	The process of assessing the policies and site allocations in a Development Plan Document, for their global, national and local implications on social, economic and environmental objectives.
<b>Sustainable transport</b>	Any efficient, safe and accessible means of transport with low overall impact on the environment. Includes walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.
<b>Town centre</b>	The area predominantly occupied by main town centre uses within or adjacent to the primary shopping area. The reference can apply district and local centres but excludes small parades of shops of purely neighbourhood significance and out-of-centre retail developments.
<b>United Nations</b>	An international organization founded in 1945, currently made up of 193 Member States. Based in New York, it is the one place on Earth where all the world's nations can gather together, discuss common problems, and find shared solutions that benefit all of humanity.
<b>Wildlife corridor</b>	Areas of habitat connecting wildlife populations.
<b>Windfall sites</b>	Sites not specifically identified in the development plan.

## **Appendix 10: Policy context and relationships**

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>SP01</b>	Sets the presumption in favour of sustainable development	All	All	11	<ul style="list-style-type: none"> <li>National Planning Policy Framework (Department for Levelling Up, Housing and Communities, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>The percentage of planning applications refused exceeds 20% over a period of three consecutive months (ST04).</li> <li>The number of planning applications determined within statutory timescales drops below 85% for a period of three consecutive months (ST05).</li> </ul>
<b>SP02</b>	Sets the overall approach to meeting development needs according to the role and capacity of each settlement in the borough.	SO1, SO2, SO4, SO6, SO9, S10, S11	SP01, SP03, SP04, SP06, SP11	11, 20, 105	<ul style="list-style-type: none"> <li>Settlement Sustainability Review (Pendle Borough Council, 2022)</li> <li>Strategic Housing Land Availability Assessment (Pendle Borough Council, 2023)</li> <li>Pendle Housing and Economic Needs Assessment (Iceni Projects, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>If the five-year review reveals that the spatial distribution of development is not consistent with the spatial strategy, to the degree that it undermines and contradicts the approach of Policies SP02 and SP03 (ST01).</li> <li>The amount of brownfield land developed, as a proportion of all land developed, falls below 40% of total delivery over a rolling period of three-years (ST02).</li> <li>Evidence shows that a shift in employment floorspace requirements contrast to those identified through the Pendle Housing and Economic Needs Assessment (EC01).</li> <li>Major developments are permitted in locations that are</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
						not sequentially preferable (EC07)
<b>SP03</b>	Sets out broadly where development is to occur across the three spatial areas of the borough.	SO1, SO2, SO4, SO6, SO9, S10, S11	SP01, SP02, SP04, SP06, SP11	20, 105	<ul style="list-style-type: none"> <li>Settlement Sustainability Review (Pendle Borough Council, 2022)</li> <li>Strategic Housing Land Availability Assessment (Pendle Borough Council, 2023)</li> <li>Pendle Housing and Economic Needs Assessment (Iceni Projects, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of development completed at each settlement (ST01)</li> <li>Number of new homes completed by location (CM01)</li> <li>Number of new homes granted planning permission and total number of dwellings with an extent planning consent by location (CM02)</li> <li>Amount of new employment floorspace created on by type and location (EC01)</li> <li>Amount of new retail/town centre floorspace created by location (EC07)</li> </ul>
<b>SP04</b>	Defines the hierarchy of retail centres in Pendle and overall approach to retail development	SO1, SO2, SO7, S11	SP01, SP02, SP06, SP10, SP11	20, 86	<ul style="list-style-type: none"> <li>Settlement Sustainability Review (Pendle Borough Council, 2022)</li> <li>Pendle Retail and Leisure Capacity Study (Lichfields, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of new retail/town centre floorspace created by location (EC07)</li> <li>Retail Occupancy by centre (EC09)</li> </ul>
<b>SP05</b>	Sets out the Council's approach to proposals within the Green Belt	SO9, S10	SP01, SP02, SP03	20, Section 13	<ul style="list-style-type: none"> <li>National Planning Policy Framework (Department for Levelling Up, Housing and Communities, 2021)</li> <li>Green Belt Assessment (DLP, 2019)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of development completed at each settlement (ST01)</li> <li>Major applications approved in Pendle (ST03)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>SP06</b>	Sets out measures to be incorporated into development proposals to limit and reduce greenhouse gas emissions	SO1, SO4, S10, S11	SP01, SP02, SP03, SP04, SP07, SP08, SP11	20, 152, 153, 154, 155	<ul style="list-style-type: none"> <li>Clean Growth Strategy (Department for Business, Energy and Industrial Strategy, 2017)</li> <li>UK Net Zero Strategy: Build Back Greener (Department for Business, Energy and Industrial Strategy, 2021)</li> <li>South Pennines Renewable and Low Carbon Energy Study (Maslen Environmental, 2010)</li> <li>Climate Emergency Action Plan 2020 to 2025 (Pendle Borough Council, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of CO<sub>2</sub> emissions in Pendle by source (trends over time) (EN01)</li> <li>Amount of energy generated by renewable sources by new development (EN02)</li> </ul>
<b>SP07</b>	Sets out measures to secure water supply and quality and ensure that applicants are aware of the relationship of their proposals to the water environment.	SO2, SO4, SO8, SO9, SO10	SP01, SP02, SP06, SP08, SP10	20, 153, 174	<ul style="list-style-type: none"> <li>25 Year Environment Plan (DEFRA, 2018)</li> <li>Environment Act 2021</li> <li>Environmental Improvement Plan (DEFRA, 2013)</li> <li>National Framework for Water Resources (Environment Agency, 2020)</li> <li>Pendle Level 1 Strategic Flood Risk Assessment (JBA Consulting, 2021)</li> <li>Pendle Level 2 Strategic Flood Risk Assessment (JBA Consulting, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Number of properties located in Flood Zone 2/3 (EN04)</li> <li>Environment Agency Water Quality Rating (EN06)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>SP08</b>	Sets out how the Council will protect and enhance Pendle's natural environment, implementing the mitigation hierarchy, and establishing protections for designated and un-designated environmental sites	SO4, SO9, SO10	SP01, SP02, SP07, SP10	20, 174, 175, 179	<ul style="list-style-type: none"> <li>• Pendle Green Infrastructure Strategy (LUC, 2019)</li> <li>• Lancashire Local Nature Recovery Strategy (Lancashire County Council, tbc)</li> <li>• Pendle Biodiversity Audit (Pendle Borough Council, 2010)</li> <li>• Lancashire Biodiversity Action Plan (Lancashire County Council, 2015)</li> <li>• 25 Year Environment Plan (DEFRA, 2018)</li> <li>• Environmental Improvement Plan (DEFRA, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>• Amount of land designated for biodiversity/geodiversity importance and its condition (EN07)</li> <li>• Net gain of habitat-by-habitat type in area (EN08)</li> </ul>
<b>SP09</b>	Confirms how the Council will conserve and enhance the historic environment, including a requirement for proposals to retain those features the borough which help make it distinctive.	SO3, SO10	SP01, SP10	20, Section 16	<ul style="list-style-type: none"> <li>• Historic Environment Record (Lancashire County Council)</li> <li>• Nelson Historic Town Survey (Lancashire County Council and Egerton Lea Consultancy, 2005)</li> <li>• Colne Historic Town Survey (Lancashire County Council and Egerton Lea Consultancy, 2005)</li> <li>• Barnoldswick Historic Town Survey (Lancashire County Council and Egerton Lean Consultancy, 2005)</li> <li>• Conservation Area Character Appraisals (Pendle Borough Council, various dates)</li> </ul>	<ul style="list-style-type: none"> <li>• Number of proposals refused planning permission on grounds of poor design (EN11)</li> <li>• Number of designated heritage assets in Pendle (EN14)</li> <li>• Number of designated heritage assets considered 'at risk' (EN15)</li> <li>• Number of development schemes refused planning permission on the grounds of impact caused to a heritage asset (EN16)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Conservation Area Design and Development Guidance SPD (Pendle Borough Council, 2008)</li> <li>Lancashire Local List (Growth Lancashire, 2023)</li> <li>The Historic Environment and Site Allocations in Local Plans (Historic England, 2015)</li> </ul>	
<b>SP10</b>	Sets out how the Council will seek to secure the health and wellbeing interests of the community through development proposals.	SO1, SO2, SO3, SO4, SO5, SO6, SO8, SO9, S10, S11	SP01, SP02, SP06, SP07, SP08, SP09, SP11, SP12	20, 92, 130, 185	<ul style="list-style-type: none"> <li>Active Design (Sport England)</li> <li>Enabling Healthy Placemaking (Royal Town Planning Institute, 2020)</li> <li>Health Assessment Impact Tools (Department of Health and Social Care, 2010)</li> </ul>	<ul style="list-style-type: none"> <li>Health conditions in Pendle (CM09)</li> <li>Life expectancy in Pendle (CM10)</li> <li>Provision of open space by type and location (CM11)</li> </ul>
<b>SP11</b>	Confirms how the Council will seek to ensure that proposals minimise the reliance on car usage and ensure that there is sufficient capacity in the highway network.	SO2, SO4, SO6, SO11	SP01, SP02, SP06, SP10, SP12	20, Section 9	<ul style="list-style-type: none"> <li>Pendle Infrastructure Strategy (Pendle Borough Council, tbc)</li> <li>Lancashire Local Transport Plan (Lancashire County Council, 2013)</li> <li>East Lancashire Highways and Transport Masterplan (Lancashire County Council, 2014)</li> <li>Lancashire and Cumbria Route Utilisation Strategy (Network Rail, 2008)</li> <li>Bus Back Better (Department for Transport, 2021)</li> <li>Environmental Improvement Plan (DEFRA, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of development completed by location (ST01)</li> <li>Progress made against the Infrastructure Delivery Schedule (ST06)</li> <li>Air Quality in Pendle (EN03)</li> <li>Number of new homes completed by location (CM01)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Local Cycling and Walking Infrastructure Plans (Lancashire County Council, tbc)</li> <li>Lancashire Rights of Way Improvement Plan 2015 (Lancashire County Council)</li> </ul>	
<b>SP12</b>	Confirms how the Council will approach developer contributions.	SO2, SO8, S11	SP01, SP10, SP11	20, 34, 55, 57	<ul style="list-style-type: none"> <li>Pendle Infrastructure Strategy, (Pendle Borough Council, tbc)</li> <li>Pendle Authority Monitoring Report (Pendle Borough Council, annual)</li> <li>Infrastructure and Planning Guide (Lancashire County Council, 2017)</li> <li>Pendle Local Plan Viability Appraisal (Lambert Smith Hampton, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>Development delivered over time (by location) (ST01)</li> <li>Progress made against the Infrastructure Delivery Schedule (ST06)</li> <li>Net gain of habitat (by habitat type) (EN08)</li> <li>Number of homes built over time (by location) (CM01)</li> <li>Provision of open space by type and location (CM11)</li> <li>Number of completed community facilities by type and location (CM14)</li> </ul>
<b>DM01</b>	Details how applicants should design their proposals to reduce the effects of climate change.	SO4, SO10	SP04, SP08, SP10	97, 152, 153	<ul style="list-style-type: none"> <li>25 Year Environment Plan (DEFRA, 2018)</li> <li>Environmental Improvement Plan (DEFRA, 2023)</li> <li>Climate Emergency Action Plan 2020 to 2025 (Pendle Borough Council, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>25 Year Environment Plan (DEFRA, 2018)</li> <li>Environmental Improvement Plan (DEFRA, 2023)</li> <li>Climate Emergency Action Plan 2020 to 2025 (Pendle Borough Council, 2020)</li> </ul>



Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>DM02</b>	Details how applicants should respond to flood risk and surface water drainage through their proposals.	SO2, SO4, SO10	SP07, SP08, SP10	159, 167, 169	<ul style="list-style-type: none"> <li>Pendle Level 1 Strategic Flood Risk Assessment (JBA Consulting, 2021)</li> <li>Pendle Level 2 Strategic Flood Risk Assessment (JBA Consulting, tbc)</li> <li>Ribble Catchment Flood Management Plan (Environment Agency, 2009)</li> <li>Aire Catchment Flood Management Plan (Environment Agency, 2010)</li> <li>SuDS Manual (Construction Industry Research and Information Association and Department for Environment, Food and Rural Affairs, 2015)</li> <li>Planning for SuDS: Making it Happen (Construction Industry Research and Information Association, 2010)</li> </ul>	<ul style="list-style-type: none"> <li>Pendle Level 1 Strategic Flood Risk Assessment (JBA Consulting, 2021)</li> <li>Pendle Level 2 Strategic Flood Risk Assessment (JBA Consulting, tbc)</li> <li>Ribble Catchment Flood Management Plan (Environment Agency, 2009)</li> <li>Aire Catchment Flood Management Plan (Environment Agency, 2010)</li> <li>SuDS Manual (Construction Industry Research and Information Association and Department for Environment, Food and Rural Affairs, 2015)</li> <li>Planning for SuDS: Making it Happen (Construction Industry Research and Information Association, 2010)</li> </ul>
<b>DM03</b>	Provides guidance to encourage the development of renewable heat and energy infrastructure.	SO2, SO4, SO10	SP06, SP08, SP09, SP10	155	<ul style="list-style-type: none"> <li>Climate Emergency Action Plan 2020 to 2025 (Pendle Borough Council, 2020)</li> <li>South Pennines Renewable and Low Carbon Energy Study (Maslen Environmental, 2011)</li> <li>Pendle Design Principles SPD (Pendle Borough Council, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of CO<sub>2</sub> emissions in Pendle by source (trends over time) (EN01)</li> <li>Amount of energy generated by renewable sources by new development (EN02)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>DM04</b>	Sets out how Biodiversity Net Gain requirements will be achieved in Pendle.	SO4, SO9, SO10	SP04, SP07, SP08, SP10	174, 180	<ul style="list-style-type: none"> <li>Planning Practice Guidance (Department for Levelling Up, Housing and Communities, updated periodically)</li> <li>25 Year Environment Plan (DEFRA, 2018)</li> <li>Environmental Improvement Plan (DEFRA, 2023)</li> <li>Biodiversity Metric and Small Sites Metric (DEFRA, updated periodically)</li> <li>Pendle Green Infrastructure Strategy (LUC, 2019)</li> <li>Lancashire Local Nature Recovery Strategy (Lancashire County Council, tbc)</li> <li>Pendle Biodiversity Audit (Pendle Borough Council, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of land designated for biodiversity/geodiversity importance and its condition (EN07)</li> <li>Net gain of habitat (by habitat type) (EN08)</li> </ul>
<b>DM05</b>	The policy confirms the Council's commitment to collaborate with its partners to identify ecological networks and the steps taken to protect and enhance these areas.	SO4, SO9, SO10	SP04, SP07, SP08, SP10	174, 179	<ul style="list-style-type: none"> <li>Pendle Green Infrastructure Strategy (LUC, 2019)</li> <li>Lancashire Local Nature Recovery Strategy (Lancashire County Council, tbc)</li> <li>Pendle Biodiversity Audit (Pendle Borough Council, 2009)</li> <li>Making Space for Nature – The Lawton Review (DEFRA, 2010)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of land designated for biodiversity/geodiversity importance and its condition (EN07)</li> <li>Net gain of habitat (by habitat type) (EN08)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>DM06</b>	Guides development to best protect and enhance the Borough's Green Infrastructure Network.	SO9, SO10	SP08, SP10	92, 175	<ul style="list-style-type: none"> <li>Lancashire Landscape Character Appraisal (Lancashire County Council, 2004)</li> <li>Pendle Biodiversity Audit 2009 (Pendle Borough Council)</li> <li>Pendle Green Infrastructure Strategy 2019 (LUC)</li> <li>Lancashire Local Nature Recovery Network (Lancashire County Council, tbc)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of land designated for biodiversity/geodiversity importance and its condition (EN07)</li> <li>Net gain of habitat (by habitat type) (EN08)</li> <li>Provision of open space by type and location (CM11).</li> <li>Quality of open space by location (CM12).</li> </ul>
<b>DM07</b>	Seeks to ensure that existing trees and hedgerows are protected, and where possible restored, as part of development proposals.	SO4, SO9, SO10	SP04, SP07, SP08, SP10	131, 174, 180	<ul style="list-style-type: none"> <li>Lancashire Landscape Character Appraisal (Lancashire County Council, 2004)</li> <li>Pendle Green Infrastructure Strategy (LUC, 2019)</li> <li>Lancashire Local Nature Recovery Network (Lancashire County Council, tbc)</li> <li>Pendle Biodiversity Audit (Pendle Borough Council, 2009)</li> <li>England Trees Action Plan 2021 to 2024 (DEFRA, 2021)</li> <li>Environmental Improvement Plan (DEFRA, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Net gain of habitat (by habitat type) (EN08)</li> </ul>
<b>DM08</b>	Directs how development within and affecting the South Pennines SSSI/SPA will be dealt with by the Council.	SO4, SO9, SO10	SP07, SP08, SP10	174, 175, 180, 181	<ul style="list-style-type: none"> <li>Lancashire Landscape Character Appraisal (Lancashire County Council, 2004)</li> <li>Pendle Green Infrastructure Strategy (LUC, 2019)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of land designated for biodiversity/geodiversity importance and its condition (EN07)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Lancashire Local Nature Recovery Strategy (Lancashire County Council, tbc)</li> <li>Pendle Biodiversity Audit (Pendle Borough Council, 2009)</li> <li>South Pennine Moors Site Improvement Plan (Natural England, 2017)</li> <li>England Peat Action Plan (DEFRA, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>Net gain of habitat (by habitat type) (EN08)</li> <li>Provision of Suitable Alternative Natural Greenspace by type and location (EN09)</li> <li>Provision of open space by type and location (CM11).</li> <li></li> </ul>
<b>DM09</b>	Confirms the extent of and types of development permitted within the Open Countryside.	SO1, SO2, SO5, SO6, SO10	SP02, SP03, SP08, SP10	174	<ul style="list-style-type: none"> <li>Lancashire Landscape Character Appraisal (Lancashire County Council, 2004)</li> <li>Pendle Green Infrastructure Strategy (LUC, 2019)</li> <li>Lancashire Local Nature Recovery Network (Lancashire County Council, tbc)</li> <li>Open Countryside and AONB SPD (Pendle Borough Council, tbc)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of development completed at each settlement (ST01)</li> </ul>
<b>DM10</b>	Provides guidance on how applicants should respond to the wider landscape context to their proposal and the proposal's role within this landscape (pre and post development)	SO10	SP08, SP10	174	<ul style="list-style-type: none"> <li>National Character Area Profiles (Natural England, 2014)</li> <li>Lancashire Landscape Character Appraisal (Lancashire County Council, 2000)</li> <li>Pendle Green Infrastructure Strategy (LUC, 2019)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of development completed at each settlement (ST01)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Open Countryside and AONB SPD (Pendle Borough Council, tbc)</li> </ul>	
<b>DM11</b>	Sets out the approach to development within and affecting the Forest of Bowland Area of Outstanding Natural Beauty.	SO1, SO6, SO9, SO10	SP02, SP03, SP08, SP09, SP10	176, 177	<ul style="list-style-type: none"> <li>Forest of Bowland Management Plan 2019-2014 (Forest of Bowland AONB, 2019)</li> <li>Forest of Bowland Landscape Character Assessment (Lancashire County Council, 2009)</li> <li>Open Countryside and AONB SPD (Pendle Borough Council, tbc)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of development completed at each settlement (ST01)</li> <li>Major applications approved in Pendle (ST03).</li> </ul>
<b>DM12</b>	Specifies how proposals affecting Local Green Space will be assessed.	SO9, SO10	SP08, SP10	102	<ul style="list-style-type: none"> <li>Statement of Significance (Pendle Borough Council, tbc)</li> <li>Barrowford Neighbourhood Plan (Barrowford Parish Council, 2019)</li> <li>Trawden Forest Neighbourhood Plan (Trawden Forest Parish Council, 2018)</li> </ul>	Coverage of the Borough designated Local Greenspace (in Ha) (EN10)
<b>DM13</b>	Sets responses required to the potential environmental effects of development on the wider environment and communities.	SO8, SO10	SP08, SP10, DM14	185, 187	<ul style="list-style-type: none"> <li>Clean Air Strategy (DEFRA, 2019)</li> <li>Air Quality Annual Status Report (Pendle Borough Council, annual)</li> <li>Code of Practice on Construction and Demolition (Pendle Borough Council, 2007)</li> <li>Land-use Planning and Development Control: Planning</li> </ul>	<ul style="list-style-type: none"> <li>Specific measures to be agreed as the planning application stage as relevant and justified.</li> <li>Air Quality in Pendle (EN03)</li> <li>Environment Agency Water Quality Rating (EN06)</li> <li>Health conditions in Pendle (CM09).</li> <li>Life expectancy in Pendle (CM10).</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>for Air Quality (Institute of Air Quality Management, 2017)</li> <li>Guidance Notes for the Reduction of Obtrusive Light GN01 (Institute of Lighting Professionals, 2011).</li> <li>Guidance on the Assessment of Odour for Planning (Institute of Air Quality Management, 2014)</li> <li>Noise Policy Statement for England (DEFRA, 2010)</li> </ul>	<ul style="list-style-type: none"> <li>Processing of recycling and waste (EN13)</li> </ul>
<b>DM14</b>	Confirms how applicants will be required to respond to and address ground contamination and stability.	SO10	SP08, SP10	174, 183	<ul style="list-style-type: none"> <li>Joint Lancashire Minerals and Waste Local Plan (Lancashire County Council, 2013)</li> </ul>	<ul style="list-style-type: none"> <li>Specific measures to be agreed as the planning application stage as relevant and justified.</li> <li>Processing of recycling and waste (EN13)</li> </ul>
<b>DM15</b>	Sets out the approach to safeguard soils and natural ground resources complementing the adopted Minerals and Waste Plan.	SO10	SP08	174, 212	<ul style="list-style-type: none"> <li>Joint Lancashire Minerals and Waste Local Plan (Lancashire County Council, 2013)</li> </ul>	None.
<b>DM16</b>	Provides parameters of what constitutes good design for applicants to implement through their development proposals.	SO3, SO4, SO10	SP01, SP06, SP07, SP08, SP09, SP10, SP11	127, 130	<ul style="list-style-type: none"> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>Conservation Area Design and Development Guidance (Pendle Borough Council, 2008)</li> <li>National Design Guidance (Department for Levelling Up, Housing and Communities, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of energy generated by renewable sources (EN02)</li> <li>Net gain of habitat (by habitat type) (EN08)</li> <li>Number of development schemes refused planning permission on grounds of poor design (EN11)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> <li>Living with Beauty: Promoting health, wellbeing and sustainable growth (Building Better, Building Beautiful Commission, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>Number of and nature of Crimes committed in Pendle (EN12)</li> <li>Processing of recycling and waste (EN13)</li> <li>Provision of open space by type and location (CM11).</li> </ul>
<b>DM17</b>	Sets out guidance for advertisements and commercial signage.	SO3, SO10	SP09, SP10	136	<ul style="list-style-type: none"> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>Conservation Area Design and Development Guidance (Pendle Borough Council, 2008)</li> <li>Outdoor Advertisements and Signs: A Guide for Developments (Department for Levelling Up, Housing and Communities, 2007)</li> </ul>	<ul style="list-style-type: none"> <li>Number of development schemes refused planning permission on grounds of poor design (EN11)</li> </ul>
<b>DM18</b>	Confirms how the Council will respond to proposals affecting the historic environment.	SO3, SO10	SP09, SP10	Section 16	<ul style="list-style-type: none"> <li>Pendle Housing and Employment Needs Assessment Icenl Projects, 2023)</li> <li>Planning Practice Guidance (Department for Levelling Up, Housing and Communities, updated periodically)</li> <li>Pendle Five-Year Housing Land Supply Statements (Pendle Borough Council, annual)</li> <li>Housing Delivery Test (Department for Levelling Up,</li> </ul>	<ul style="list-style-type: none"> <li>Number of new homes completed by location (CM01)</li> <li>Number of new homes granted planning permission and total number of dwellings with an extent planning consent by location (CM02)</li> <li>Number of vacant dwellings (CM05)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					Housing and Communities, annual) <ul style="list-style-type: none"> <li>Pendle Authority Monitoring Report (Pendle Borough Council, annual)</li> </ul>	
<b>DM19</b>	Provides guidance on how the canal corridor is to be protected and enhanced.	SO3, SO9, SO10	SP08, SP09, SP10	190	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Local Plan Viability Assessment (Lambert Smith Hampton, 2020)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> <li>Pennine Lancashire Housing Strategy 2009-2029 (Pendle Borough Council et al, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Types, size and tenure of new homes completed and approved by location (CM03)</li> <li>Number of schemes refused on the grounds of poor design (EN11)</li> </ul>
<b>DM20</b>	Sets the minimum housing requirement for Pendle over the period 2021-2040, and identifies the steps taken to ensure the full delivery of this requirement.	SO5	SP02, SP03	60, 61, 68	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Local Plan Viability Assessment (Lambert Smith Hampton, 2020)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>Types, size and tenure of new homes completed and approved by location (CM03)</li> <li></li> </ul>



Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Pennine Lancashire Housing Strategy 2009-2029 (Pendle Borough Council et al)</li> <li>Pendle Authority Monitoring Report (Pendle Borough Council, annual)</li> </ul>	
<b>DM21</b>	Confirms the design and quality requirements of new housing developments.	SP01, SO3, SO4, SO5,	SP06, SP07, SP08, SP09, SP10	130	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Local Plan Viability Assessment (Lambert Smith Hampton, 2020)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> <li>Pennine Lancashire Housing Strategy 2009-2029 (Pendle Borough Council et al, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Number of affordable homes completed and granted planning permission by tenure and location (CM04)</li> <li></li> </ul>
<b>DM22</b>	Establishes the housing need priorities for new homes in relation to size and type.	SO3, SO5	SP10	62	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Local Plan Viability Assessment (Lambert Smith Hampton, 2020)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>Types, size and tenure of new homes completed and approved by location (CM03)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Pennine Lancashire Housing Strategy 2009-2029 (Pendle Borough Council et al, 2009)</li> <li>Pendle Authority Monitoring Report (Pendle Borough Council, annual)</li> </ul>	
<b>DM23</b>	Sets the affordable housing requirements across Pendle by type, scale and location of development, including tenure requirements. Defines approach to securing affordable housing.	SO3, SO5	SP02, SP10, SP12	62, 63, 64, 65	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Local Plan Viability Assessment (Lambert Smith Hampton, 0220)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> <li>Pennine Lancashire Housing Strategy 2009-2029 (Pendle Borough Council et al, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Number of affordable homes completed and granted planning permission by tenure and location (CM04)</li> </ul>
<b>DM24</b>	Provides the decision-making framework for the determination of household extensions.	SO1, SO3, SO5	SP01, SP05, SP06, SP07, SP08, SP10	124, 130	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>Number of schemes refused on the grounds of poor design (EN11)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>DM25</b>	Establishes the decision-making framework for the conversion of non-residential buildings to residential use.	SO1, SO3, SO5	SP01, SP05, SP06, SP07, SP08, SP10	124, 130	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Pendle Retail and Leisure Capacity Study (Lichfields, 2023)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>Number of schemes refused on the grounds of poor design (EN11)</li> <li>Number of new dwellings granted planning permission and total number of dwellings with an extant planning consent by location (CM02).</li> <li>Types, size and tenure by location of completed dwellings and dwellings with planning consent (CM03).</li> <li>Amount of employment land/floorspace lost to alternative uses by location (EC02)</li> <li>Amount of new retail/town centre floorspace lost by location (EC08)</li> </ul>
<b>DM26</b>	Confirms the type and scale of residential development which will typically be allowed within the open countryside. Establishes the key issues to be assessed by such development.	SO1, SO2, SO5, SO10	SP02, SP03, SP08, SP10, SP11	80	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Pendle Local Plan Sustainability Appraisal (Pendle Borough Council, 2023)</li> <li>Open Countryside and AONB SPD (Pendle Borough Council, tbc)</li> <li>Design Principles SPD (Pendle Borough Council, 2009).</li> </ul>	<ul style="list-style-type: none"> <li>Amount of development completed at each settlement (ST01)</li> <li>Number of new dwellings granted planning permission and total number of dwellings with an extant planning consent by location (CM02).</li> <li>Number of affordable homes completed and granted planning</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
						permission by tenure and location (CM04) <ul style="list-style-type: none"> <li>Number of new dwellings completed which address a specific housing need (CM07)</li> </ul>
<b>DM27</b>	Sets out the approach taken to secure self-build and custom-build homes in the borough, inclusive of site-specific allocations and provision at strategic development sites.	SO5	SP10	62	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Planning Practice Guidance (Department for Levelling Up, Housing and Communities, updated periodically)</li> <li>Pendle Self-Build Register (Pendle Borough Council, annual)</li> <li>Pendle Design Principles SPD (Pendle Borough Council, 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Types, size and tenure of new homes completed and approved by location (CM03)</li> <li>Number of self-build plots delivered annually (CM06).</li> </ul>
<b>DM28</b>	Confirms the requirements of specialist housing development proposals including age restricted housing, extra care and institutional developments. Student dwellings and HMOs.	SO5	SP10	62	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Types, size and tenure of new homes completed and approved by location (CM03)</li> <li>Number of new dwellings completed that address a specific housing need by location (CM07).</li> </ul>
<b>DM29</b>	Provides guidance for proposals for gypsy, traveller or travelling showpeople sites, identifying the key issues for such proposals to be addressed in order to gain support from the Council.	SO5, SO8, SO10	SP02, SP10	62	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Planning Policy for Traveller Sites (Department for Levelling Up, Housing and Communities, 2015)</li> </ul>	<ul style="list-style-type: none"> <li>Number of new pitches for Gypsy, Traveller, or Travelling Showpeople Community completed/consent (CM08).</li> <li></li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Lancashire Sub-Regional Gypsy and Traveller Accommodation and Related Services Assessment (Salford Housing and Urban Studies Unit, 2007)</li> <li>Burnley and Pendle Gypsy and Traveller Accommodation Assessment (Salford Housing and Urban Studies Unit, 2012)</li> </ul>	
<b>DM30</b>	Requirements for development proposals for considering and responding to physical and mental health and wellbeing through the planning application process. Including requirements for Health Impact Assessments.	SO2, SO8	SP10	92, 130, 185	<ul style="list-style-type: none"> <li>Pendle Baseline Position – Local Plan/Sustainability Appraisal (Pendle Borough Council, 2022)</li> <li>Integrating Health in Urban and Territorial Planning (World Health Organisation, 2020)</li> <li>Health Impact Assessment in Spatial Planning (Public Health England, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>Health conditions in Pendle (CM09).</li> <li>Life expectancy in Pendle (CM10).</li> </ul>
<b>DM31</b>	Sets out requirements for new open space to contribute to needs and improve quality and access to open space facilities and establishes protections for existing open space.	SO2, SO3, SO8, SO9	SP10, SP12	93, 98, 99,	<ul style="list-style-type: none"> <li>Pendle Open Space Audit (Pendle Borough Council, 2019)</li> <li>Pendle Green Infrastructure Strategy (LUC, 2019)</li> <li>Environmental Improvement Plan (DEFRA, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Provision of open space by type and location (CM11)</li> <li>Quality of open space by location (CM12).</li> </ul>
<b>DM32</b>	Sets out how proposals should promote walking and cycling within and to and from their proposals.	SO2, SO4, SO9, S11	SP02, SP10, SP11, SP12	92, 104, 106	<ul style="list-style-type: none"> <li>Pendle Cycling Legacy Strategy 2016-2021 (Pendle Borough Council, 2016)</li> </ul>	<ul style="list-style-type: none"> <li>Number and total length of cycling tracks (including trends over time) (CM13)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Lancashire Cycling and Walking Strategy 2016-2026 (Lancashire County Council, 2016)</li> <li>National Model Design Code (Department for Levelling Up, Housing and Communities, 2021)</li> <li>Travel mode data (ONS Census, 2021)</li> <li>Local Cycling and Walking Infrastructure Plan (Lancashire County Council, tbc)</li> </ul>	
<b>DM33</b>	Confirms the issues to be considered for proposals for Hot-Food Takeaways, including establishing location preferences/requirements.	SO3, SO7, SO8	SP04, SP10	92, 130, 187	<ul style="list-style-type: none"> <li>Pendle Retail and Leisure Capacity Study (Lichfields, 2023)</li> <li>Town Centre Occupancy Surveys (Pendle Borough Council, annual)</li> <li>Planning Practice Guidance (Department of Levelling Up, Housing and Communities, updated periodically)</li> <li>Pendle Baseline Position – Local Plan/Sustainability Appraisal (Pendle Borough Council, 2022)</li> <li>Using the planning system to promote healthy weight environments (Public Health England, 2019)</li> </ul>	<ul style="list-style-type: none"> <li>Health conditions in Pendle (CM09).</li> <li>Life expectancy in Pendle (CM10).</li> <li>Amount of new retail/town centre floorspace lost by location (EC08)</li> <li>Retail Occupancy by Centre (EC09)</li> <li>Percentage of Primary Shopping Area in non-Class E use (EC10)</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Hot Food Takeaways and Spatial Planning 2018 Lancashire County Council, 2018)</li> <li>Design Principles SPD (Pendle Borough Council, 2009)</li> </ul>	
<b>DM34</b>	Sets out the Council's expectations for applicants to consult the wider community ahead of submitting a planning application.	SO02, SO8	SP10, SP11	39, 132	<ul style="list-style-type: none"> <li>Pendle Statement of Community Involvement (Pendle Borough Council, 2022)</li> </ul>	<ul style="list-style-type: none"> <li>Percentage of schemes refused. (ST04)</li> <li>Percentage of schemes determined within statutory timescales (ST05)</li> </ul>
<b>DM35</b>	Guidance for the delivery of new community facilities (Class F2 development) and proposals affecting existing community facilities.	SO2, SO8	SP02, SP10	84, 93	<ul style="list-style-type: none"> <li>Pendle Baseline Position – Local Plan/Sustainability Appraisal (Pendle Borough Council, 2022)</li> <li>Settlement Sustainability Review (Pendle Borough Council, 2022)</li> </ul>	<ul style="list-style-type: none"> <li>Changes in community floorspace including local shop provision (CM14)</li> </ul>
<b>DM36</b>	Guidance for proposals for education uses and standards to support skill attainment in Pendle	SO6, SO8	SP10	81	<ul style="list-style-type: none"> <li>Pendle Baseline Position – Local Plan/Sustainability Appraisal (Pendle Borough Council, 2022)</li> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Changes in Education Floorspace (CM16)</li> <li>Qualifications obtained by school leavers (CM17)</li> <li>Average gross income (EC04)</li> </ul>
<b>DM37</b>	Establishes the parking requirements of Pendle, including the design requirements.	SO11	SP11	104, 107,	<ul style="list-style-type: none"> <li>National Model Design Guide (Department of Levelling Up, Housing and Communities, 2022)</li> <li>Pendle Parking Standards (Pendle Borough Council, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Developments which fail to comply with parking standards (CM18)</li> </ul>
<b>DM38</b>	Sets out a decision-making framework for proposals for Taxi-booking offices.	SO11	SP11	130, 187	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>

Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>DM39</b>	Sets out key considerations for proposals for digital and communications infrastructure.	SO2	SP11	97, 114, 117	<ul style="list-style-type: none"> <li>Draft Lancashire Local Industry Strategy (Lancashire Enterprise Partnership, 2019)</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>
<b>DM40</b>	Confirms how the future employment land requirements of the Borough are to be achieved.	SO6	SP02, SP03	82	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Monitoring of planning consents (Pendle Borough Council, annual)</li> <li>Build Back Better: our Plan for growth (HM Treasury, 2021)</li> <li>Lancashire Strategic Economic Plan (Lancashire Enterprise Partnership, 2014)</li> <li>Pennine Lancashire Growth and Prosperity Plan 2016-2032 (Pendle Borough Council et al, 2016)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of new employment floorspace completed by type and location (EC01)</li> <li>Amount of employment land/floorspace lost to alternative uses by location (EC02)</li> <li>Average gross income (EC04)</li> <li>Number and change in VAT registered businesses (EC05)</li> </ul>
<b>DM41</b>	Protects existing strategic employment sites from loss to other land uses.	SO6	SP02, SP03	82	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Census Data (ONS Census, 2021)</li> <li>Pennine Lancashire Growth and Prosperity Plan 2016-2032 (Pendle Borough Council et al, 2016)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of employment land/floorspace lost to alternative uses by location (EC02)</li> <li>Employment levels by age and sector (EC03)</li> <li>Number and change in VAT registered businesses (EC05)</li> <li>Unemployment levels (EC06)</li> </ul>



Policy	Summary	Policy Linkages			Key Sources of Evidence	Performance Indicators (Authority Monitoring Report)
		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
<b>DM42</b>	Establishes how the vitality and vibrancy of each of the borough's six town centres is to be secured in relation to the development of town centre and non-town centre uses.	SO1, SO6, SO7	SP02, SP04	86, 87, 88, 90	<ul style="list-style-type: none"> <li>Pendle Retail and Leisure Capacity Study (Lichfields, 2023)</li> <li>Nelson, Colne, Barnoldswick and Earby Town Centre Masterplans (Pendle Council, 2023)</li> <li>Retail Occupancy Survey (Pendle Borough Council, annual)</li> <li>Use Class Order 2020 (as amended)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of new retail/town centre floorspace created by location (EC07)</li> <li>Amount of retail/town centre floorspace located by location (EC08)</li> <li>Town Centre occupancy levels by type and location (EC09)</li> <li>Percentage of Primary Shopping Area in non-Class E use (EC10)</li> </ul>
<b>DM43</b>	States the key considerations for mixed use proposals providing a positive decision-making framework to encourage their delivery at suitable locations.	SO1, SO2, SO3, SO5, SO6, S10	SP02, SP03, SP04, SP11	120	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Major applications approved in Pendle ST03)</li> </ul>
<b>DM44</b>	Confirms how the Council will manage proposals for town centre uses outside of designated town centres.	SO1, SO4, SO7	SP02, SP04	87, 88, 90	<ul style="list-style-type: none"> <li>Pendle Retail and Leisure Capacity Study (Lichfields, 2023)</li> <li>Use Class Order 2020 (as amended)</li> <li>Retail Occupancy Survey (Pendle Borough Council, annual)</li> <li>National Planning Policy Framework (Department of Levelling Up, Housing and Communities, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of new retail/town centre floorspace created by location (EC07)</li> <li>Amount of retail/town centre floorspace located by location (EC08)</li> <li>Town Centre occupancy levels by type and location (EC09)</li> <li>Percentage of Primary Shopping Area in non-Class E use (EC10)</li> </ul>
<b>DM45</b>	Sets out the Council's approach towards proposals for tourism development and overnight accommodation.	SO6, SO10	SP02, SP03	84, 85, 89	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Employment in sectors (EC03)</li> </ul>

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		Strategic Objectives	Strategic Policies	NPPF (paragraphs)		
					<ul style="list-style-type: none"> <li>Pendle Retail and Leisure Capacity Study (Lichfields, 2023)</li> </ul>	
<b>DM46</b>	Provides a decision-making framework to secure sustainable and appropriate equestrian development.	SO9, SO10	SP10	84, 85	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Major applications approved in Pendle (ST03)</li> </ul>
<b>AL01</b>	Allocates specific sites for housing.	SO1, SO2, SO3, SO5	SP02, SP03, SP11, SP12	60, 68, 69, 71, 74	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> <li>Pendle Strategic Housing Land Availability Assessment (Pendle Borough Council, 2023)</li> <li>Pendle Brownfield Land Register (Pendle Borough Council, annual)</li> <li>Assessment of Housing Site Nominations (Pendle Borough Council, 2022)</li> <li>Sustainability Appraisal (Pendle Borough Council, 2023)</li> <li>Housing Completions Monitoring (Pendle Borough Council, annual)</li> </ul>	<ul style="list-style-type: none"> <li>Number of new homes completed by location (CM01).</li> <li>Number of new homes granted planning permission and total number of dwellings with an extent planning consent by location (CM02)</li> </ul>
<b>AL02</b>	Allocates specific sites for employment use – Use Classes B2 (General Industry) and B8 (Storage and Distribution), which are not compatible with residential areas.	SO1, SO2, SO6, S11	SP02, SP03, SP10, SP11	82	<ul style="list-style-type: none"> <li>Pendle Housing and Economic Development Needs Assessment (Iceni Projects, 2023)</li> </ul>	<ul style="list-style-type: none"> <li>Amount of new employment floorspace completed by type and location (EC01)</li> <li>Amount of employment land/floorspace lost to alternative uses by location (EC02)</li> <li>Number and change in VAT registered businesses (EC05)</li> </ul>

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