

**SA Appendix 9: SA Scoping Report – Consultation Responses (August 2022)**

Responder	Comment/Issue Raised	PBC Response	Action
Environment Agency	I can confirm, after reviewing the report, that all issues that fall within our remit have been scoped in and given appropriate consideration for inclusion in the proposed Sustainability Appraisal to support the revised Local Plan.	Comments noted.	None.
Historic England	<p>Historic England has produced a document, which you might find helpful in providing guidance on the effective assessment of the historic environment in Strategic Environmental Assessments. This can be found at:</p> <p><a href="https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/">https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/</a></p> <p>Historic England recommends that a scoping report should:</p> <ul style="list-style-type: none"> <li>Review the objectives of relevant policies, plans and programmes</li> <li>Establish the baseline for the historic environment, including any trends and targets and gaps in the existing information.</li> <li>Identify sustainability issues and opportunities for the historic environment and heritage assets.</li> <li>Develop sustainability objectives.</li> <li>Identify indicators and targets</li> <li>Consider how alternatives will be assessed.</li> <li>Provide sufficient information on the proposed methodology for the appraisal to assessed whether the effects upon the historic environment will be properly addressed.</li> </ul>	Comments and guidance welcomed.	Comments to be taken into account in the further development of the SA.
Historic England	Baseline information; Historic England welcomes the section on Cultural Heritage within the report and	Comment noted.	None.

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	agrees with the risks outlined in para 3.2.146 and the key sustainability issues.		
Historic England	SEA Themes and Objectives; We welcome the SA topic on Cultural Heritage and the supporting key sustainability issues included in Table 3.15. We support the proposed SA objective 13 which reasons 'To conserve and enhance the historic environment, heritage assets and their setting' and the guide questions listed in table 4.1	Comment noted.	None
Historic England	<p>Methodology; Welcome the detailed outline included in the report on how the appraisals of the proposals and policies of the Local Plan will be done; however have comments on the proposed appraisal in terms of cultural heritage:</p> <ul style="list-style-type: none"> <li>- Appraisal criteria: The key sustainability issues and guide questions talk more broadly about the historic environment and also mentions heritage assets. It is important that for consistency that the appraisal criteria reflects this approach so it would be better to remove the word <i>designated</i> in the appraisal criteria ensuring that non-designated and conservation areas are also covered.</li> <li>- Threshold, similar comments as above, in addition: <ul style="list-style-type: none"> <li>1) Thresholds inclusion of only scoring the impact on nationally designated heritage asset – does not line up with the approach in the sustainability issues and guide questions. It would be better if <i>designation</i> was removed. Development proposals should also sustain the</li> </ul> </li> </ul>	<p>Comments noted and concern acknowledge. Revised approach and language better reflects the diverse historic environments found in Pendle which extend beyond those formally designated ensuring that adequately consideration and conservation of these assets are given during policy development and site selection.</p> <p>Unclear why effects are limited to the issue of access. This is likely to be a drafting error and will be changed to address wider issues in addition.</p>	<p>Reference to 'designated' has been removed in recognition of the protection afforded towards non-designated heritage assets within the NPPF alongside designated sites. Reference made to conserving historic assets within the threshold criteria as well as securing their enhancement. Single positive score expanded to take into account wider benefits to heritage assets beyond improving access.</p>

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	<p>significance of a heritage asset including their setting as well as enhance so the Major Positive criteria could be amended.</p> <p>2) On the minor positive effect score – could this be expanded as it seems unusual to only score on access?</p>		
Historic England	<p>Comments Re: Appendix 2 definitions of significance:</p> <ul style="list-style-type: none"> <li>- Guide questions bullet 1 and 3 delete reference to significance.</li> <li>- Description (column) – make sure the labels for each score match those in table 4.4 scoring system.</li> <li>- Illustrate guidance:               <ol style="list-style-type: none"> <li>1) Significant positive (++) – this refers to nationally designated conservation areas are locally designated. Also, would this score never apply to a non-designated heritage asset? The wording suggests that it would it.</li> <li>2) Positive (+) – this score should also be made available to a heritage asset that is on national list just locally designated ones. So should be amended (see previous comments).</li> <li>3) Negative (-) – It is also unclear what the <i>deterioration</i> of in terms of scoring the impact. This is not used to judge the impact on heritage assets. In addition, it is only suggesting that a negative score can apply to local designations. Which is incorrect. Both negative and positive scores can apply to all types of heritage</li> </ol> </li> </ul>	<p>Comments acknowledged and welcomed. It is important that the Sustainability Appraisal testing framework is consistent throughout so that the effects of proposed policies and sites and their reasonable alternatives are subject to the same robust testing which fully reflects the requirements of legislation and national planning policy in the interests of conserving the historic environment.</p> <p>Comments raise concerns and questions which need further thought to ensure that a robust assessment framework is provided.</p>	<p>Guide questions 1 and 3 amended to remove reference to significance. Column labels amended to ensure consistent labelling.</p> <p>Illustrative guidance amended as recommended. Alterations made to remove distinction made between nationally and locally designated sites. Reference made to deterioration within the negative and significant negative criteria removed and revised to reference less than substantial harm and substantial harm as well as the public benefits test to ensure alignment of appraisal with national planning policy. Criteria also amended to reflect the revisions made to thresholds to address Historic England comments.</p>

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	<p>assets (which is where enhancement/mitigation measures are used).</p> <p>4) Significant Negative (--) – Again reference to deterioration needs to be change and reference to destruction – not sure what this means. Do you mean total loss and substantial harm? It is worth noting that with this score, it would probably mean that the tests of public benefits would be needed if the harm cannot be mitigated.</p>		
Historic England	<p>Historic England strongly advises that you engage conservation, archaeology and urban design colleagues at the local and county level to ensure that you are aware of all the relevant features of the historical environment and that the historic environment is effectively and efficiently considered as part of the Local Plan, the allocation of any site and the preparation of the SEA. They are also best placed to advise on local historic environment issues and priorities, including access to data held in the HER. They will be able to provide you with the Historic Environment Records for the area including any relevant studies and ensure a joined-up and robust approach is undertaken.</p>	<p>Comment noted.</p>	<p>The Council will engage with key stakeholders, consistent with requirements of planning regulations and national planning policy, through the development of the Plan. The Council will take efforts to ensure that the plan provides a sound strategy for the historic environment (including sites allocated for development) based on proportionate, robust and up-to-date evidence.</p>
Natural England	<p>Table 3.15 Key sustainability issues for Pendle: We would advise the following: -Biodiversity and Green Infrastructure – The need to <del>conserve</del> restore and enhance biodiversity including sites with international, national and local designations for their nature conservation value.</p>	<p>Comments noted. Revised wording is acceptable noting the condition of the relevant designation and implication of current wording.</p>	<p>Table 3.15 amended to reflect revised wording proposed by Natural England.</p>

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	<p>We would advise against use the word conserve here, due to the nationally and internationally designated site’s unfavourable condition.</p> <p>-Biodiversity and Green Infrastructure – The need to enhance the green infrastructure network, addressing deficiencies and gaps, improving accessibility and encouraging multiple uses where appropriate.</p> <p>We welcome this inclusion</p> <p>-Land use, geology, and soil – The need to protect the limited areas of best and most versatile agricultural land in the Borough.</p> <p>We welcome this inclusion</p> <p>-Landscape – The need to preserve and appropriately manage development within the Green Belt and the Forest of Bowland Area of Outstanding Natural Beauty (AONB).</p> <p>We welcome this inclusion</p>		
Natural England	<p>Natural England do not support the principle of developing on peat and we advise you to consider its importance to the delivery of the Local Nature Recovery Strategy, and ambitions for Net Zero and the Climate Emergency declared by the Council. Natural England is working develop restoration methods so that it is able to hold water and sequester carbon.</p> <p>We advise further consideration of peat within Sustainability objective 10.</p>	<p>Comments noted. Role and treatment of peat through the Local Plan needs to be reviewed especially noting its climate change benefits and benefits for flooding.</p>	<p>Guide questions of Objective 10 revised to make reference to the Council’s Net Zero ambitions. Criteria introduced to link site assessment with this measure of sustainability.</p> <p>Objective 12 revised to reference the need to safeguard and restore peatland within the borough and the role development can place in securing the delivery of Local Nature Recovery Strategy.</p> <p>Appendix 2 also revised as relevant.</p>

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Lancashire County Council (Heritage)	Historic England Advice Notes 3 and 8, and Environment Good Practice Advice in Planning 2 document are not referenced within the SA Scoping Report.	Comments noted. References will be inserted to section.	References to wider guidance applicable to the SA and plan making process inserted at Paragraph 4.3.7
Lancashire County Council (Heritage)	No mention is made within either of the scoping reports (including SA scoping report) of any intention to consult the HER in compiling evidence for both the proposed new local plan or the call for sites. Without such information it will not be possible for objective 13 to be properly addressed and would result in those decision being based on either out-of-date, incomplete or missing data sets.	Concerns noted.	The Council will consult the HER Register for shortlisted sites and high scoring sites.
Lancashire County Council (Heritage)	Non-designated heritage assets are mentioned on page 8 of the non-technical summary and in 3.2.146 but there is no reference to what they might be (such as those definitions included in Annex 2: Glossary) and despite the need for guide question 13 including 'Will it protect or enhance the significance of non-designated heritage assets?' only designated heritage assets are depicted in figure 3.14.	Concern raised regarding only assessing designated heritage assets through the SA reflects the comments made by Historic England as addressed above.	Table amended to remove distinction between 'designated' and 'non-designated heritage assets'
Lancashire County Council (Heritage)	Appendix 2: Definitions of significance – the guide question for theme 13 includes the question again, but references only designated heritage assets in the indicator box, whilst referring to non-designated assets in the illustrative guidance box.  Failure to mention the need to consult the HER for information on non-designated heritage assets may give the impression that they will be dealt with as part of any assessment of the impacts on designated heritage assets. But given the lack of HER consultation over the last 12 years, it is not unreasonable to	Issue of consistency also raised by Historic England. The Council will ensure that adequate and proportionate regard (taking into account the stage plan making represents within the development process and requirements of legislation and national planning policy) to the effects of proposals and policies on the historic environment.	Table amended to remove distinction between 'designated' and 'non-designated heritage assets'  The Council will consult the HER Register for shortlisted sites and high scoring sites.

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	suggest the lack of archaeological assessment may continue.		
John Turley	Surely Climate Change runs through each of these topics. How can we separate these out given the implications?	Table 4.2 of the Sustainability recognises how the objectives of the Sustainability Appraisal are interlinked and against what themes.	No change.
John Turley	Plans and Programmes reference made to IPCC Report 2018, Lancashire Climate Change Strategy 2009, the Paris Agreement 2015, and the Climate Change Act 2008 all of which have been superseded by newer reports or fundamentally re-written.	The Plans and Programmes referred to in this section does in some instances refer to older documentation and acts where these play a significant role in enacting later policy. Efforts are made to ensure that the latest legislation, policies and programmes are referred and considered through the Sustainability Appraisal.	Reference of Glasgow Climate Pact included within Appendix 2 Plans and Programmes.
John Turley	Pendle is woefully short of renewable energy schemes. Would it not be possible for the planning department to carry out at least an initial survey of potential sites within the borough? This could include sites owned by Lancashire CC, schools or even privately owned. This information could be used to set up community renewable energy schemes.	Problem of resources and skill shortage to carry out this task especially given that renewable energy products are becoming diverse with reduce specific site requirements. At the same time this broadens the scope for renewable energy schemes to be accommodated within the borough. In light of this policies are directed to promote and encourage the development of renewable energy schemes, including at allocated development sites. The on-shore windfarm assessment conducted in	None direct, however further consideration will be given as to how the policies of the plan could promote or incentivise community based renewable energy projects.

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		partnership with Lancashire County Council in 2009 is still considered to form an appropriate basis for assessing commercial applications for windfarms.	
John Turley	Have specific initiatives been tried to address the waste recycling problem within Pendle?	The specific responses applicable through planning to address this issue are limited. Generally in relation to household waste the response is a design issue to ensure sufficient safe storage of bins within the curtilage of a property, and also ensuring that barriers to collection and processing of waste are as far as possible removed. The issue of waste during construction is addressed through promoting the re-use of materials, efficient use of materials, use of sustainable materials, and the careful disposal of waste.	None direct.
Lidgett and Beyond	The Scoping Report sets out sufficient information to establish the context for the SA for the Local Plan in terms of the review of plans and programmes and baseline evidence and analysis. It seems to cover the main economic, social and environmental issues and the overall approach appears sound. In particular, we are pleased that the selection of brownfield sites for development scores more highly.	Comments noted.	None.