

Appendix 1: Consultation comments, Council response and changes made

Appendix 1: Comments and Council Responses (Reg 18 Draft Local Plan)

Please click on your name, or the name of your organisation, in Table 1 to view:

- Your comments
- The Council's response to the issues you have raised
- Any changes that have been made to the Local Plan or supporting evidence to address these issues

Names are listed alphabetically by surname or organisation name.

In Table 2 the first entry for each representation is highlighted in **bold** text.

Table 1: List of written representations

Contact / Organisation Name	Contact ID	Issues
Applethwaite Ltd (Smith and Love)	01858	6
Mr A Ashworth	00594	1
Barley-with-Wheatley Booth Parish Council	01620	5
Barnoldswick Town Council	00034	33
Barrowford Parish Council	00040	11
Mr and Mrs Begley	01476	1
Dr A Birkinshaw	00639	1
Blacko Parish Council	00050	7
Canal and River Trust	01542	13
Castle Green Homes (PWA Planning)	01864	6
Mr E Clouston	01826	2
Coal Authority	00505	1
Colne BID	01841	22
Colne Town Council	01644	30
CPRE – The Countryside Charity	00250	18
Ms S Dale	00754	1
Environment Agency	01783	33
Ms C Firman	01828	1
Mr A Fortuna	01824	3
Gleeson Homes (Pegasus Group)	01867	21
Ms S Godfrey	01827	1
Mrs S Hargreaves	00890	1
Historic England	01796	21
Ms V Hollingsworth	01838	2
Home Builders Federation	01535	22
Homes England	01869	1
Cllr M. Iqbal	01837	1
Mr and Mrs Ivers	01823	1

Contact / Organisation Name	Contact ID	Issues
Lancashire County Council (Health)	01872	4
Lancashire County Council (Education)	01872	3
Lancashire County Council (Highways)	01882	2
Mr H Lawrence	01842	6
Ms P Laycock	01862	1
Lead Local Flood Authority	00265	22
Lidgett and Beyond	00294	35
Little Cloud Limited (Maddox Planning)	01830	18
Maro Developments (Roman Summer Associates)	00305	8
McCarthy and Stone (The Planning Bureau Ltd)	01575	9
Mr D McCulloch	01825	6
Natural England	00336	3
Nelson and Colne College (Smith Love)	00339	2
Mr J Nolan (for M Wade and C Soso)	01848	1
North Yorkshire Council	01793	5
Old Laund Booth Parish Council	00364	1
Roughlee Booth Parish Council	00439	1
Peel L&P (Pinnacle Planning)	01805	5
Pendle Climate Emergency Working Group (Cllr Sarah Cockburn-Price)	00729	45
Mr S Pilkington (Judith Douglas Town Planning Ltd)	01727	1
Ms S Pursglove	01840	1
B J Reynolds	01871	10
Mr and Mrs Rostron (Rural Solutions)	01243	1
Salterforth Parish Council	00455	5
Seddon Homes (Pinnacle Planning)	01529	19
Skipton Properties (NL Jones Planning)	01863	9
Sport England	00471	31
Mr J Stanford	01306	3
Theatres Trust	00561	1
Mr E Thorley	01835	3
Ms S Thorley	01836	3
Trawden Forest Parish Council	00526	29
Tum Hill Residents Group	01845	1
United Utilities	00539	16
Mr G Wilson	01429	5
Mrs J Wood (Friends of the Earth)	00168	21
WJVM (for Foster Road landowners)	01565	2

Table 2: Issues raised in written representations and Pendle Council response

Responder ID	Policy /Site Ref	Issue	Council Response	Changes to the Local Plan and/or supporting documents
00034 / 001 Barnoldswick Town Council	Policy SP02	Is the Policies Map up to date? Barnoldswick's Settlement Boundary should be adjusted to reflect recent and underway development.	Comments noted. The policies map can only be updated upon adoption of a new Local Plan. This is the first opportunity to do so since the adoption of the Core Strategy in December 2015. A number of boundary changes have previously been consulted upon. These changes address any mapping errors that have been observed and reflect where new development has taken place since their adoption. We are also proposing a significant change to the settlement boundary between Nelson and Barrowford . The Policies Map will be updated to reflect these proposed changes, unless one or more objections are received, and published alongside the Reg.19 version of the Local Plan in 2024. Settlement boundaries will be revised to reflect development which has taken place since they were adopted.	Amend the settlement boundaries to address any mapping errors and to reflect where new development has taken place since the settlement boundaries were adopted in 2015.
00034 / 002 Barnoldswick Town Council	Policy SP03	Supports the policy position that approximately 20% of new housing development should be within West Craven.	Support noted.	No change.
00034 / 003 Barnoldswick Town Council	Policy SP06	Requests removal of 'sensitive' in 4 (c). The word is subjective.	Comments noted. The word 'sensitive' is included to recognise the potential harm that energy efficiency measures can have on the landscape, townscape or historic environment. The policy seeks to ensure that energy efficiency measures respond positively to the unique quality of the location in which they are to be sited.	No change.
00034 / 004 Barnoldswick Town Council	Policy SP09	Insert 'in a sustainable way' after 'conserved' in paragraph 1. Effective conservation requires sustainable use of property.	Comments noted. As noted on page 15 the Local Plan should be read as a whole. The policies relating to climate change, also apply to development proposals affecting the historic environment. The additional wording that is proposed would divert attention away from the main thrust of the policy which is about the conservation of the historic environment.	No change.
00034 / 005 Barnoldswick Town Council	Policy SP09 Paragraph 5 (c)	Replaced 'cobbled' with 'sett paved'. Heritage streets in Pendle are paved with quarried setts, not cobbles.	Comments noted. The policy makes this distinction clear by also referring to 'natural stone setts and flags'. To make the description more accurate the text will be reversed with terms in everyday use following on.	Replace the current wording with: (c) Quarried natural stone setts and paving – i.e. cobbled streets and stone flags.
00034 / 006 Barnoldswick Town Council	Policy SP11	Insert 'c. Provision of a dedicated cycle route to North Yorkshire'	Agree (in part). A dedicated cycle route into North Yorkshire (the Pendle Greenway) is an aspiration in the emerging Lancashire Cycling and Walking Implementation Plan (LCWIP). To help facilitate sustainable travel and promote recreation the Council supports this proposal provided that its delivery does not	Supplement the current wording by inserting: (c) The Pendle Greenway, a dedicated cycle route into North Yorkshire, provided that it does not compromise the delivery of 1(a) or 1(b).

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			prejudice the developments identified in Paragraph 1 (a) and (b).	
00034 / 007 Barnoldswick Town Council	Policy SP11	Insert new paragraph after 5. 'Active travel routes should be developed between and within townships and other Pendle communities, wherever possible separate from the road network.'	Agree. The walking and cycling networks are addressed in paragraph 7 of the policy. This requires new developments to connect to these networks and make on-site provision for cycle storage. The Supporting Text also includes a section on walking and cycling. This refers to the Local Cycling and Walking Infrastructure Plans (LCWIPs) currently being prepared by Lancashire County Council. To strengthen the policy's role in securing enhancements to the walking and cycling networks in a planned way, the policy wording has been amended to make direct reference to the LCWIP.	Amend the policy text to reference the LCWIP.
00034 / 008 Barnoldswick Town Council	Policy SP12	Replace paragraph 4 with 'Pendle will introduce a Community Infrastructure Levy'. Could this be introduced in those areas of the borough where development is more viable in advance of the rest of Pendle (where viability may remain an issue)?	Disagree. This proposed wording would commit the Council to the preparation of a CIL Charging Schedule. The wording of the policy provides flexibility so that this decision can be made at a point in the future when development values in Pendle are more buoyant than those evidenced in the most up to date Pendle Development Viability Study.	No change.
00034 / 009 Barnoldswick Town Council	Policy DM03 Paragraph 2 (b)	Insert 'significant' before 'unacceptable'	Disagree. This additional wording that is proposed would result in a complete change to its implementation, which would not reflect the national position on renewable energy, or recognise the protection afforded to heritage assets through other policies in the draft Local Plan or the NPPF.	No change.
00034 / 010 Barnoldswick Town Council	Policy DM04	Add new paragraph; 'Developers should provide swift boxes, bat boxes and other breeding habitat for wildlife'	Disagree. The policy is not prescriptive about the types of mitigation measures to be provided on-site, recognising that the most appropriate measures should be delivered depending on the typology of the habitat(s) affected by the proposed development and their condition. Paragraph 5.80 of the Supporting Text highlights swift bricks and bat boxes as examples of what could be provided to promote BNG on small sites. On a wider scale, the Local Nature Recovery Strategy (LNRS) being prepared by Lancashire County Council will inform how to prioritise different mitigation measures depending on the location of the site. The policy as written will help to secure the best outcomes for nature.	No change.
00034 / 011 Barnoldswick Town Council	Policy DM12 and Policy DM31	Add the following areas of land to Appendix 8, or include as open space: <ul style="list-style-type: none"> • Land to the east of Stock Beck • Land at Ghyll Lane and Skipton Road • Land at Greenberfield Locks 	Comments noted. All site nominations have been assessed by officers of the Council. The results were published in the Local Green Space Methodology and Report, which was made available for public consultation in October/November 2023.	After considering all the available evidence, those sites to be designated as Local Green Space will be listed in Appendix 8 of the Local Plan. These sites, together with areas of open space in excess of 0.5 hectares, will be defined on the Policies Map.

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		<ul style="list-style-type: none"> Land south of Raikes Wood Close and off Clifford Street Land adjacent and rear of bus shelters on Station Road and Fernlea Avenue Land at junction of Skipton Road and Fernlea Avenue Land fronting Holy Trinity Church, Skipton Road Land at Cornmill Place Allotment land to north of Richmond Avenue Land off Priory Way Pickles Hippings, Calf Hall Lane Land off King Street 		Note: To show open space sites below this size threshold, which is also the minimum size for site allocations, has a detrimental effect on the clarity of the Policies Map. All open space sites will be shown on the online map accompanying the Open Space Audit.
00034 / 012 Barnoldswick Town Council	Policy DM16 Paragraph 1 (a) iii.	Add 'and encouraged' at the end of the sentence.	Agree. The proposed wording would provide a stronger policy emphasis when helping to secure high quality design.	Replace the current wording 'should be considered' with 'is encouraged'.
00034 / 013 Barnoldswick Town Council	Policy DM16 Paragraph 1 (b) i. Bullet Point 3	Insert 'and environmentally sustainable' after 'economical'	Disagree. This comment relates to part of the policy that is concerned with promoting sustainable development (b) and specifically the generation of heat and power from 'renewable and low carbon' sources. The matter of 'environmental sustainability' is already addressed by the preceding text and is not required.	No change.
00034 / 014 Barnoldswick Town Council	Policy DM16 Paragraph 3 (c)	Replace 'tress' with 'trees'	Agree. This is a typographical error.	Replace the current wording with that proposed.
00034 / 015 Barnoldswick Town Council	Policy DM17 Paragraph 1	Add 'and should be appropriate in scale so as not to dominate the street scene'	Agree (in part). Part 3 of the policy addresses the impact of advertisements on the street scene. Whilst scale is not mentioned directly, it is one of the matters to be considered by the decision maker when addressing points (a) to (c) inclusive.	Replace 'environment' at the end of the sentence with 'street scene'.
00034 / 016 Barnoldswick Town Council	Policy DM18 Paragraph 5	Add 'Proposals that make assets more environmentally sustainable will be supported'	Disagree. The proposed wording would not be consistent with national planning policy with regards to the effect of development on heritage assets. The policy sets out how the matter of "harm" is to be dealt with by decision makers inclusive of proposals which address energy efficiency or generate renewable energy.	No change.
00034 / 017 Barnoldswick Town Council	Policy DM19 Paragraph 1 (b)	Add 'and over' after 'along'. Add 'including towpath use as an active travel route'.	Agree (in part). It is accepted that mentioning use of the canal towpath as an active travel route would be beneficial, as would inserting links to Policies SP11 and DM32, which address this matter.	Replace the current wording with: (b) Improving access to and from the waterway and along the canal towpath, helping to facilitate its use as an active travel route (Policies SP11 and DM32).

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			As owners of the canal network, it is for the Canal and River Trust to consider proposals to cross over the canal on a case-by-case basis, rather than something to promote through planning policy.	
00034 / 018 Barnoldswick Town Council	Policy DM21 Paragraph 2	Add 'existing urban areas' after 'Town Centres' in first bullet point.	Disagree. Bullet Point 1 is not intended to include the whole of the 'existing urban area'. It specifically addresses Town Centres and those areas outside them that also benefit from good access to high quality public transport. All other locations within the 'existing urban area' are covered by Bullet Point 2. The policy text offers guidance and is not prescriptive. It would not prevent development of a higher density scheme should this be considered appropriate.	No change.
00034 / 019 Barnoldswick Town Council	Policy DM22	Question the data underlying Table 22b which appears to overstate the case for two-bedroom properties, as there are a considerable number of two-bedroom terraced houses in the borough, but a greater demand for larger and smaller properties.	Comments noted. The policy reflects the findings of the Housing and Economic Development Needs Assessment (HEDNA). The HEDNA examines projected future housing need and the mix of housing required to meet this need. The HEDNA reveals that Pendle, like many areas of the country, has an ageing population and that the older age groups are expected to experience the most growth over the plan period. The policy response seeks to ensure that housing of the right size and type is available to meet this projected need. Many larger homes in Pendle are under occupied, a trend that is repeated across the UK. The provision of small, high quality and low maintenance dwellings is intended to free up larger family homes. The policy provides flexibility by recognising that demand may vary at a sub-district level but requires any significant departures from this policy position to provide an evidenced justification.	No change.
00034 / 020 Barnoldswick Town Council	Policy DM24	Add (g) 'vertical extensions (dormers) will improve environmental sustainability through improved energy efficiency and continued use of existing housing stock'	Disagree. The matter of energy efficiency is primarily addressed through Building Regulations.	No change.
00034 / 021 Barnoldswick Town Council	Policy DM24	Add paragraph 4 'where planning permission is granted for extensions or alterations to a property on a street, further development of a similar scale and design for other properties on that street shall become permitted development'	Disagree. This request is outside the scope of a Local Plan policy, which cannot grant permitted development rights. Permitted development rights are set out in the General Permitted Development Order and the Local Plan cannot unilaterally alter this. As proposed the policy wording would ignore the need to examine 'material considerations', as required by planning law. These would differ by property and for each proposal. Furthermore the proposed wording is subjective	No change.

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			and fails to provide the necessary clarity for interpretation by applicants, decision makers or the local community. The most appropriate vehicle to provide a standardised approach to design would be to prepare and adopt a Design Code.	
00034 / 022 Barnoldswick Town Council	Policy DM34	With reference to additional paragraph 4 (Ref: 00034/021), DM24 add 'residents be informed of expanded permitted development rights should planning permission be granted for extensions and alterations in their street'.	Disagree. This is not an appropriate policy approach.	No change.
00034 / 023 Barnoldswick Town Council	Policy DM31	Remove open space designation from land to the east of Leeds and Liverpool Canal opposite Rolls-Royce Bankfield Shed, which is within residential curtilages.	Agree. The policy map will be altered to make this change.	Remove/amend AL019 which falls within residential curtilages.
00034 / 024 Barnoldswick Town Council	Policy DM35	Questions the requirements of Paragraph 1.	Comments noted. The requirements of paragraph 1 are consistent with the criteria for Class F2 development as set out in the Use Classes Order 2020, as amended. The emphasis of the policy has however since shifted in response to another comment to also address 'cultural facilities' with part 1 being altered in response. Part 1 of the policy now sets out in what circumstances the Council will support proposed for cultural and community facilities (including uses in Use Class F2).	Part 1 of the policy amended to: 'The Council will support proposals for cultural and community facilities (including shops in Use Class F2) where it: a) Responds to a local need or community aspiration as confirmed within an adopted Neighbourhood Plan, Parish Plan or community supported Masterplan b) Promotes multifunctional use of existing buildings where this is suitable and sustainable c) It supports the continued vitality of town and district centres.
00034 / 025 Barnoldswick Town Council	Policy DM37 Paragraph 1 (a)	Replace 'and' with 'or'	Disagree. The proposed re-wording could result in the under provision of off-street parking within our town centres resulting in obstruction to the highway and possible adverse effects on trade due to the lack of available spaces.	Part 1 of the policy has been reworded to relate only to the standards set out in Appendix 5. The Zones referred to in Appendix 5 has been revised with Zone 1 expanded to include 'edge of centre sites' which are locations within 300m of the defined town centre boundary. The standards set within Appendix 5 have also been revised, with Zone 1 standards 'considered on their own merits' for C3 class development and most E class development.
00034 / 026 Barnoldswick Town Council	Policy DM37 Paragraph 5	Replace existing with 'Parking should be provided on plot or as part of a parking court'	Agree. The policy does not need to make reference to on plot car parking provision here.	Part 5 (now 4) of the policy revised removing 'Parking should be provided on plot'.
00034 / 027 Barnoldswick Town Council	Policy DM37 Paragraph 17	Delete (a) and (b) and add 'one or more parking space is provided'.	Comments noted. The proposal is disproportionate and is inconsistent with statistic regarding cycle usage. The proposal would result in more land being given over to parking infrastructure where this would not be effectively used.	No change.
00034 / 028 Barnoldswick Town Council	Policy DM42	Barnoldswick should be included in Paragraph 2.	Comments noted. Nelson and Colne are listed within paragraph 2 as they are by far the largest retail centres in the borough and well placed to serve the M65 Corridor catchment. Colne is also easily accessible from West Craven. Barnoldswick is not large enough, nor is it in a sustainable location, to host large retail	No change.

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			developments that are intended to serve a borough-wide catchment.	
00034 / 029 Barnoldswick Town Council	Policy AL01	The proportion of housing site allocations in West Craven should be in accordance with 20% in SP03	Comments noted. Policy SP03 states that approximately 20% of future development is to be directed to West Craven. This figure represents a guideline and neither a maximum nor a minimum requirement. The sites allocated in Policy AL01 reflect the residual housing needs – i.e. the position after taking account of housing completions and existing commitments (sites with a valid planning permission) at the baseline date for the assessment (1 April of that year).	No change.
00034 / 030 Barnoldswick Town Council	Policy AL01	Land at former Barnsey Shed should not include the Greenfield land beyond the former footprint of the weaving shed.	Comments noted. The draft allocation includes the full submission. This helps to secure the deliverability of the site and maximises the delivery of housing in response to the proposed housing requirement. The proposal will secure the redevelopment of a cleared and overgrown brownfield site which detracts from the local environment in its current condition. It offers a suitable and sustainable location for housing and scores highly within the site assessment. The site is available now and is actively promoted by a housebuilder with a strong record of delivery. The removal of the site would necessitate the identification of an alternative site in Barnoldswick for housing to ensure that the spatial distribution of housing is consistent with strategic policy.	No change.
00034 / 031 Barnoldswick Town Council	Appendix 5 Table 2 Car parking standards	In the light of sustainability requirements, these should be reviewed with extreme prejudice. Zone 1 requirements should be set to zero.	Comments noted. The proposed re-wording could result in the under provision of parking across a large part of the borough resulting in obstruction to the highway and possible adverse effects on the operation of the highway and highway safety. The standards in Appendix 5 will be reviewed in response to concerns raised.	The Zones referred to in Appendix 5 has been revised with Zone 1 expanded to include 'edge of centre sites' which are locations within 300m of the defined town centre boundary. The standards set within Appendix 5 have also been revised, with Zone 1 standards 'considered on their own merits' for C3 class development and most E class development.
00034 / 032 Barnoldswick Town Council	Appendix 5 Table 3 Additional parking provision	Amend to minimum of 5, irrespective of car parking provision, plus one for every car park spaces. Cycle provision for car parks of 200+ spaces should be covered.	Comments noted. The proposal is disproportionate and is inconsistent with statistic regarding cycle usage. The proposal would result in more land being given over to parking infrastructure where this would not be effectively used.	No change.
00034 / 033 Barnoldswick Town Council	Appendix 5 Table 4 Minimum dimensions	Add to comment in bicycles that stands should be securely embedded and non-removable.	Agree. The proposed revision would help to ensure that adequate cycle provision remains in-situ throughout the lifetime of the development.	Replace the current wording in Appendix 5, Table 4, Cycles (final column) with: Cycle stands should be securely embedded and non-removable. They should be far enough apart to allow users to park and lock their cycle with ease and there should be at least a 0.65m gap from any wall, fence or kerb.

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00040 / 001 Barrowford Parish Council	Page 11 Paragraph 1.7	Please add a list of Neighbourhood Plans which have been made to date.	Comments noted. A list of made neighbourhood plans is likely to become outdated before the end of the plan period. Paragraph 1.26 contains a link to the Pendle Council website where an up-to-date list of made neighbourhood plans is maintained.	No change.
00040 / 002 Barrowford Parish Council	Page 14 Paragraph 1.28	Please add a list of Neighbourhood Plans which have been made to date.	Comments noted. A list of made neighbourhood plans is likely to become outdated before the end of the plan period. Paragraph 1.26 contains a link to the Pendle Council website where an up-to-date list of made neighbourhood plans is maintained.	No change.
00040 / 003 Barrowford Parish Council	Page 19 Paragraph 2.10	Remove 'and' after Hyndburn and put in a comma and add in Ribble Valley making up East Lancashire, forming part of the Pennine Lancashire sub-region.	Comments noted. See Figure 2.2. Ribble Valley does not form part of the Pennine Lancashire sub-region.	No change.
00040 / 004 Barrowford Parish Council	Page 25 Paragraph 3.2	Final bullet point should this not say Vibrant town centres (there's more than 1).	Comments noted. The list refers to what a Pendle resident can reasonably expect to have access to: a home, a job etc. As such this does not need to recognise or reflect the existence of more than one vibrant town centre.	No change.
00040 / 005 Barrowford Parish Council	Policy SP03 Paragraph 1 Bullet Points 1-3	I think it would be useful to see the Key Diagram after this policy rather than to have to scroll 40+ pages, or at least show a zoomed in area of the M65 Corridor Area.	Comments noted. The key diagram was placed at the end of the strategic planning policies as it provides a visual summary of what has gone before. It is accepted that this causes a dilemma as the geographical extent of the three spatial areas referred to have not been shown on a map.	Include a link to the Key Diagram in supporting text.
00040 / 006 Barrowford Parish Council	Pages 70-71 Key Diagram	Policy SP02 refers to Barrowford as a 'Local Service Centre but on the key diagram is a 'Key Service Centre'. As well as a large plan showing the entire borough, suggest that a smaller scale plan be displayed showing the M65 Urban Area and M65 Rural Area. Barrowford in a red box should be green. There is no blue shaded area which corresponds with the M65 Rural Area in the Key.	Comments noted. There is no need for a larger scale plan of the M65 Corridor. The key diagram as presented clearly shows the main elements of the spatial strategy. The key diagram and the presentation of the key will be reviewed to ensure that what it is intending to illustrate is clear to the reader. The colour of the icon used for a particular settlement identifies which spatial area it is located in, whilst its shape shows its position in the settlement hierarchy (Policy SP02). The built-up areas in the <i>M65 Corridor Urban Area</i> are currently shown in pink, whilst those in <i>West Craven</i> are shown in green. There are no built-up areas in the <i>M65 Corridor Rural Area</i> large enough to shade in blue. It is accepted that this distinction is not clear, and a suitable solution will be found.	In the key: The reference to "Key Service Centres" is a hold-over from the previous Local Plan. The reference will be amended to read 'Local Service Centres' to accord with the wording used in Policy SP02. The icons for the settlement hierarchy will not be coloured to show that they apply throughout the borough. On the map: All built-up areas outside of M65 Corridor Urban Area will be shown in grey (or another suitable colour). This will better show the distinction between the three spatial areas with the shape of the icon showing only the role of the settlement within the settlement hierarchy. A boundary will be inserted to show distinction between the West Craven and M65 Corridor Rural Area sub-areas with labels inserted onto the map.

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00040 / 007 Barrowford Parish Council	Policy DM09 Paragraph 3 (a)	How is the Council to judge a) requires a countryside location? The wording is currently ambiguous.	It is for the applicant to demonstrate to the satisfaction of the Council that the development proposal requires a countryside location.	No change.
00040 / 008 Barrowford Parish Council	Policy DM12 Paragraph 1	Support – Appendix 8 contains Local Green Space designated as part of the Barrowford Neighbourhood Plan.	Supported noted.	No change.
00040 / 009 Barrowford Parish Council	Policy DM22	Should you have some guide for when this policy is triggered?	Comments noted. Part 1 of the policy is clear that it refers to all residential developments.	No change.
00040 / 010 Barrowford Parish Council	Policy DM23 Table DM23a	Consider that there is a place for affordable housing in Colne and Barrowford at the very least on sites 50-99 and 100+. Sits along with the housing mix policy DM22 'all residential development should provide a range of house types and sizes'. Consider that 'housing tenure' should also go in here. (Reference to Chapter 5 of the NPPF) note paragraph 6.69 with justification. Could put in affordable on site where viability shows.	Comments noted. Table DM23a reflects the findings of the Development Viability Assessment. The policy encourages affordable housing provision for all major developments and applies increased weight in favour of proposals where the minimum requirements of Table DM23a are exceeded. Tenure is addressed in paragraphs 9-13 of the policy and reflect the findings of the Housing and Economic Development Needs Assessment (HEDNA).	No change.
00040 / 011 Barrowford Parish Council	Policy DM23 Table DM23a Page 258	Would be useful to see how the spatial areas sit alongside the table.	Comments noted. The spatial areas identified in the Core Strategy (2015) were based on the pre-May 2021 electoral ward boundaries. For statistical purposes these now correlate with the post-May 2021 electoral ward boundaries: <ul style="list-style-type: none"> • M65 Corridor Urban Area – Vivary Bridge, Waterside and Horsfield, Marsden and Southfield, Bradley, Whitefield and Walverden, Brierfield East and Cloverhill, Brierfield West and Reedley • M65 Corridor Rural Area – Boulsworth and Foulridge, Barrowford and Pendleside, Fence and Higham • West Craven – Barnoldswick, Earby and Coates The implications of this change are negligible, with one notable exception. The statistical data for urban Barrowford is now combined with rural Pendleside. Where ONS and other published data is not broken down below ward level, this can pose significant difficulties. In Pendle the parish boundaries are used to define the extent of any designated neighbourhood areas and the extent of the policies within any 'made' (adopted) neighbourhood plans. To acknowledge this, within the settlement boundary delineating the M65 Corridor Urban Area, the parish boundaries represent the boundary between the four	No change. The spatial areas are shown on the key diagram in sufficient clarity for planning purposes. A 'hard boundary' could be counterproductive when considering the implications of development proposals on the edge of a settlement – i.e. are the numbers assigned to the rural or the urban area?

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			individual settlements – Brierfield, Nelson, Barrowford and Colne.	
00050 / 001 Blacko Parish Council	General	Blacko Parish Council welcome the publication of the Pendle Local Plan Fourth Edition and hope Pendle Council will proceed to adopt the plan as speedily as possible.	Support noted. A second public consultation on the revised final draft of the Pendle Local Plan Fourth Edition 2021-2040 will be held in 2024, in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 , as amended. This should allow the Local Plan to be adopted in late 2024 or early 2025. The most recent timetable is set out within the adopted Local Development Scheme .	No change.
00050 / 001 Blacko Parish Council	General	Welcome that Policy LIV1 of the Core Strategy is not featured.	Comments noted. The Pendle Local Plan Fourth Edition 2021-2040 allocates sufficient housing land to meet the borough's proposed housing requirement. As a result the caveat previously needed in Policy LIV1 of the Core Strategy (2015), to acknowledge the possible need to approve sustainable development proposals outside a designated settlement boundary, is no longer required.	No change.
00050 / 002 Blacko Parish Council	Policy SP02	The Parish welcomes the identification of Blacko as a Rural Village within the settlement hierarchy.	Support noted.	No change.
00050 / 003 Blacko Parish Council	Policy DM20 Paragraph 14	The Parish also welcomes the flexibility to accommodate local housing needs of the village should they arise as set out in the policy.	Support noted.	No change.
00050 / 004 Blacko Parish Council	General	We welcome the very comprehensive series of policies which will protect our rural landscape, habitats, and heritage.	Support noted.	No change.
00050 / 005 Blacko Parish Council	Policy DM09	We welcome the restrictions placed upon development in the open countryside and the specified exceptions relating to rural development needs. We recognise this is a rural working environment and that sometimes buildings become redundant and can, in particular circumstances, be reused for other purposes consistent with their rural setting.	Support noted.	No change.
00050 / 006 Blacko Parish Council	Policy DM26	Policy DM26 sets out particular exceptions where housing development may be acceptable and seems to carry forward a policy which has been in place for some time.	Comments noted. The policy takes forward an established policy position, but this has been updated to reflect modern day needs and priorities.	No change.
00050 / 007 Blacko Parish Council	Page 26 Spatial Vision	Reference is made to high-speed broadband facilitating home working. At paragraph 2.3 the plan states that 98% of premises have speeds of 30mbps or greater. Here in the rural and countryside areas we very much doubt the accuracy of this figure as we are constantly plagued by very low speeds. We would urge Pendle Council to promote the	Comments noted. The information on broadband speeds is taken from the Local Broadband Information website: https://labs.thinkbroadband.com/local/pendle,E14000875	No change.

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		supply of fibre connections in the rural areas in order to facilitate the rural economy.	At the time of writing the Regulation 18 draft Local Plan this showed that 98% of the population had access to superfast broadband speeds above 30 Mbps. In October 2023 this figure was 97.74%. Policy DM39 sets out the Council's continued support for improvements to the existing digital communications infrastructure with paragraph 6.233 making a specific reference to rural broadband.	
00168 / 001 Mrs J. Wood (Friends of the Earth)	Policy DM01 Supporting Text Paragraph 5.20	Concern of the effectiveness of policies given government legislative constraints regarding implementation. For example, the encouragement of new homes built to BREEAM or Passivhaus standards but how can this be achieved when houses only seem to be built by developers with maximum profits in mind?	Comments noted. The Local Plan promotes climate change adaptation and mitigation alongside measures to reduce greenhouse gas emissions and our reliance on fossil fuels, but it is only able to influence new development. The need to comply with wider legislative requirements on, and planning policy as relevant. Existing evidence shows limited economic viability in parts of the borough making anything above and beyond compliance with the minimum legislative requirements difficult to justify. The Council will update its evidence on viability before publishing the final draft of the Local Plan to confirm what measures it can incorporate to secure net zero or low carbon development.	Wording of part 3 of the policy strengthened as far as possible noting limited viability. 'Development should, as a minimum and where feasible'
00168 / 002 Mrs J. Wood (Friends of the Earth)	Policy SP11	Welcome the need to reduce car usages as acknowledged within the Local Plan and the support for reopening the Colne to Skipton railway but object to support to extend the by-pass and implications for climate change.	Support and objections noted. Support for reinstatement of the former Colne to Skipton railway line and objection to the A56 bypass is noted. Although both proposals are longstanding and have been consulted upon, there are no firm development proposals on the table for either scheme. The Council will expect to see a clear environmental case put forward for a proposed bypass as opposed to other options, including smaller scale improvements to the existing highway network.	No change.
00168 / 003 Mrs J. Wood (Friends of the Earth)	General EV charging	Whilst more public charging points should be provided, the government seems to have no national strategy for increasing them. It is private companies trying to do the best they can with support from councils. Reducing car use still has to be the objective.	Comments noted. Policies DM01 (Climate change resilience), DM13 (Pollution) and DM37 (Parking) all promote the installation of EV Charging Points. Policy SP02 (Spatial Strategy) seeks to direct development towards those locations which have the highest levels of service provision, job opportunities and accessibility in order to reduce the need to make short journeys by car.	No change.
00168 / 004 Mrs J. Wood (Friends of the Earth)	Appendix 6	The Council should not be providing anymore (car parking) capacity. Instead, reduce the need to make short journeys.	Comments noted. There are no proposals to increase the amount of public car parking spaces in Pendle. A thorough review of existing	No change.

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			<p>provision has been conducted and fewer car parks will be protected from development in the new Local Plan.</p> <p>The parking requirements for new developments are outlined in Appendix 5. A three-tier zoning regime reduces the requirement to provide car parking spaces in those areas with the highest levels of accessibility (e.g. town centres and close to public transport hubs and routes with frequent services). This approach ensures that on-site parking is kept to the minimum required.</p> <p>In combination with other policies, which seek to direct new development towards those locations which have the highest levels of service provision, job opportunities and accessibility (notably Policy SP02), the new Local Plan seeks to reduce the need for people to make short journeys by car, helping to improve highway safety and reducing the need to increase highway capacity.</p>	
00168 / 005 Mrs J. Wood (Friends of the Earth)	Policy DM32	Very much agree with the need to provide secure bicycle storage. There is a need by government to invest more in safe active travel routes which also include supporting the use of e bikes and being able to hire them which other boroughs in the country are trailing.	<p>Support noted.</p> <p>The final draft of the Pendle Local Plan Fourth Edition 2011-2040 will be updated to highlight its support for the implementation of proposals in the Local Cycling and Walking Infrastructure Plans (LCWIPs). This document, which is currently being prepared by Lancashire County Council, will offer additional support for the introduction of infrastructure to support the increased use of e-bikes.</p>	<p>In paragraph 2 of the policy text refer to the emerging LCWIP and Policy SP11.</p> <p>The requirement for new developments and communal parking areas to provide charging infrastructure for electric, ultra-low emission and hybrid vehicles (Policy DM37, paragraph 8) to also refer to e-bikes.</p>
00168 / 006 Mrs J. Wood (Friends of the Earth)	General Green Infrastructure	<p>Supports the Green Spaces projects and believes that the Lenches should be included noting its rich diversity of wildlife as confirmed by the Lancashire Wildlife Trust.</p> <p>It is important that roundabouts and verges plus other green spaces are managed in order to encourage biodiversity. We need to encourage people to green their own yards, backstreets with their neighbours and for gardens to be green not totally grey parking space.</p> <p>It is noted that you are also working with LCC to prepare Local Nature Recovery Strategy. It is important that you do.</p>	<p>Comments noted.</p> <p>Lenches has been nominated as a candidate site for designation as Local Green Space. The Council's assessment is available to view in the Local Green Space Report and Methodology, which was made available for public comment in October/November 2023.</p> <p>Where appropriate highway verges are designated as amenity greenspace in the Open Space Audit. As such they are protected by Local Plan Policy DM31.</p> <p>Policies DM02, DM21 and DM37 support the provision, retention, and reinstatement of permeable surfaces in private gardens and communal parking areas.</p> <p>It is not within the scope of planning – which is concerned with the proposed use of land and buildings – to actively encourage people to green the curtilage of their properties. Such matters are the responsibility of other Council departments and organisations.</p> <p>The Local Nature Recovery Strategy (LNRS) is being prepared by Lancashire County Council in conjunction with the Wildlife Trust and the Local Planning authorities over the next 12 months. It will help inform decisions on biodiversity,</p>	No change.

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			particularly those concerning that statutory requirement for new development to deliver biodiversity net gain.	
00168 / 007 Mrs J. Wood (Friends of the Earth)	Policy DM04 Supporting Text Paragraph 5.72	Nature friendly farming practices – you rightly include this in the plan. Hopefully enough funding will be available to secure its delivery.	Comments noted.	No change.
00168 / 008 Mrs J. Wood (Friends of the Earth)	Policy SP07 Supporting Text Paragraph 4.77	Water contamination is of great concern. It is rightly included in the plan yet cuts to the Environment Agency budget would question if this can be monitored as it should be.	Comments noted. Water quality is an output indicator for the current Pendle Local Plan. The data is published by the Environment Agency and reported in the Authority Monitoring Report. This indicator will be retained for the monitoring of relevant policies in the Pendle Local Plan Fourth Edition 2021-2040.	No change.
00168 / 009 Mrs J. Wood (Friends of the Earth)	Policy SP07 Supporting Text Paragraphs 4.89-4.90	You mention United Utilities in the plan but not Yorkshire Water who are the provider in West Craven.	Agree. Whilst Yorkshire Water is referenced in the site-specific requirement for the development of Site P013 (Policy AL02), it is accepted that additional references to the role of Yorkshire Water (and the Earby and Salterforth Internal Drainage Board) in West Craven should be highlighted elsewhere in the Local Plan (e.g. Policies SP07 and DM02).	Insert references to Yorkshire Water as appropriate.
00168 / 010 Mrs J. Wood (Friends of the Earth)	Policy DM07	Support tree planting in appropriate settings with backing of local community. Also planting of more hedgerows which are so vital for air quality and wildlife. Street trees are important for local wellbeing and to improve air quality.	Comments noted. Policy DM07 sets out the protection afforded to trees and hedgerows. It also outlines the considerations that developers must address. These considerations include a new requirement to replace every tree that is lost to development with two new trees. The protection afforded to trees and hedgerows is also supported in other Local Plan policies (e.g. Policy DM16 Design and Placemaking).	No change.
00168 / 011 Mrs J. Wood (Friends of the Earth)	Policy DM09	Agree that this should be subject to stricter planning policy. Need to protect moorland too particularly in areas of outstanding natural beauty such as the Forest of Bowland.	Comments noted. Policy DM09 sets out the restrictions on development within the open countryside, which are consistent with those in the NPPF. Additional protection is afforded to the internationally important South Pennine Moors (Policy DM08) and the nationally important landscape in the Forest of Bowland National Landscape (Policy DM11).	No change.
00168 / 012 Mrs J. Wood (Friends of the Earth)	Policy SP07 Paragraph 7 Supporting Text Paragraphs 4.93 and 4.96	Welcome positive statement about reducing water abstraction. Must wait to see if the Environment Agency have the capacity to achieve this.	Comments noted.	No change.
00168 / 013	Policy SP06 Supporting Text Paragraph 4.63	Biomass – Widely challenged as not really providing green energy as it is often shipped in from abroad.	Comments noted. Alternatives to commercial scale biomass exist and are identified. Biomass is referenced as a possible response to the policy requirements to accord with the Government's Energy	No change.

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Mrs J. Wood (Friends of the Earth)			Security Strategy . On a smaller scale wood burners may provide an appropriate solution to providing greener energy.	
00168 / 014 Mrs J. Wood (Friends of the Earth)	Policy SP06 Supporting Text Paragraph 4.64	The plan concludes there is no suitable areas for commercial wind in Pendle or feasible opportunities for hydro. Solar panels are becoming increasingly efficient so would challenge statement of limited effectiveness with local examples of successful schemes. The Pendle Climate Emergency Working Group is looking at community initiatives for renewable energy schemes. I would urge that the plan is more ambitious with regards to this.	Comments noted. The conclusions are based on an assessment of the feasibility of commercial windfarms , commissioned jointly by a number of local authorities in the South Pennines, and an assessment of small scale hydro schemes commissioned by the Forest of Bowland AONB unit. The latter concluded that the proposed hydro scheme at Higherford is not feasible. The Ribble Rivers Trust has sought to remove weirs along Pendle Water to help promote biodiversity and help flood alleviation. References made in relation to Policy SP06 and DM03 and do not need to be repeated here.	No change.
00168 / 015 Mrs J. Wood (Friends of the Earth)	Policies SP01 and DM01	Many more home owners should be able to apply for grants in order to fit heat pumps and insulation to support the campaign for more warm homes. Other European countries are providing far more funding than here in the UK.	Comments noted. This is not a matter that can be addressed through planning policy.	No change.
00168 / 016 Mrs J. Wood (Friends of the Earth)	Policy AL01	Friends of the Earth support building on Brownfield sites providing any contamination has been removed and they are linked to existing infrastructure with opportunities for active travel, retain healthy trees and provide some green space. As an organisation we oppose building on Greenfield sites unless it is for small scale affordable or social housing. I therefore wish to register my opposition to building on the Greenfield area of Barnsey Shed (P237) – an area that is subject to flooding and significant wildlife interest, and on Land south of Colne Water, Cotton Tree Lane, Colne (P067).	Comments and objections noted. The Council must ensure that the housing requirement (Policy DM20) can be met in full before the end of the plan period. This requires the supply of housing land identified in the Local Plan (Policy AL01) to meet the deliverability tests set out in the National Planning Policy Framework (NPPF) – i.e. sites must be available, suitable, and achievable. If the Council fails to maintain a sufficient supply of deliverable sites for housing, the NPPF makes clear that the presumption in favour of sustainable development will be invoked. This could result in development occurring on Greenfield sites that have not been allocated in the Local Plan. The Council’s approach has been to prioritise development on Brownfield sites, but it has also had to balance this against concerns about deliverability. Achievability is the main concern in Pendle. The Development Viability Study shows that it is not economically viable to deliver housing on many types of Brownfield site in Pendle, but particularly within the M65 Corridor. The allocation of some Greenfield land has been necessary to ensure that the Local Plan can deliver sufficient new homes to meet the identified housing need. Our evidence shows that the two sites we propose to allocate (P067 and P237) are	Should the decision be made not to allocate all or part of these the sites for housing development, it is likely that alternative sites will need to be identified. These sites must be capable of meeting the NPPF deliverability tests.

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			<p>deliverable. Both include extensive Brownfield elements, helping to minimise the loss of Greenfield land.</p> <p>If all, or part, of any proposed site allocations are removed from the Local Plan, it may be necessary to identify an alternative site(s). The Council is not aware of a more suitable site in either of these locations, which would meet the stringent deliverability tests outlined above.</p> <p>The Level 2 Strategic Flood Risk Assessment (SFRA) will consider each of the proposed site allocations in detail and advise whether there are any constraints on development in terms of fluvial or surface water flooding and whether these could be overcome through mitigation.</p> <p>The Council is not aware of any particular biodiversity interest on this site, over-and-above what could reasonably be expected on an edge of settlement site.</p>	
00168 / 017 Mrs J. Wood (Friends of the Earth)	General Repurposing of buildings	Re-purposing of existing buildings is important, and I hope the Council is aiming to address the issue of empty homes.	<p>Comments noted.</p> <p>Local Plan Policy SP01 promotes the re-use of existing buildings before the construction of new buildings is considered, whilst Policy DM40 encourages the repurposing of former industrial buildings where this is feasible.</p> <p>Returning empty homes to use can be the quickest and most cost-effective way to increase the supply of housing. Our Empty Homes Strategy shows that the Council made significant progress in reducing the number of long-term empty homes between 2008 (2,196) and 2022 (539). The Council has been unable to continue its programme of proactive intervention due to the loss of Government funding, but the long-term vacancy rate (3.4%) is now much closer to the national average (2.7%).</p> <p>The re-use of existing buildings helps to reduce levels of embodied carbon and this is recognised in Policy SP06 (Towards Net Zero Carbon).</p>	No change.
00168 / 018 Mrs J. Wood (Friends of the Earth)	Policy AL02	Hopefully this development will attract more diverse industry. The reliance on the aerospace industry is not sustainable. There is Greenfield land surrounding the area so the extension must not impact on that either.	<p>Comments noted.</p> <p>The site-specific policy requirements, which follow the policy include a range of measures to ensure that the open countryside surrounding the proposed extension to the West Craven Business Park is protected during the site's development and its subsequent occupation and use.</p>	No change.
00168 / 019 Mrs J. Wood (Friends of the Earth)	General Healthy Lifestyles	Sport and recreation are vital to promote keeping healthy.	<p>Comments noted.</p> <p>Areas of open space (including sports and recreational facilities) are promoted and protected through Policy DM31. They are also supported through other Local Plan policies including DM06, DM16, DM30 and DM32.</p>	No change.
00168 / 020	General	The importance of healthy lifestyles and opportunities to grow our own food is rightly included within the plan. It is a	Comments noted.	No change.

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Mrs J. Wood (Friends of the Earth)	Healthy Eating	concern to me that there are so many takeaway establishments in the borough when there is a serious issue with obesity levels in some areas of Pendle. Community allotments should be a vital part of the healthy food initiatives too.	Policy DM33 sets out the policy position relating to hot food takeaways. Allotments are identified in the Open Space Audit and protected through Local Plan Policy DM31.	
00168 / 021 Mrs J. Wood (Friends of the Earth)	Policy DM42	Pleased the plan acknowledges your support of vibrant town centres and their independent businesses. There have been some suggestions that some shops be converted to houses. This must be a last resort.	Comments noted. The change of use from a shop to a residential dwelling is now considered to be permitted development. The Council cannot do anything to prevent this from happening, unless the proposal involves alterations that require planning permission. As written the policy seeks to minimise the introduction of non-commercial uses into the Primary Shopping Areas of our three town centres.	No change.

<p>00195 / 001 Higham-with-West Close Booth Parish Council</p>	<p>Policy SP05 Supporting Text Paragraph 4.38</p>	<p>Paragraph 4.38 of the draft Plan refers to the independent Green Belt Assessment Report by DLP Planning Limited Strategic Planning and Research Unit and states that ‘it provides clear and robust conclusions’. That expert report was adopted by the Council in August 2017. Its conclusions essentially support the existing Green Belt structure but recommend certain individual modifications – including, in relation to Higham, the recommendation for a New Parcel No.001a abutting the A6068 and the west and north-west edges of Higham settlement boundary. However, the final sentence of draft Paragraph 4.38 states that no change to Green Belt boundaries are proposed in response to the conclusions of the report. The Parish Council submits that the Local Plan should accept and incorporate the recommendation for New Parcel No. 001a and requests that further consideration be given to this.</p> <p>It is appreciated that, as the Assessment Report makes clear and as is required by NPPF 2021 paragraph 140, “exceptional circumstances” must be demonstrated to justify any alteration to established Green Belt boundaries. It is, however, submitted that that requirement should be viewed in the context and flavour of the ensuing NPPF paragraphs 141 and 142 which are effectively directed primarily towards the need to justify proposed removals of land from the Green Belt for the purposes of development. There appear to be no contextual guidelines, definitions or clear precedents in relation to exceptional circumstances for additions to the Green Belt, although it does appear to have been established that either a single or a combination of factors can suffice.</p> <p>It is submitted that the addition of proposed New Parcel 001a is particularly important and can be justified in the following circumstances:</p> <ul style="list-style-type: none"> • The Assessment Report in itself demonstrates the underlying reasons and rationale for the addition of the Parcel with a significantly high rating against the relevant Green Belt Purposes, namely: Purpose 1 “Critical”, Purpose 2 “Moderate”, Purpose 3 “Major”. That expert objective assessment therefore establishes a prima facie case in support of the inclusion of the parcel. • Without the inclusion of this parcel the area stands out, by way of seemingly obvious exception (and therefore exceptional circumstance), from the otherwise comprehensive enclosure by Green Belt of the villages and ribbon areas along both sides of the A6068 between Barrowford and Padiham. Consequently, it inappropriately distinguishes and disadvantages this equally essential countryside area from those adjacent and directly comparable areas. It puts the area at 	<p>Disagree.</p> <p>Background</p> <p>The land north of the A6068 between Higham and the borough boundary [“land west of Higham”] was administered by Burnley Borough Council when they established the extent of the Green Belt in the Burnley District Plan.</p> <p>To address the requirement for the Green Belt to have a strong and defensible boundary, Burnley Borough Council selected the A6068 as the northern boundary of the Green Belt.</p> <p>In paragraph 2.94 of the Inspectors Report for the Deposit Pendle Local Plan, which was published in December 1996, the Inspector acknowledges that Pendle Council did not propose to include the land to the west of Higham within the Green Belt. He then concludes in paragraph 2.99 that “no exceptional circumstances have been put forward to justify the extension of the [green] belt west of Higham”.</p> <p>In view of the Inspectors findings the Pendle Local Plan, which was finally adopted in January 1999, did not confer Green Belt status on the land to the west of Higham.</p> <p>Paragraph 140 of the National Planning Policy framework is clear that once established, Green Belt boundaries should only be altered where <i>exceptional circumstances</i> are fully evidenced and justified.</p> <p>It is therefore necessary to establish what, if any, exceptional circumstances exist to justify a change to the current Green Belt boundary.</p> <p>Green Belt Tests</p> <p>The Pendle Green Belt Assessment (2018) concludes that some areas of land currently in the open countryside may address one or more of the five functions of Green Belt identified in the National Planning Policy Framework (NPPF). In itself this does not represent the exceptional circumstances necessary to justify the inclusion of additional land in the Green Belt.</p> <p>National Planning Policy</p> <p>This position has altered significantly since the Green Belt was first established, with the National Planning Policy Framework (NPPF) placing increased emphasis on the delivery of housing.</p> <p>Pendle Local Plan</p> <p>In the emerging Pendle Local Plan Fourth Edition 2021-2040 [“the draft Local Plan”] Policies SP02, SP03 and DM20 set out the Council’s strategy for accommodating local housing need up to 2040.</p> <p>Policy DM20 proposes an annual housing requirement of 140 dwellings per annum (dpa) – to be uplifted to 148 dpa to respond to local demographic needs. This is the figure</p>	<p>No change.</p>
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		<p>comparative and inappropriate risk of future invasion and lack of protection. Reference is made to the attached coloured and annotated plan, extracted from the Pendle Proposals Map, on which the area stands out, in white, as the only non-green-belt area surrounding the road - apart from two areas (Trough Laithe and Lomeshaye Phase 2) which have already been sacrificed for strategic reasons.</p> <ul style="list-style-type: none"> In historical terms, this anomalous position apparently arose because the area originally fell into the later-abolished Burnley Rural area, whose focus had been Burnley/Padiham based and whose Green Belt boundary had therefore been confined to the southern side of the A6068 - whereas the remainder of the relevant area, north of the A6068, was in Pendle, whose policy was to maintain a Green Belt zone surrounding the A6068 and, among other things, enclosing the village settlement areas of Fence, Wheatley Lane and Higham. It is submitted that this historical anomaly in itself creates an “exceptional circumstance” unique to this site and justifying Green Belt boundary correction. It was Pendle’s wish to correct that anomaly and create a consistent Green Belt pattern to include the area in question. That intention was incorporated in the 1996 draft Local Plan but as part of a larger area proposal extending northwards to the AONB boundary along Stump Hall Lane. That proposal was rejected by the Inspector apparently on the grounds of lack of reason to extend to and use the AONB boundary and insufficient exceptional circumstances at that time - but apparently without specific reference to the above historical circumstance. The now-proposed Parcel No.001a is a significantly smaller and more directly relevant area than the 1996 proposal and merits further consideration and inclusion. It would, within modest proportion, complete the Green Belt protection zone around the Higham village settlement area, consistently with the policy for the other A6068-adjacent villages and areas. The proposed Parcel has in itself become an increasingly important hinterland adjunct to the Higham settlement area - serving the purposes of the Green Belt characterisations set out in paragraph 4.34 of the Draft Local Plan, namely: a) providing access to and preserving key views of the countryside from the urban village settlement, b) maintaining a strong rural landscape character by retaining the physical setting, scale and character of the village, and c) offering 	<p>generated by the Government’s Standard Method (now 124 dpa). The emerging Local Plan has allocated sufficient land to meet its development needs in full and does not allocate land for development in the vicinity of Higham.</p> <p>Updates to the Housing and Economic Development Needs Assessment (HEDNA) conclude that a maximum housing requirement figure of 230 dpa should be considered. Despite the difference between this figure and that generated by the Standard Method, it is evident that the pressure to deliver new housing has reduced when compared to the current policy position which seeks to deliver 298 dpa.</p> <p>Higham is within the Rural Pendle spatial area, which includes eight named settlements. Collectively they are expected to accommodate approximately 10% of the borough-wide housing requirement. Taking account of housing completions and existing commitments (i.e. sites with an extant planning permission), no housing site allocations are proposed within the Rural Pendle spatial area.</p> <p>Policy SP02 identifies Higham as a Rural Village, placing it in the fourth tier of the settlement hierarchy. This designation reflects the limited range of essential daily services available within the settlement and its relatively poor accessibility by public transport. As such the village is only expected to accommodate a limited amount of new housing development within its settlement boundary over the plan period.</p> <p>Any proposals to develop housing at a scale which is not in accordance with the spatial strategy would represent a significant departure from the Local Plan.</p> <p>Neighbouring Boroughs</p> <p>Duty to Cooperate meetings indicate that there are no proposals in either the Burnley or Ribble Valley Local Plans to develop on land in the vicinity of Higham. In particular there is no development pressure evident to the north of the A6068 from the direction of Padiham, which is immediately to the west of Higham.</p> <p>Development Pressure</p> <p>The fundamental aim of Green Belt policy is to prevent urban sprawl.</p> <p>Higham has not experienced significant growth or expansion in recent years and the surrounding area remains rural in character.</p> <p>A ‘Call for Sites’ to inform the most recent update of the Council’s Strategic Housing Land Availability Assessment (SHLAA) and the site allocations in the draft Local Plan indicates that there is limited pressure to develop on land in</p>	

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		<p>opportunities for leisure and recreation. That is because the four fields which comprise the parcel constitute an important closely-connected rural backdrop to the village and are to an extent different in character and use from (although, importantly, affording direct footpath access to) the adjoining open countryside, which then links to the AONB boundary along Stump Hall Rd/Sabden Rd. These fields include, at their borders, two tree-lined streams (one of which, Acres Brook, is also a significant TPO area along the whole west and north-west edge of the settlement area), a flora- and fauna-friendly agricultural buffer-zone and two other streams; the fields are criss-crossed with both formal and informal footpaths, directly accessed from the village and widely used by village residents and children for walking (including but not limited to dog-walking) and associated leisure purposes.</p> <ul style="list-style-type: none"> Higham has a significant historical heritage and character. Its central Conservation Area contains a variety of historic structures and buildings dating from the 1300s onwards. As well as its 18th/19th century industrial revolution and Methodism heritage it also has important 16th century connections with the Lancashire Witches and Sir Jonas Moore. In these respects it ranks with the key Pendle villages of Barley, Roughlee and Newchurch. They fall within the Forest of Bowland AONB area and are therefore highly protected in planning terms. Higham does not, but at present has managed to maintain a separate, individual, Pendle village character. Short of AONB protection, full green-belt-surround by the addition of Parcel 001a is the next best thing and is appropriate to assist (per para 4.34(b) of the draft Plan as referred to above) "retention of its individual physical setting, scale and character". The stated purpose of the Lancashire Green Belt is to restrict the sprawl of built-up areas. That presumably includes the risk of sprawl westwards from the Higham settlement area. In that context, the proposed parcel is particularly relevant where it abuts the northern side of the A6068 to the west of the Higham village settlement area - because, opposite on the southern side, there has already been a housing development on the former Fir Trees Mill site which constitutes, along with an adjacent line of six old semi-detached houses (technically in Burnley, Ightenhill Parish), a potential ribbon development adjacent to but outside the settlement area. The proposed Parcel 001a would appropriately protect the northern side of the road, and the west of Higham, from any matching development. 	<p>the immediate vicinity of Higham and a general absence of suitable sites.</p> <p>The SHLAA also reveals that at this time there are no long-term plans for large scale edge-of-settlement or strategic development proposals with the potential to affect the setting of Higham or threaten its standing as a rural village.</p> <p>Policy DM09, which designates the land to the west of Higham as open countryside provides adequate protection given this context.</p> <p>Conclusion</p> <p>Based on the above, Pendle Council does not believe that the exceptional circumstances necessary to justify a change to the Green Belt boundary exist. The existing boundary to the west of Higham, which follows the southern edge of the A6068, is effective in preventing the possible merger of Padiham with Nelson and/or Barrowford.</p> <p>This position will be reviewed in a future update of the Pendle Local Plan.</p>	

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		<ul style="list-style-type: none"> • Circumstances have changed since 1996. There is a substantially greater national requirement for additional housing which therefore increases the potential vulnerability of all areas – but especially those which stand out from others as having a lesser level of protection from development. Pendle Borough has current experience of the bombardment of applications by developers on vulnerable, not incomparable, green but non-greenbelt, areas - which the Council has been trying to resist, with indifferent success (eg Oaklands, Pasture Lane, The Rough, Lenches). • In the last year, Higham Parish has itself been targeted with applications for a “small” housing development, by a land-banking development company which has also acquired most of the surrounding land, on the former Roaming Roosters site, tenuously claimed to be a Brownfield site. This is near, but outside, the Fence settlement boundary and directly abuts the A6068 - a not dissimilar position to the southerly part of proposed Parcel 001a west of the Higham village settlement area and abutting the A6068 opposite the Fir Trees development. It is unrealistic to suggest that before 2040 this stand-out, more vulnerable, non-greenbelt, area will not be under threat. • The first of those Roaming Roosters applications has recently been dismissed by the Inspector on appeal on the specific ground that the high protective bar of “very special circumstances” for development within a Green Belt area was applicable and had not been overcome. That demonstrates the additional level of protection provided by the Green Belt and the justification for similar designation in this directly comparable area of the Parish. • There is an increased need, recognised in the draft Plan, to reinforce wherever possible the protection of green areas not specifically identified for development and affording important green-space facilities for adjacent settlement areas. That renders it the more important, where, as in this case, there is the opportunity, to rationalise local policy and area assessments by the correction of inconsistent and potentially damaging anomalies such as this Green Belt omission. • In the latter context, it is observed that, under para 4.41 of the draft Plan, a rationalised addition to the Green Belt has been included, which appears to derive from the Parcel 024a and 024c recommendations in the Green Belt Assessment Report. That is justified on the grounds of technical errors which failed to incorporate 		

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		the original Green Belt intentions of the Council. There is, perhaps, no great difference in the case of Parcel 001a where the Pendle Green Belt intention was to encompass the whole A6068 and village settlement periphery but at the time this area got left out because it was outside the later-changed jurisdictional area.		
00250 / 001 CPRE The Countryside Charity	Policy SP02 and Policy SP03	CPRE welcomes the focus on the redevelopment of Brownfield land. It welcomes that there is an urban focus with 70% of development directed to the M65 Corridor Urban Area.	Support noted.	No change.
00250 / 002 CPRE The Countryside Charity	Policy DM20 and Policy DM40	ONS 2014 data is now old, and the Office for Statistical Regulation has said it should not be used for Local Plan making purposes. ONS 2014 data was based on high growth rates that have not happened in reality. CPRE considers that both the employment (10 ha) and housing requirements (2,660 homes) over the plan period may be reduced accordingly. This may enable some land not previously developed to be deleted as allocations.	Disagree. The use of the Standard Method to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply, is enshrined in national policy (NPPF, paragraph 61). The formula to be used by local authorities is prescribed in planning practice guidance . There is no evidence to suggest that growth in the 2014 Sub-national Population Projections was overestimated.	No change.
00250 / 003 CPRE The Countryside Charity	General Housing Need	Ensuring enough affordable housing is provided in rural places with the correct tenure to ensure in perpetuity affordability is critical. Planning new housing for aging households, with additional mobility needs will be important. Quality supported housing also allows older people to downsize and free up larger properties for young families.	Comments noted. These issues are addressed in Local Plan policies DM21, DM22, DM23 and DM28.	No change.
00250 / 004 CPRE The Countryside Charity	General Housing Density	Ensuring the correct density of housing is important to make the most effective use of land in line with Section 11 of the National Planning Policy Framework.	Comments noted. The matter of housing density is addressed in Policy DM21. In simple terms higher density housing is encouraged and car parking requirements are more stringent in areas that are highly accessible using public transport.	No change.
00250 / 005 CPRE The Countryside Charity	General Employment Sites	Any extensions to employment sites should avoid green fields and especially Green Belt protected land.	Comments noted. In Pendle the Green Belt is confined to the south of the borough. There are no proposals to develop in the Green Belt, as the Lomeshaye Extension, allocated in the Pendle Core Strategy (2015), provides sufficient employment land to cater for identified needs up to 2040 in the M65 Corridor. The two employment site allocations in the Local Plan address an identified net shortfall of 9.0 ha in the employment land supply in West Craven. The site off Jackdaw Road (5.39 ha gross) lies within the settlement boundary for Barnoldswick. It is adjacent to and can only be accessed from the established Crow Nest Industrial Estate. The land is not considered to be suitable for	No change.

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			<p>housing due to its proximity to B2 General Industrial and B8 Storage and Distribution uses, which are not compatible with residential areas.</p> <p>The proposed extension to the West Craven Business Park north of Earby (7.0 ha net) is a Greenfield site. Opportunities for additional employment provision within the settlement are limited by poor vehicular access, narrow streets, and the proximity to residential development. The proposed site allocation will build on the successes of the existing business park, providing opportunities for expansion and inward investment. The location makes the best use of the existing highway infrastructure and provides the opportunity to attract additional high-skilled and well-paid employment into West Craven.</p>	
00250 / 006 CPRE The Countryside Charity	General Design	CPRE supports the policies that seek high quality and beautiful design.	Support noted.	No change.
00250 / 007 CPRE The Countryside Charity	General Climate Change	The most pressing issue for the countryside is the climate emergency and there is an urgent need to ensure future development is zero carbon.	<p>Comments noted.</p> <p>Addressing the impacts of the Climate Emergency are a key focus of the Pendle Local Plan Fourth Edition 2021-2040. They are principally addressed through Policies SP06 (Net Zero), DM01-DM03 (adaptation and mitigation) and DM04-DM08 (biodiversity impacts) inclusive.</p>	No change.
00250 / 008 CPRE The Countryside Charity	General Peatland	Please note the standing advice of Natural England is that peat mossland is an irreplaceable habitat and it should not be developed. Peat also supports biodiversity too. There must be adherence and Local Plan policy reference to development not being supported if it harms an irreplaceable habitat and the associated rare flora and fauna.	<p>Comments noted.</p> <p>The draft Local Plan does not contain any proposals to allocate land for development, or to support development proposals, on peatland habitats. The plan affords significant protection to the extensive areas of peatland in Pendle principally through Policies DM08 (South Pennine Moors) and DM15 (Solis, Minerals and Waste).</p>	No change.
00250 / 009 CPRE The Countryside Charity	General Climate resilience	Development must be climate resilient and avoid adding to flood risk across Pendle.	<p>Comments noted.</p> <p>Promoting new development that is resilient to the expected impacts of climate change is a key aspect of our new Local Plan. The matter is addressed in number of the plan policies. Those that focus on this matter are Policies DM01 (Climate Change Resilience) and DM02 (Flood Risk).</p>	No change.
00250 / 010 CPRE The Countryside Charity	General Trees / Flora	Retention of woodland, mature trees and hedgerows and the planting of more trees and hedgerows is necessary. Greenspaces should be protected with Green Space Designation wherever possible.	<p>Comments noted.</p> <p>These matters are addressed in some small way by many of the policies in the Local Plan. Those that focus on these matters are SP08 (natural environment), DM06 (green infrastructure) DM07 (trees and hedgerows), DM12 (Local Green Space) and DM31 (open space).</p>	No change.

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00250 / 011 CPRE The Countryside Charity	General Biodiversity	In accordance with the Environment Act 2021 biodiversity must be valued. In the first instance no loss should happen, where unavoidable mitigation should be sought on-site. In exceptional cases off-site mitigations should be guided by the Local Nature Recovery Strategy and a Biodiversity Net Gain of 10% and more achieved.	Comments noted. The Local Nature Recovery Strategy is being prepared by Lancashire County Council. Policy DM05 confirms the Council's support for this process and the need to protect and enhance the ecological network. Ideally the LNRS would have pre-dated the introduction of Biodiversity Net Gain, but Policy DM04 has been written in such a way that BNG will be guided by the Lancashire LNRS once it has been published.	No change.
00250 / 012 CPRE The Countryside Charity	General Protection of the countryside	CPRE wishes to see good policies for the Green Belt, the Forest of Bowland Area of Outstanding Natural Beauty (AONB), the South Pennine Moors Site of Special Scientific Interest (SSSI) to ensure the countryside is protected for future generations.	Comments noted. These matters highlighted are addressed in Policies SP05 (Green Belt), DM11 (forest of Bowland AONB), DM08 (South Pennine Moors), SP08 (Natural; Environment) and DM09 (Open Countryside). We believe that they represent "good policies".	No change.
00250 / 013 CPRE The Countryside Charity	General Landscape Character	The policy for landscape character must value the beauty of the area and the attraction for the visitor economy.	Comments noted. The requirements set out in Policy DM10	No change.
00250 / 014 CPRE The Countryside Charity	General Soil Quality	Any farmland, particularly that of Best and Most Versatile (Grades 1 to 3a) should be retained for food security of future generations.	Comments noted. Whilst there is some Grade 3 agricultural land in Pendle, there are no records of any Grade 3a land (i.e. the best and most versatile land). Policy DM15 provides an appropriate response should any Grade 3a land be identified and affected by a development proposal.	No change.
00250 / 015 CPRE The Countryside Charity	General Site Allocations	CPRE notes that the Council has considered potential sources of land and it suggests a further consideration of previously developed and underused sites across the area. Our volunteers have completed a Brownfield toolkit exercise and is aware of additional sites that should be developable and deliverable over the plan period.	Comments noted. The Council has undertaken a thorough assessment of the land known to be available land for housing and employment. The sites proposed for allocation in Policies AL01 and AL02 are consistent with the urban focussed approach set out in the spatial strategy. They also meet the tests set out in the NPPF with regard to their suitability and deliverability; including the achievability test which takes into account the economic viability of delivering development. Plan making is an evidence based process, and sites identified in the plan have been sources from the SHLAA and tested through the site assessment process including sustainability appraisal. The Council is satisfied that a robust and thorough appraisal of land options has been taken through the preparation of the Local Plan. No information has been provided about 'potential additional sites' which may be available and deliverable within the borough.	No change.
00250 / 016	General Green Belt	CPRE acknowledges that the Council has not justified exceptional circumstances and is not progressing Green Belt	Support noted.	No change.

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CPRE The Countryside Charity		release as it considers there is enough land identified for the Local Plan period. This is welcomed.		
00250 / 017 CPRE The Countryside Charity	General Solar	Integrating land uses in a more joined up way is important, such as understanding where strategic transport connections and renewable energy projects are best sited. CPRE is calling for all new development to have solar mounted rooftops and there ought to be a policy for this in the Pendle Local Plan.	Comments noted. There will be instances where the installation of solar panels may not be suitable due to site specific considerations. The criteria-based approach set out in Policy DM03 is considered to reflect a more versatile solution to this matter.	No change.
00250 / 018 CPRE The Countryside Charity	General Ecological Assessment	Allocations need to consider impacts on biodiversity with full preliminary ecological assessments for environmental regulations.	Disagree. The proposal represents a disproportionate response to the matter of ecological assessment. The mandatory BNG regulations require an ecological baseline to be established for all major developments. Paragraphs 5.86-5.91 in the justification for Policy DM04 set out a proportionate approach to ecological assessment for all sites irrespective of their size.	No change.
00265 / 001 Lead Local Flood Authority	Policy DM01	Supports the reference in Policy DM01: Climate Change Resilience to developments safeguarding and restoring natural features, such as watercourses and their natural corridors and flood plains and floodwater storage areas. Pendle Borough Council should explore options for making this a more robust requirement, in order to mitigate the culverting of watercourses, failure to account for flow paths and natural corridors and contribute to the mitigation of flood risk and mimic natural processes.	Issues addressed in Policy DM02.	
00265 / 002 Lead Local Flood Authority	Policy DM01	Supports the statement for ensuring that finished floor levels are set above those of flood water levels and accounting for climate change, Pendle Borough Council should consider referring back to the guidance provided on the requirements for finished floor levels and their relation to flood levels. In addition to this it may be worth referring to the advice on applying climate change by the Environment Agency, in relation to section 4 (d).	Agree. The proposal to add text explaining the need to make an allowance for climate change in all projections will provide additional clarity for applicants and decision makers.	Policy DM02(a) new part 11 inserted: 'Finished floor levels should be a minimum of 300mm above whichever is the higher of: a) Average ground level of the site b) Adjacent road level to the building c) Estimated river or sea flood level
00265 / 003 Lead Local Flood Authority	Policy DM02	This policy may be best split into two policies for flood risk (2a) and surface water sustainable drainage (2b) to make it easier to follow.	Agreed. This would provide for a more focussed approach.	Policy split into 2a (flood risk) and 2b (Surface Water Management).
00265 / 004 Lead Local Flood Authority	Policy DM02 Paragraphs 1-2	Sections 1 and 2 refer to the sequential and exception tests as well as the vulnerability of the development, Pendle Borough Council should ensure this takes into account flood risk from all sources not just flood zones, when applying the sequential and exception tests and understanding the vulnerability of a development, for consistency with the planning practice guidance.	Agree. The policy will be reviewed to ensure that it is fully compliant with the NPPF requirements on this matter.	Reference to 'all sources' inserted into part 1 of policy DM02a

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00265 / 005 Lead Local Flood Authority	Policy DM02	The Lead Local Flood Authority also make note of the importance of safe access and escape routes in relation to areas at risk of flooding from all sources, and how this is managed and mitigated, and would deem this a principle of development factor.	Agree. Review Policy DM02 to ensure that this issue is adequately addressed by the policy requirements.	A new section has been inserted into the policy focussing on development and flood risk and necessary design responses including part 12 of Policy DM02a which seeks to ensure 'in flood risk areas the layout of any development should include appropriate measures that offer safe access and egress, taking into account climate change projections. Their design should be discussed with the Environment Agency and Lead Local Flood Authority at the earliest opportunity.'
00265 / 006 Lead Local Flood Authority	Policy DM02 Paragraphs 3-5	The Lead Local Flood Authority supports the statements laid out in section 3, 4 and 5 and would encourage the inclusion of some further explanation elsewhere in the document, such as the requirement of the SuDS Pro-Forma, unless this has been cemented in the Validation Checklist. The Lancashire SuDS Pro-forma and accompanying guidance set out the minimum information required by the Lead Local Flood Authority, as stated in point 3 of the policy, so should be signposted to either in the policy or supporting test to make this clear.	The Council supports the implementation of the LLFA's drainage guidance through the decision making process. As confirmed within paragraph 5.27, the Council encourages applicants to engage with the LLFA prior to submitting a planning application. Specific reference to the LLFA's guidance or pro-forma would date the policy. Reference to the LLFA's guidance has been inserted as a footnote to this paragraph.	Footnote inserted to paragraph 5.27 to the LLFA's guidance.
00265 / 007 Lead Local Flood Authority	Policy DM02 Paragraph 9	With regards to section 9 (NFM), you may wish to expand this policy to consider how NFM can be integrated into development sites, for example, to manage water from off site or by utilising areas of open space to contribute to reduced flood risk across the wider catchment.	Disagree. The level of detail being requested here is more appropriate in guidance rather than a Local Plan policy.	No change.
00265 / 008 Lead Local Flood Authority	Policy DM02 Paragraphs 10-12	The Lead Local Flood Authority supports the positions outlined in section 10, 11 and 12. You may wish to expand section 10 for alignment with the Lead Local Flood Authorities guidance as set out in the pro forma.	Specific reference to the LLFA's guidance or pro-forma would date the policy. Reference to the LLFA's guidance has been inserted as a footnote to paragraph 5.27.	Footnote inserted to paragraph 5.27 to the LLFA's guidance.
00265 / 009 Lead Local Flood Authority	Policy DM02 Paragraph 15	With regards to section 15, the policy should make clear that multifunctional above ground SuDS should be prioritised, that deliver for water quality, water quantity, amenity and biodiversity, as well as overall environmental net gains, for consistency with the planning practice guidance.	Agreed. The proposed approach would help to support the implementation of other policy objectives such as Biodiversity Net Gain (Policy DM04).	Insert the following text into Part 3(d) of Policy DM02b. Multifunctional above ground SuDS should be prioritised and designed to adoptable standards.
00265 / 010 Lead Local Flood Authority	Policy DM02	Should mimic the wording used in the hierarchy of drainage options set out in the Planning Practice Guidance for section 16 but include option (a) as being re-use source control, in line with the proposed approach for controlling water at source or to be re-used, as this will be clearer to new development of the council's requirements. You may also wish to clarify that a combination of options from the hierarchy can be used in many instances.	Part 3 of Policy DM02b reflects the hierarchy set out in PPG. The policy makes clear that surface water should be controlled at source and re-used. No changes are therefore required.	No changes.
00265 / 011	Policy DM02	Pendle Borough Council would be advised to make reference to The SuDS manual in reference to sections 18	Comments noted. The Council wishes to ensure that the policy reflects up-to-date standards and practices relating to	Part 4 of Policy DM02 (formally parts 18 and 19 of DM02) revised to:

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Lead Local Flood Authority		and 19, to ensure that the appropriate calculations to determine the Greenfield or Brownfield rates has been undertaken. Section 19 should also be clarified to promote a reduction to Greenfield rates in line with the Defra Technical Standards for SuDS, as 30% betterment should not be the default.	SuDS and drainage. Reference to SuDS Manual and Defra Technical Standards to be inserted and suggested wording adopted.	<p>'SuDS should be designed in accordance with guidance in the SuDS Manual (2015) and the Department for Environment, Food and Rural Affairs Technical Standards (2015) or any future replacements:</p> <p>(a) On Greenfield sites the peak run-off rate and run-off volume must not exceed the existing greenfield rates for the same rainfall event including an allowance for climate change and changes in the impermeable area over the design life of the development (urban creep).</p> <p>(b) On previously development (brownfield) land, the peak run-off rate and run-off volume should not exceed the greenfield rates for the same rainfall event, including an appropriate allowance for climate change. Where this cannot be achieved a reduction as close to greenfield rates as reasonably practicable must be targeted, with a minimum requirement for a reduction of 30% allowing for climate change. A 10% allowance for urban creep must also be applied unless this result in an impermeable area greater than 100%.</p>
00265 / 012 Lead Local Flood Authority	Policy DM02	The policy should also clarify that previously developed sites in drainage terms are defined as sites whereby an existing drainage system is being reused in its entirety, in line with the SuDS pro-forma.	The policy deals with previously developed land proposals in planning terms. Introducing a different definition would result in unnecessary complexity and confusion.	No change.
00265 / 013 Lead Local Flood Authority	Policy DM02	The council may wish to consider throughout the policy how applicants can be encouraged to provide betterment to reduce the causes and impacts of flooding, in line with paragraph 161 of the National Planning Policy Framework, particularly given the high risk of surface water flooding experienced across many of Pendles urban centres. The policies for individual sites should include this as a requirement where they are located in particularly high-risk catchments.	Policy 2(a) provides positive responses to this issue through parts 2, 9, and 10.	No change.
00265 / 014 Lead Local Flood Authority	Policy AL01 Site P026	Riverside Mill: This site allocation has a specific policy relating to the proximity of housing relating to Walverden Water and detailed modelling provided in the Council's Strategic Flood Risk Assessment, from a planning context, it would be advised that this is provided as part of the planning application in order to compare it to an applicant's proposals.	Comments noted. The site is now an existing commitment and cannot be controlled through planning policy.	Policy amended to also enable consideration of further modelling work produced for the applicant.
00265 / 015 Lead Local Flood Authority	Policy AL01 Site P064	Brook Shed: This site allocation has a specific policy relating to the development avoiding areas confirmed with in flood zones 2 and 3 as set out in the Council's Phase 2 Strategic Flood Risk Assessment, from a planning context, it would be advised that this is provided as part of the planning	Comments noted. The site is now an existing commitment and cannot be controlled through planning policy.	Policy amended to also enable consideration of further modelling work produced for the applicant.

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		application in order to compare it to an applicant's proposals.		
00265 / 016 Lead Local Flood Authority	Policy AL01 Site P052	Former Railway Sidings: This site allocation has a low to high surface water flood risk crossing the site, from east to west, and will need to be given due consideration during development. It is also located in a catchment with a high risk of surface water flooding downstream, therefore, development on this site would be expected to include measures to reduce the causes and impacts of flooding, in line with paragraph 161 of the National Planning Policy Framework.	Comments noted. Policy AL01 has been amended to ensure that all allocations address flood risk from all sources early on in the design stage.	Specific reference has been inserted into Policy AL01 – Part 4 ‘Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b))’
00265 / 017 Lead Local Flood Authority	Policy AL01 Site P060	Former Mansfield High School: This site allocation has specific policies relating to the condition and investigation of a culverted watercourse, as well as the building within its vicinity, as well as requiring sufficient drainage, there is ambiguity of what constitutes a sufficient off-set and would be advised to mimic the advice of the Environment Agency if an 8m easement. The policy should include a requirement for an investigation into the condition and capacity of the culverted watercourse, as this could directly impact the hierarchy of drainage options should there be capacity or condition restrictions relating to the watercourse. This site allocation has a low to high surface water flow path across the site, from east to west, and will need to be given due consideration during development. Development on this site would also be encouraged to restore the culvert to an open channel, if appropriate, in line with the proposed policy on flood risk.	Comments noted. Site requirements to reflect need for an 8m easement including the opportunity to restore this to an open channel. Comments relating to the capacity and condition of the culvert are already addressed in part 4 of the policy. Comments relating to the matter of flood risk are addressed by new text inserted into Policy AL01 which relates to each allocation.	Part 4 ‘Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b))’ Part 4 text amended to ‘An 8m easement either side of the culvert flowing through the site will need to be kept free from housing development. Alternatively the culvert could be restored to an open channel’
00265 / 018 Lead Local Flood Authority	Policy AL01 Site P067	Land South of Colne Water: This site allocation has specific policies relating to the treatment of surface water runoff, the discharge of this runoff and other aspects relating to Colne Water, the Lead Local Flood Authority supports the inclusion of the site being required to discharge at Greenfield runoff rates, but would exercise caution in relation in complying with this policy, given the levels of flood risk present, which are outlined next and therefore the viability of the development. This site allocation has a low surface water flood risk covering the whole site, with areas of medium to high surface water flood risk and within flood zones 2 and 3 and will need to be given due consideration during development. When climate change is taken into account, it is possible that the current low risk to the site will increase to medium, making the site inappropriate for development. This should be fully investigated.	Comments noted. It is understood that an appropriate solution has been found through the planning application currently pending determination on this site.	Specific reference has been inserted into Policy AL01 – Part 4 ‘Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b))’

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00265 / 019 Lead Local Flood Authority	Policy AL01 Site P256	Giles Street: This site allocation has a specific policy relating to required site modelling, Pendle Borough Council should consider stating the specifics of what modelling is required. This site allocation has a low to high surface water flood risk and lies within flood zone 2 and 3 and will need to be given due consideration during development. It is also located in a catchment with a high risk of surface water flooding downstream, therefore, development on this site would be expected to include measures to reduce the causes and impacts of flooding, in line with paragraph 161 of the National Planning Policy Framework.	Comments noted. The Site-specific Policy Requirements for this site will be amended to reflect the findings of the Level 2 SFRA once available.	Specific reference has been inserted into Policy AL01 – Part 4 ‘Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b)’ Add site specific information reflecting conclusion of the Level 2 SFRA when available.
00265 / 020 Lead Local Flood Authority	Policy AL01 Site P326	Barkerhouse Road: This site allocation has an area at low surface water flood risk and will need to be given due consideration during development. It is also located in a catchment with a high risk of surface water flooding downstream, therefore, development on this site would be expected to include measures to reduce the causes and impacts of flooding, in line with paragraph 161 of the National Planning Policy Framework.	Comments noted. Policy AL01 amended to ensure that surface water flood risk is addressed through the development of the site.	Specific reference has been inserted into Policy AL01 – Part 4 ‘Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b)’
00265 / 021 Lead Local Flood Authority	Policy AL02 Site P013	West Craven Business Park Extension: This site allocation has a specific requirement requiring the use of SuDS in order to address any known surface water flood issues, it would be advised that the Strategic Flood Risk Assessment is provided as part of the planning application in order to compare it to an applicant's proposals. This site allocation has a surface water flow path through the site and an area of low to high surface water flood risk and will need to be given due consideration during development.	Comments noted. The Council accept the need to ensure that proposals are consistent with national planning policy in relation to flood risk. A new Part 6 introduced into Policy AL02 to ensure that the issue of flood risk from all sources of flooding is addressed early on during the design stage.	Specific reference has been inserted into Policy AL02 – Part 6 ‘Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b)’
00265 / 022 Lead Local Flood Authority	Policy AL02 Site P309	Land at Jackdaw Road: This site allocation has a specific requirement requiring the use of SuDS in order to address any known surface water flood issues, it would be advised that the Strategic Flood Risk Assessment is provided as part of the planning application in order to compare it to an applicant's proposals. This site allocation has a surface water flow path through the site and areas of low to high surface water flood risk and will need to be given due consideration during development. It is also located in a catchment with a high risk of surface water flooding downstream, therefore, development on this site would be expected to include measures to reduce the causes and impacts of flooding, in line with paragraph 161 of the National Planning Policy Framework.	Comments noted. The Council accept the need to ensure that proposals are consistent with national planning policy in relation to flood risk. A new Part 6 introduced into Policy AL02 to ensure that the issue of flood risk from all sources of flooding is addressed early on during the design stage.	Specific reference has been inserted into Policy AL02 – Part 6 ‘Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b)’

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00294 / 001 Lidgett and Beyond	Chapter 2 Spatial Portrait	<p>Supports opening comments in the Spatial Portrait and agrees with the comment in 2.2 that there is “increasing concern that towns and villages throughout the country are losing their identity.”</p> <p>As 2.18 states, there is indeed a significant challenge to deliver new housing. The large areas of the borough designated as Green Belt the areas of open countryside which are valued for their landscape character and importance for biodiversity are what gives Pendle its most valuable assets. Added to that are the topographical issues of river valleys and steep slopes noted in 2.36.</p> <p>We feel that there is too much “talking down” of genuine development opportunities as the borough has overdelivered on its housing in recent years. Hence, to say in 2.18 that “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” is overly pessimistic and one that does not market our borough very well to the outside world. In addition, it does not feed in very well to the Spatial Vision and the Objective 1 in Table 3.1.</p> <p>As acknowledged in 2.17, affordability is good for the lower-/mid-priced housing stock whilst the overall position is worsening slightly due to the higher demand in selected rural areas. The way to attract ambitious people into the borough, who may be commuters to Manchester or Leeds, is to retain the setting of such rural stock. In the meantime, our excellent terraced housing stock are affordable, solidly built and are available to be improved. It should be noted that these 19th century houses have locked-in carbon so should not be considered for demolition and replacement by new-builds and the mindset and any comments that people are deprived because they live in terraced houses should be removed from all Council reports.</p>	<p>Comments noted.</p> <p>The statements with regard to Brownfield land do not reflect the evidence underpinning the Pendle Local Plan – including the Development Viability Assessment.</p> <p>In recent years annual housing delivery has been at levels close to the annual housing requirement figure of 298 dpa due to development on large Greenfield sites not Brownfield land – e.g. Deerwood Park, Boulsworth View, Spring Meadows etc.</p> <p>Brownfield sites have only come forward due to special delivery vehicles. Without public funding development on the vast majority of these sites would not have occurred.</p> <p>House prices suggest that Pendle is a relatively affordable area to live. However when the borough’s low wages are accounted for, market housing is out of reach for many residents, forcing a large proportion of the population into privately rented stock. This is evidenced by the significant affordable housing needs figure for the borough, which is nearly twice the annual housing requirement.</p> <p>The lack of affordable housing has resulted in significant increases in private rents, particularly in the last few years.</p> <p>A disproportionate proportion of Pendle’s housing stock is terraced homes, resulting in a lack of choice within the housing market, particularly for households looking to change home or upscale. A significant proportion of the borough’s terraced properties are low quality, located in densely populated wards with high levels of deprivation, and occupied by households suffering from fuel poverty. The low value of these homes and their limited size, means that they are not suitable and/or economically viable to adapt to enhance their energy efficiency.</p>	No change.
00294 / 002 Lidgett and Beyond	Chapter 3 Spatial Vision	<p>Support the Spatial Vision set out in 3.2 and 3.3 and expanded on page 26. Specifically the need to build our local economy first, along with connectivity to other employment centres, as those actions will bring extra salaries and spending power into the borough and that will drive demand and viability of housing developments. In the meantime, it is paramount to protect and enhance our high-quality landscapes and biodiversity as they are the main factors driving the rise in tourism.</p>	<p>Comments noted.</p>	No change.
00294 / 003 Lidgett and Beyond	General Housing Need	<p>Given the comments about the ageing population as well as the mix of housing required for the starter, affordable and aspirational markets, it is clear that a focus on developing homes for pensioners to downsize and to enjoy supported</p>	<p>Comments noted.</p> <p>Policy DM21 acknowledges and supports the sustainable adaptation of homes to meet the needs of their occupiers to a high quality of design.</p>	No change.

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		<p>living is an important task to free up underoccupied larger houses to feed into the aspirational purchasers and to eventually filter down to first-time buyers. The fact that this virtuous housing circle is not functioning properly is evidenced by the volume of planning applications to add extensions and dormers. It is worth noting that many families actually want to live in multi-generational and denser units and this is to be encouraged and should be factored in to new developments. Such semi-detached and terraced houses have a relatively small footprint and serve families flexibly over time. People often report that they could move, but they like where they live and so they choose to adapt their homes to cope with their changing circumstances. This philosophy also builds stronger and more resilient communities.</p> <p>A key action for the Council is to engage proactively with specialist developers who can address this issue. If they are unwilling, then one of the Council's strategic JVs or partners should be utilised. This is also noted in the comments regarding delivery in inner urban Brownfield sites in para 6.72.</p>	<p>The focus on smaller homes reflects findings of the HEDNA which shows that much of the projected population growth experienced over the plan period is due to an increase in the proportion of population aged 65 and over.</p> <p>Policy DM22 sets out the mix of housing required over the plan period and what will occur where a development proposals fails to provide a clear justification to depart from this policy position.</p>	
00294 / 004 Lidgett and Beyond	Policy SP01	The NPPF requires a presumption in favour of sustainable development and Lidgett and Beyond agrees that any development should improve the economic, social and environmental conditions as stated in SP01.	<p>Comments noted.</p> <p>Policy SP01 reflects paragraph 11 of the NPPF which sets out the presumption in favour of sustainable development.</p>	No change.
00294 / 005 Lidgett and Beyond	Policy SP02 Paragraph 3	<p>SP02 – Lidgett and Beyond supports the categorisation of Colne as a Main Town and its neighbouring villages of Trawden as a Rural Service Centre and Laneshaw Bridge as a Rural Village. In particular, the restriction in Laneshaw Bridge is welcomed to permit only development which addresses an identified local need.</p> <p>In Part 3 of SP02, Lidgett and Beyond supports the requirement that any development should be of a “nature and scale that is proportionate to the role and function of the settlement.” This overlaps well with the Colne Neighbourhood Plan and its development and design code policies and will ensure that no large characterless developments take place.</p>	Support noted.	No change.
00294 / 006 Lidgett and Beyond	Policy SP06 Supporting Text Paragraphs 4.61, 4.66 and 4.68	SP06, para 4.61 and DM03 – Lidgett and Beyond also supports green energy but wishes to state that it will not support developments that conflict with any of the Significant Views described in the Colne Neighbourhood Plan. The setting of Colne, which is provided by the upland landscape surrounding the town is a very important element of our townscape. We agree with the current conclusions in 4.66 and 4.68 re commercial scale renewable energy systems.	<p>Support noted.</p> <p>The Colne Neighbourhood Plan is part of the statutory Development Plan for Pendle. As such the proposals within the designated neighbourhood area are determined in accordance with the policies within the neighbourhood plan unless material considerations indicate otherwise.</p>	No change.

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00294 / 007 Lidgett and Beyond	Policy SP09	Lidgett and Beyond welcomes protection for our historic environment and supports this policy wholeheartedly. Especially welcomed are 5a, 5c, 5f and 5h and the statements in 4.119 and 4.121/4.123.	Support noted.	No change.
00294 / 008 Lidgett and Beyond	Policy SP10 Supporting Text Paragraph 4.131	Lidgett and Beyond supports Healthy and Vibrant Communities, especially para 4.131. We look to Pendle Council to designate the Upper Rough as a Local Green Space via its Local Plan. Such sites are valuable for the physical and mental health of local residents, the wider residents of Colne and our visitors. Whilst active travel initiatives are welcomed, it must be acknowledged that the challenging topography of Colne makes it difficult to achieve wide take-up of sustainable cycling and walking and hence any development application that promises this should be treated with healthy scepticism.	Support noted. The Upper Rough has been nominated as a candidate site for designation as Local Green Space. The Council's assessment is available to view in the Local Green Space Report and Methodology , which was made available for public comment in October/November 2023.	No change.
00294 / 009 Lidgett and Beyond	Policy SP11 Paragraph 1 and Paragraph 9 Supporting Text Paragraphs 4.138- 4.140	Lidgett and Beyond supports this Transport and Connectivity Policy and are especially pleased to see Policy 9 which recognises that topography, rather than distance can make some developments reliant on the car. Regarding Policy 1 (and described in 4.138-4.140), we assume the strategic road link to Yorkshire is the one previously down selected to go from the end or near the end of the M65 to the A56 north of Foulridge. Further, the Colne Masterplan, currently under preparation, highlights better rail links to Preston and a new direct link to Manchester as key initiatives. The area covered by the Colne Masterplan includes the South Valley and seeks to support investment in developing housing and commercial buildings which fits well with Policy 5.	Support and comments noted. The East Lancashire Highways and Transport Masterplan (2014) included a significant public consultation to help identify a preferred route of the A56 Colne to Foulridge bypass . This also including a proposal that would also connect with the A6068 to the east of Colne. The report did not recommend a preferred route 'concluding' that the detailed comments received would help to inform the choice of route when the proposals are taken forward. A direct train service to Manchester via the Todmorden Curve is not feasible without trains reversing at Rose Grove in Burnley – the installation of a curve connecting to the Manchester line at Gannow Junction is prohibitively expensive due to the need to tunnel beneath roads leading to the A56/M65 interchange. However, one of the ELH&TM conclusions was to make a significant financial contribution towards the cost of a scheme to improve the standard and frequency of trains operating between Blackburn and Manchester by doubling parts of the track between Bolton and Blackburn. This would also help to facilitate the possibility of direct services to Manchester operating from Colne.	No change.
00294 / 010 Lidgett and Beyond	Policy SP12	Lidgett and Beyond supports this policy and would be especially pleased to see CIL or any similar "streamlined low-level tariff" being potentially introduced for viable developments in the Borough and especially in rural areas, as well as viability being verified via open book methods at the application stage.	Comments noted. Evidence in the most recent Development Viability Study (2021) concludes that it is not feasible to introduce a Community Infrastructure Levy in Pendle. As such there are not intentions to prepare and adopt a CIL Charging Schedule at this time.	No change.
00294 / 011	Chapter 5 Environment	Lidgett and Beyond applauds the opening comments in Section 5 covering the Environment and agrees with the comments in 5.2 about the quality and importance of	Comments noted.	No change.

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Lidgett and Beyond		Pendle's natural environment and how much it is appreciated by residents and visitors. That is why it must be valued and looked after for future generations.		
00294 / 012 Lidgett and Beyond	Policy DM02	DM02 Policies 7-10 – Lidgett and Beyond agrees with the value put on retaining existing landscape features which contribute to the natural prevention of flooding and/or slow the flow of water. Whilst much has been made about man-made SuDS achieving great things, in many edge of town and rural areas such flood prevention has been achieved successfully by nature and this should be respected. Lidgett and Beyond questions Policy 14 as to the extent the proposed final drainage system must be modelled in applications that are Outline / Access-only. Such applications, as we have seen for the Upper Rough recently, tend to cover larger developments where getting the drainage solutions right are most important. We support not being able to condition this until a later detailed design stage. Following on from this, Lidgett and Beyond supports the requirements of Policy 15, with part (e) in particular often being left to ad hoc engagement by service management companies.	Comments noted. Paragraph 14 of the policy must be met by a proposal before it is approved. A detailed drainage strategy will only be known once the detailed layout of the proposal is known. It would be unreasonable to request information to this degree of detail at outline stage.	No change.
00294 / 013 Lidgett and Beyond	Policy DM04, Policy DM05, and Policy DM06	Lidgett and Beyond supports these policies on Biodiversity Net Gain, Ecological Networks and Green Infrastructure. In order to protect the Curlew and Lapwing – red listed birds that nest in our area – we would like to see Grey Squirrel Control Measures introduced. This would also allow the red squirrels recently sighted locally to colonise new areas and flourish. We especially support paras 5.98 and 5.99.	Comments and support noted. Measures to control the Grey Squirrel population are outside the scope of planning policy.	No change.
00294 / 014 Lidgett and Beyond	Policy DM07	Lidgett and Beyond supports this policy area on Trees and Hedgerows. However, dealing with the first two policy points, they contain “wherever practicable” and “should”. Lidgett and Beyond would like to see stronger wording.	The current wording provides the necessary flexibility to give the issue proportionate recognition and consideration through the planning process but not at the cost of the delivery sustainable development.	No change.
00294 / 015 Lidgett and Beyond	Policy DM09	Lidgett and Beyond fully supports DM09 on Open Countryside, noting the balance to be struck in paras 5.146-5.148, and DM10 on Landscape Character, especially policy 1, 5a, 6b, 6c, 6f and 6g.	Support noted.	No change.
00294 / 016 Lidgett and Beyond	Policy DM12	Lidgett and Beyond would like to see the Upper Rough included as a Local Green Space under policy DM12, as stated above. We understand that Colne Town Council has submitted a formal nomination form but, to reinforce our support for the Upper Rough being designated, we have submitted a nomination form as well. This land parcel was independently examined in the recent Colne Neighbourhood Plan and was found to have fulfilled all the criteria for a LGS laid out in para 102 of the NPPF. Having read the draft Plan, it is clear that there can be no	Comments noted. See the entry for the Upper Rough in the Local Green Space Assessment. Appendix 8 is a list of sites currently designated as Local Green Space in a made neighbourhood plan. The sites designated as LGS through the Local Plan process will be added to the list in the Regulation 19 draft Local Plan. This will mean that Appendix 8 provides a single point of	No change.

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		<p>argument that this LGS qualifying land is needed to fulfil the Borough's Housing Quota until 2040, as not only has the Neighbourhood Plan designated sites in Colne but, additionally, Pendle Council has included a large site on Cotton Tree Lane and there are numerous windfall sites coming forward, as well as many extant planning permissions granted.</p> <p>The Upper Rough has low accessibility by transport modes other than the private car and is remote from local facilities. As discussed recently in refusing the application, it is simply not a sustainable location and therefore is contrary to Policy LIV1. Nor does it comply with other policies of the Core Strategy (SDP2, ENV1 and ENV4). A lot of this reasoning flows into the new Local Plan. The site has been assessed in the SHLAA, but this is an evidence base document, not policy, and its development plan status remains open countryside. This view is currently held by Pendle Council and was set out in response to a local authority land search:</p> <p><i>"Site 2 has been assessed through the Strategic Housing Land Availability Assessment (SHLAA) process as a potential location for development. The site was found to be unsuitable for development. This indicates that whilst the owner may be keen to develop the land, the Local Planning Authority are unlikely to grant planning permission. It should be noted that this land could be promoted again in the future. The site can be considered a low / medium risk of development. If it was ever granted planning permission the site will have a significant impact on the subject property. If development was to be attempted on this site and you were not supportive we would recommend you request more detailed reports on the application site title from your solicitor. Whilst this would reasonably incur an extra legal fee it may uncover a covenant that may control the development potential of this land. The property itself is part of a modern development, therefore the immediate area has already been exploited to its maximum. With the exception of the usual householder extensions and improvements we would expect little or no change. Further development is very unlikely."</i></p> <p>As advised by Lidgett and Beyond's planning consultant, who has experience of lots of Neighbourhood Plans, the other Green Spaces already designated in the Colne Neighbourhood Plan should not be included in the Pendle Plan as that supersedes the Colne Plan and therefore opens them up to new scrutiny and challenge. A similar argument applies to other Neighbourhood Plans in Pendle e.g. Trawden and Barrowford.</p>	<p>reference for the sites in Pendle designated as LGS, offering clarity for both applicants and decision makers.</p>	

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00294 / 017 Lidgett and Beyond	Policy DM13 Paragraph 4	Lidgett and Beyond suggests that for DM13 Pollution - Air Quality policy 4, the radius is expanded to be at least 1km given the impact such major development would have. This is important for East Colne as it is noted in 5.197 that there is only one AQMA in Pendle.	Disagree. No justification has been provided for this shift in established policy. Retention of the 500m threshold is recommended.	No change.
00294 / 018 Lidgett and Beyond	Policy DM16	Lidgett and Beyond notes that Colne has developed its own Design Code as part of the Neighbourhood Plan and this gives the additional local detail for the overarching Pendle guidelines. We wonder what Pendle will do to address the wider need for a Design Code across the Borough?	Comments noted. The Local Plan contains a number of policies that seek to influence the design of submitted development proposals. If the requirement to produce borough-wide Design Codes does not become mandatory, the need for one in Pendle will be considered in due course. For now the Council is focussed on preparing and adopting a new Local Plan for the borough.	No change.
00294 / 019 Lidgett and Beyond	Policy DM18	Preserving heritage is very important to Lidgett and Beyond. We have devised the popular East Colne Way and have placed information boards on heritage, wildlife and botany at both Ball Grove and Lidgett, so it is good to see this concern reflected in DM18. We are particularly pleased to see the inclusion of policy 6, as neglect or damage should never be used to justify a development proposal.	Support noted.	No change.
00294 / 020 Lidgett and Beyond	Policy DM20	Lidgett and Beyond supports the positive approach to development in DM20 and being clear about where the borough's housing will come from and how any shortfall will be addressed. Para 6.21 explains the need to consider the best interests of a range of stakeholders as part of securing "sustainable development beneficial to the area as a whole". It is important to note that sustainability should not just consider the economic aspects, but also the social and environmental aspects of people's lives. Paras 6.23-6.24 note that population growth in recent years has exceeded the original 2014 forecasts, but that this has not flowed through into a similar growth in households. Para 6.25 highlights the ridiculous comment in the HEDNA report that continued population growth along this line would lead to an enormous housing target, but correctly concludes that this would be unrealistic, with paras 6.26 and 6.27 noting the absence of data and information and of proposed housing requirements. The link to economic growth seems to be based on an extra 2,100 jobs in a ten year period requiring 2,700 houses which somewhat defies common sense and merely illustrates that the authors are unaware of the Pendle housing market and the way in which people more and more <u>choose</u> to live. A similar argument applies to affordable housing in para 6.33-6.34, where it notes that people seeking such houses are generally already housed and we highlight that unaffordable	Comments noted.	No change.

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		<p>full price houses do not suddenly become affordable at 80% of that price and that market-led developers now seem to universally renege on such commitments. As noted earlier, the Council's strategic JVs or partners should be utilised for such special housing projects.</p> <p>Paras 6.28-6.30 align with the beliefs of Lidgett and Beyond regarding housing numbers. The standard methodology figure is not a cap and we also believe that the spatial strategy will deliver extra houses, substantiated by projects that are or will be in the pipeline in the short-medium term. The same can be said of the Colne Neighbourhood Plan. We support the environmental impact line of argument and conclusion of the harm it would cause and our members are of the strong belief that 140 new homes per year is sufficient for Pendle, as laid down by the Government's standard methodology. Further detailed comments re the HEDNA are included in the Appendix to this letter.</p> <p>Lidgett and Beyond and no doubt many of our local Councillors wholeheartedly support the conclusions in para 6.38 about Pendle being able to take and keep control of making informed choices about its own housing development sites, rather than the previous environment where it was led by developers cherry-picking sites which lead to "bringing uncertainty to our communities, and a pattern of development that does not properly reflect the spatial strategy."</p>		
00294 / 021 Lidgett and Beyond	Policy DM22	<p>Lidgett and Beyond agrees with the policies of DM22 regarding the need to supply a range of housing types, especially policy 5 re bungalows and policy 6 re apartments, although we suggest that some one-bedroom apartments would help first-time buyers and help pensioners and the disabled as part of supported living set-ups. There seems to be mislabelling in using Table DM22a and DM22b.</p> <p>Para 6.24 asks why have household numbers not gone up to accommodate the population growth and this is answered in para 6.55 by acknowledging the increase in average household size. To put this in context, a large number of these increased households are actively choosing to live in this way, with multi-generational arrangements becoming more popular to supply childcare and to provide support for older people, as well as addressing the cost of living and mortgage cost issues. That is why there are a lot of planning applications for extensions and dormers as that is cheaper than moving to a larger house or extended families having multiple homes.</p>	<p>Comments noted.</p> <p>The referencing error arises from an earlier draft of the Local Plan when the policy included two separate tables. This will be amended in the final draft of the plan.</p> <p>The policy does not reject one-bedroom apartments, and this could form part of the mix set out in the table. This is alluded to within subsequent text in reference to apartment schemes.</p> <p>The commentary provided offers one possible explanation of the observed increase in household size in Pendle over the last 10 years. An alternative view is that the borough lacks sufficient larger housing stock which is affordable.</p>	Amend reference to correctly refer to Table DM22a.
00294 / 022	Policy DM23	DM23 is a chimera. Pendle is the second most affordable borough in England in which to buy a home. The most affordable homes are those that already exist. These	Comments noted.	Replace the final sentence of paragraph 4 with:

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Lidgett and Beyond		<p>houses would cost more to build than they are worth – something that is not true in vast swathes of the nation. Any “affordable housing” at 80% of the sale price on new developments is still bound to be far in excess of the average town house in Pendle. New houses in Pendle are out of reach of most first-time buyers and this is something that should be acknowledged in the Local Plan and in the NPPF too.</p> <p>DM23 policy 4’s requirements for a viability assessment if a developer wishes to avoid the affordable housing requirement are to be applauded but we know that developers both locally and nationally are employing various methods to manipulate such calculations. Nevertheless, they should be carried out and the final sentence should be tightened to state that failure to submit one “will result in the refusal of the application.”</p> <p>Lidgett and Beyond supports the affordable rural housing initiatives set out in paras 6.74-6.80, but notes that there should be appropriate scrutiny of all rural developments to ensure the support for such useful housing for rural communities and young people seeking to continue working there is not abused.</p>	<p>Whilst homes in Pendle may be relatively inexpensive, household incomes are lower than average making the affordability of market housing a key concern locally.</p> <p>There is some merit in amending the wording relating to the requirement for a viability appraisal (paragraph 4). This would provide greater clarity for both applicants and decision makers regarding the intent of the policy, which is to secure the delivery of affordable housing.</p> <p>However, the proposed wording is inflexible. The wider spectrum of material considerations to be accounted for by the decision maker may outweigh the need for affordable housing provision on a particular development.</p> <p>Rural Exception Sites must comply with the definition provided. These sites are solely intended to offer the rural communities flexibility to meet their housing needs should the supply of ‘existing commitments’ fail to do so.</p> <p>The policy sets out a comprehensive list of criteria to ensure that proposals respond to a genuine local need and that development does not come at an unacceptable cost to the character or setting of the settlement. These requirements are sufficient to ensure that proposals to develop on Rural exception Sites do not come forward in considerable numbers over the plan period.</p>	<p>“The failure to submit a viability assessment may result in the refusal of the application.”</p>
00294 / 023 Lidgett and Beyond	Policy DM24	Lidgett and Beyond supports this policy but notes the need for borough-wide compliance with design standards to ensure that no precedents are set. This is especially the case where Conservation Areas are involved as residents must realise that living in such areas brings great benefits but also imposes obligations which need to be followed.	<p>Support noted.</p> <p>The policy establishes the same design standards across Pendle.</p>	No change.
00294 / 024 Lidgett and Beyond	Policy DM26	Lidgett and Beyond supports this policy.	Support noted.	No change.
00294 / 025 Lidgett and Beyond	Policy DM28	Lidgett and Beyond supports this Policy and refers back to our earlier comments about more efficient entry, upsizing and downsizing opportunities in the local housing market.	Support noted.	No change.
00294 / 026 Lidgett and Beyond	Policy DM31 and Policy DM32	Lidgett and Beyond supports these policies on Open Space, Sport and Recreation and on Walking and Cycling.	Support noted.	No change.
00294 / 027 Lidgett and Beyond	Policy DM34	Lidgett and Beyond has experience of speculators’ consultations for large housing estates and many Lidgett and Beyond members have taken the time to respond to them. They have been dismayed to see that the results of the surveys were not published – presumably because they did not fit the speculators’ narrative. We therefore welcome DM34 Engaging the Community, Policy 3b. For	<p>Comments noted.</p> <p>A Design Code is a set of design requirements for the physical development of a site or area. It should seek to protect, and where possible enhance, the unique qualities of the area. The content and format of the Colne Neighbourhood Plan Design Code is a useful local example of what can be achieved.</p>	No change.

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		Policy 4 re design codes, the Colne Neighbourhood Plan has made it very easy for developers – simply follow our Design Code and do not even try to invent your own.		
00294 / 028 Lidgett and Beyond	Policy DM37	The Lidgett and Beyond area has been adversely affected by the poorly planned and under provision of parking on the Lower Rough, leading to selfish parking on a narrow section of Skipton Old Road by residents on the new estate. We therefore welcome the policies laid out in DM37 on Parking, especially policies 2 on permeability, 3 on drive size, 4 on parking and the quality of the street scene, and 6 and 7 on garages. There should be more consideration on the provision for parking for visitors, delivery drivers and the providers of home services. Most new developments provide parking for the residents only and the street layouts and frequent driveways militate against on-street parking.	Support noted.	No change.
00294 / 029 Lidgett and Beyond	Policy DM40, Policy DM41, Policy DM42, Policy DM43, and Policy DM44	Lidgett and Beyond supports DM40-DM44 regarding economic development and retail.	Support noted.	No change.
00294 / 030 Lidgett and Beyond	Policy DM45	<p>Paras 7.78 and 7.80 and DM45 are supported, but reference should be made to the increasing numbers of AirBnB properties in certain neighbourhoods. Lidgett and Beyond has seen several appearing in East Colne and whilst they are good for tourism, they can leave an empty feeling at quieter times of the year. Perhaps there should be density limits, similar to those for HMOs?</p> <p>We are wholly in support of para 7.98 about the impact of development for economic growth.</p>	<p>Comments noted.</p> <p>Airbnb is not a formally recognised land use and cannot be controlled through planning policy. The classification of properties used to provide overnight accommodation and the implications this has for planning relates to the nature of this use – i.e. is the property primarily a dwelling or tourist accommodation?</p> <p>Recognising the increasing significance of Airbnb style accommodation in the tourism sector, it would be useful for the Supporting Text to address this matter in order to provide further guidance and clarity as well as the potential to remove permitted development rights within specific locations where this is justified.</p>	<p>Policy DM45 policy text amends:</p> <p>Part 1: ‘Proposals relating to tourism activities, accommodation (including short term lets as relevant) and facilities are likely to be supported where they:’</p> <p>New Part 3: ‘Where there is evidence that holiday lets are restricting access to rented and affordable housing, the Council will consider the need to introduce an Article 4 direction to remove permitted development rights for such development. Where an Article 4 direction is in place proposals for existing homes to be used as a short-term let will require planning permission’</p> <p>New Paragraph 7.94 – 7.96:</p> <p>‘The use of existing dwellings as short-term holiday lets provide an increasingly popular and affordable alternative to traditional overnight accommodation. Products such as Airbnb play an important role in helping to increase the number of overnight stays benefitting the local tourism industry and wider economy. However, the benefits of this form of accommodation have to be balanced against the potential for adverse effects caused on the amenity of neighbours, parking and highway safety.</p> <p>If the property in question is your main residence, there is normally no need to apply for planning permission for a short-term let. If the property is not your main residence you</p>

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				<p>may need to apply for planning permission to let all, or part, of your property on a short-term basis.</p> <p>The requirement for planning permission is assessed on a scale of ‘fact and degree’ dependent on the intensity, frequency and nature of the short-term use. For instance, the planning regulations require an application for planning permission where a property is to be let for more than 90 nights per year. Proposals requiring planning permission will be determined in accordance with criteria set out in Policy DM45 as relevant.</p> <p>The use of dwellings on short-term holiday lets also has the potential to have a detrimental impact on the availability and affordability of housing stock. Traditional renters are finding it harder to find affordable long-term accommodation. There is limited evidence of this occurring within Pendle. The Council will closely monitor this situation over the plan period, and may, in consultation with local communities, introduce Article 4 Directions in specific locations to remove permitted development rights and require an application for planning permission to be submitted.’</p>
00294 / 031 Lidgett and Beyond	Policy AL01	<p>Lidgett and Beyond supports the choice of housing site allocations in AL01 and the reasons for their selection</p> <p>In Table 8.1, we note/suggest:</p> <ul style="list-style-type: none"> • Housing delivery 2022/23 figure to be included and extant planning permissions to be rolled forward to 31 March 2023 • Small sites windfall allowance should not exclude the first 4 years, just the first 2 covering 2021/22 and 2022/23 as they are the ones to be completed or committed; years 3 and 4 will not be. This adds 76 to the total. <p>Both of these adjustments will reduce the residual requirement.</p> <p>Lidgett and Beyond applauds the clarification of what the SHLAA actually is in paras 8.11-8.12 and potentially it is worth adding that politicians cannot remove sites from it, only landowners can do that.</p> <p>Lidgett and Beyond wholeheartedly supports the conclusions in paras 8.18 and 8.19.</p>	<p>Comments noted.</p> <p>The publication version of the Local Plan will continue to have a base date of 1 April 2023, but it will take into account dwellings delivered in Pendle during the 2022/23 monitoring year as well as those planning applications approved up to and including 31 March 2023.</p> <p>The windfall allowance purposefully avoids the first three years of the trajectory to minimise the potential for double counting. A three-year period has been selected because planning consent usually lasts for this length of time before lapsing. As such new housing on windfall sites will not contribute to housing delivery in years 2023/24, 2024/25 and 2025/26 in the housing trajectory for the publication version of the Local Plan.</p>	<p>Amend the housing supply and completions to reflect the position at 1 April 2023.</p>
00294 / 032 Lidgett and Beyond	Policy AL02	<p>AL02 could consider some of the Brownfield / fly-tipped land in South Valley in Colne as employment sites. The Colne Neighbourhood Plan sought to allocate some for regeneration housing, but landowners expressed a preference for commercial development and some have already progressed. We even suggested mixed commercial</p>	<p>Comments noted.</p> <p>The site of the former Spring Gardens Mill has planning permission for employment use and development of the site is well under way. This contribution is already accounted for in the HEDNA and contributes to addressing the future employment needs of the borough. The adjacent site at Walk Mill, is also a suitable location for further employment</p>	<p>No changes</p>

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		/ residential development to cut down on using cars for the journey to work.	provision. The site is subject to a high risk of flooding from fluvial and surface water sources. Any application to redevelop the site will be assessed on its merits. Policy SP02 confirms a presumption in favour of sustainable development will be implemented when determining proposals submitted on sites located within defined settlement boundaries.	
00294 / 033 Lidgett and Beyond	Appendix 2	Appendix 2 should reflect Gib Hill as an LNR and that it is shared between Colne and Nelson.	Comments noted. When the Regulation 18 Draft Pendle Local Plan was written, Gib Hill had not been formally been designated as a Local Nature Reserve (LNR), hence its omission from the list in Appendix 2.	Gib Hill Local Nature Reserve (LNR) added to the list of designated Local Sites in Appendix 2.
00294 / 034 Lidgett and Beyond	Appendix 7	Stage 1, Criterion 5 – note that Locality’s advice is that “double designation” can be done as different designations have different longevity, flexibility and protection. This approach was followed in the Colne Neighbourhood Plan and passed Examination and met the Basic Conditions. page 293, final paragraph – whilst this merely states that landowners will be contacted, under planning law, it is not possible for such owners to veto such a Local Green Space designation.	Comments noted. National planning policy sets a very high bar for designating land as Local Green Space (LGS) and the designation should be used sparingly. In most cases the designation of a site as open space (e.g. amenity greenspace, woodland), as a Local Site of ecological interest (e.g. BHS, LNR), Green Belt etc. will be sufficient. Whilst it is accepted that “double designation” is permissible, the following text will be retained to demonstrate that the available evidence must allow this high bar to be cleared: <i>“Where a site is subject to an existing policy designation the need for the additional protection afforded by the Local Green Space designation will need to be justified.”</i> The Decision Tree will be updated.	Amend the main text by deleting the tables setting out the criteria to be considered when designating Local Green Space (LGS) and replace with a less specific narrative. Amend the Decision Tree to make it clear that an existing designation does not rule out the possibility of a site also being designated as LGS.
00294 / 035 Lidgett and Beyond	Appendix 8	Appendix 8 – the 3 Trawden LGSs identified under Policy 9 of the Trawden Forest Neighbourhood Plan should not be listed here. As previously stated, Local Green Spaces already designated in Neighbourhood Plans (Colne, Trawden, Barrowford) should not be included in the Pendle Plan as that supersedes those Plans and therefore opens them up to new scrutiny and challenge.	Comments noted. Appendix 8 is a list of sites currently designated as Local Green Space in a made neighbourhood plan. The sites designated as LGS through the Local Plan process will be added to the list in the Regulation 19 draft Local Plan. This will mean that Appendix 8 provides a single point of reference for the sites in Pendle designated as LGS, offering clarity for both applicants and decision makers.	No change.

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00336 / 001 Natural England	Policy DM04	<p>Welcomes the inclusion of Biodiversity Net Gain (BNG) policy within the Local Plan. The following comments will help to strengthen the wording:</p> <p>(Point 4) For clarity include '10%' before 'net gain'</p> <p>(Point 5) Should mention that statutory credits are seen as the last resort on the mitigation hierarchy for BNG such as 'Statutory Credits may also be purchased as a means for meeting policy requirements for Biodiversity Net Gain. However, this is to be a last resort in line with the mitigation hierarchy'.</p> <p>(Point 6) – Due to recent updates the mandatory date for BNG should be updated to January 2024.</p> <p>(Point 8) – provides an opportunity to inform developers will be required to align their biodiversity targets with the biodiversity targets and opportunities within the local area, as identified in the local plan such as the Local Nature Recovery Strategies.</p> <p>(Point 9) – Should be expanded to include that 'developers will be required to legally secure maintenance and monitoring of habitats provided in response to Biodiversity Net Gain requirements for at least 30 years. Details of habitat management over 30 years will need to be submitted in a Habitat Management and Monitoring Plan.'</p>	<p>Point 4 – agree to change for clarity purposes.</p> <p>Point 5 – Reference to the mitigation hierarchy is useful and makes clear that of the preference for on and then off site provision first in accordance with parts 3 and 4 of the policy.</p> <p>Point 6 – deleted so that the policy is not dated.</p> <p>Point 8 – Comments noted.</p> <p>Point 9 – This matter is better addressed within the supporting text. A new paragraph has been inserted.</p>	<p>Point 4 – '10%' inserted.</p> <p>Point 5 – 'Conservation Credits are a last in resort in accordance with the mitigation hierarchy' added.</p> <p>Point 6 – No response as this part of the policy has been deleted.</p> <p>Point 8 – No change.</p> <p>Point 9 – No change, however new paragraph inserted addressing the points raised.</p> <p>New paragraph inserted 'In all cases developments will be required to legally secure the maintenance and monitoring of habitats provided in response to requirements for a minimum period of at least 30 years. Details will need to be submitted in a Habitat Management and Monitoring Plan.'</p>
00336 / 002 Natural England	Policy DM05	Whilst LNRS is included within paragraph 5.95, we would encourage reference to the LNRS within the policy itself.	Part 2 of the policy makes reference to the LNRS. An error made in the reference to LNRS has been corrected to ensure that this link is clearer.	Delete 'Network' in part 2 of the policy.
00336 / 003 Natural England	Habitat Regulations Assessment	Natural England have reviewed the Habitats Regulations Assessment and your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.	Comments noted.	No change.

Responder ID	Policy /Site Ref	Issue	Council Response	Changes to the Local Plan and/or supporting documents
00305 / 001 Maro Developments Ltd	Policy AL01	Maro is concerned that sites that are arguably less sustainable and subject to greater constraints (such as flood risk) are being promoted as housing allocations. We note that at least two such sites are the subject of live planning applications, one of which quite longstanding that appears to be subject to a strategic objection from the Environment Agency on flood risk grounds. It strikes Maro as odd that – notwithstanding that application – a site that is no better located than P001 and sits within a high flood risk zone has been elevated to a site allocation, when Maro’s site (free from all such constraints) has been omitted. This strikes us as an unsound and unsustainable approach that ought to be rectified in the Local Plan.	Comments noted. It is understood that issues regarding flood risk and drainage have been resolved in several of the highlighted cases with planning permission now granted in some instances. A Level 2 SFRA has been commissioned by Pendle Council. This will provide detailed modelling of the likelihood of flooding from all sources on the sites it is proposed to allocate for development in the Local Plan. The Council will make a final decision about the sites to be allocated based on these findings and the feasibility and likely effectiveness of any potential mitigation measures. The Council consider that the sites identified for housing through Policy AL01 represent suitable and sustainable locations for housing. The plan provides an appropriate strategy for meeting the housing requirement.	Site specific policy requirements to be amended to reflect the findings of the Level 2 SFRA.
00305 / 002 Maro Developments Ltd	Policy DM20 and Policy AL01	Maro is also concerned that the draft Plan lacks ambition and fails to allocate sufficient land for housing, and places heavy reliance on one large strategic site at Trough Laithe (Keld), between Nelson and Barrowford (capacity 500 dwellings). We are aware that planning permission is already in place for part of that site and that the discharge of conditions is underway. That site is therefore very much in the pipeline and appears to be ‘active’, and Maro raise no particular concern or objection in that regard. However, it is well known that large strategic sites such as that are prone to slippage. Many Local Plans have faltered by adopting an ‘all eggs in one basket’ approach and not factoring sufficient provision for possible slippage in the delivery of strategic sites.	Comments noted. It is acknowledged that Trough Laithe has come forward at a slower pace than anticipated when first allocated (in 2015). The site however is now under construction with the 23 completions recorded in 2021/22 increasing to 45 in 2022/23. Dialog with the landowner and developer has not revealed any reason to believe that the site will not be completed in full by 2040. The Council does not agree that the Local Plan places too much significance and reliance on this particular development, with only around 20% of homes identified for the plan period to be accommodated on this site. The approach adopted is consistent with the requirements of the NPPF.	No change
00305 / 003 Maro Developments Ltd	Policy AL01	Even in the event that the Council determines that it has allocated sufficient housing land, we put it to the Council that slippage ought to be factored into the process and that the Plan should allocate ‘reserve sites’ to fall back on in the event of such slippage.	Disagree. There is no requirement for ‘reserve sites’ in the NPPF. The evidence available to the Council indicates that the housing requirement can be delivered in full by 2040. Consequently the Council has determined that there is no need to allocate any further sites located outside the settlement boundary of Colne to meet housing needs at this time.	No change.
00305 / 004 Maro Developments Ltd	Policy AL01 Omission Site P001	Previously received positive pre-application advice and write up in Inspector Report.	Comments noted. Pre-application advice is not binding on the Council. The policy position of the authority has evolved since this advice and the Inspector’s Report were issued. The adoption of the Pendle Local Plan Fourth Edition 2021-2040 would supersede the Core Strategy. The site has not been allocated for housing in the emerging Local Plan and is considered to form part of the open countryside.	No change.

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			The Colne Neighbourhood Plan has now been formally made (adopted) by Pendle Council and does not allocate the site for housing and its development would be contrary to its policies.	
00305 / 005 Maro Developments Ltd	Policy AL01 Omission Site P001	<i>'Sloping Greenfield site on the edge of the settlement boundary. Previously proposed for housing and approved as part of larger scheme. The proposal is accessible to some services and facilities though changes in topography could encourage travel by car. The site is promoted by a developer, but is in an area which experiences marginal viability.'</i> We suggest that that summary assessment is somewhat weak and fails to acknowledge the obvious appropriateness of the site for housing. The fact that it is on sloping ground is hardly unusual in the valleyed landscape of east Lancashire, and the suggestion that that might influence choice of travel seems a somewhat throwaway comment and lacks in robustness. Added to which, the <i>'marginal viability'</i> comment is not explained. Maro considers the site to be a viable proposition and has received serious interest from housing companies expressing interest in taking it forward.	Comments noted. The SHLAA represents a policy free assessment of the availability, suitability, and achievability of a site for future housing development. The assessment considers the known constraints and market opportunities. The SHLAA assessment informs the site selection process, but it does not determine which sites should be allocated. The assessment acknowledges the planning history at this location. The steeply sloping nature of the site, the challenging topography in the vicinity of the site, and its more limited sustainability (some essential services are not easy to access within a reasonable walking distance) all contribute to the observation that occupiers of any homes built on this site are likely to be reliant on making even the shortest of journeys by car. The observations on viability reflect the appropriate scenario in the latest Local Plan Development Viability Assessment. The Council would welcome the submission of any detailed site-specific information which reflects a different outcome.	No change.
00305 / 006 Maro Developments Ltd	Policy AL01 Omission Site P001	Commentary is provided about the findings of this document – These comments have not been included in this document for the reasons set out in the Council's response.	Comments noted. This document was prepared by Colne Town Council and relates to the Colne Neighbourhood Development Plan, which was formally adopted in September 2023. It has not been relied upon by Pendle Council and does not form part of the evidence base for the emerging Pendle Local Plan. It is therefore not a material consideration.	No change.
00305 / 007 Maro Developments Ltd	Policy AL01 Site P067	The first site (Colne Water) is subject to an application that was submitted almost a year ago. We note that there is an objection from the EA on flood risk / drainage grounds, reflecting the fact that it falls in a mix of Zone 2 and 3. We question why the Council is promoting a housing allocation in a high flood zone, given that our client's land (which has historically been accepted as a good, sustainable housing site, including a previous planning permission and housing allocation in a former Local Plan) is wholly in Flood Zone 1.	Comments noted. It is understood that the issues identified have been resolved through the planning application process. The site now has planning permission. A Phase 2 SFRA has been commissioned by Pendle Council. This will involve detailed modelling to determine the potential for flood risk from all sources at each of the sites it is proposed to allocate in the Local Plan. The Council will make a final decision on which sites to allocate based on the findings of the Level 2 SFRA, together with the feasibility and effectiveness of any potential mitigation measures.	Site specific policies amended to reflect conclusions of the Phase 2 SFRA.
00305 / 008 Maro Developments Ltd	Policy AL01 Site P237	In terms of the second of those larger allocations, this too is partly in a high flood zone, albeit that affects only the southern part of their land. However, again, no part of Maro's site falls within a high flood zone.	Comments noted. It is understood that the issues identified have been resolved through the planning application process. The site now has planning permission.	Site specific policies amended to reflect conclusions of the Phase 2 SFRA.

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			A Phase 2 SFRA has been commissioned by Pendle Council. This will involve detailed modelling to determine the potential for flood risk from all sources at each of the sites it is proposed to allocate in the Local Plan. The Council will make a final decision on which sites to allocate based on the findings of the Level 2 SFRA, together with the feasibility and effectiveness of any potential mitigation measures.	
00339 / 001 Nelson and Colne College (Smith and Love)	Policy DM31 Evidence Base	The Council's most recent Playing Pitch Strategy (2016-2026) (PPS) was published in April 2016 with a base date which pre-dates this. It is considered that this document is now out of date, particularly following the impact on sport and recreational activity following the pandemic. In the event of an application for development affecting sport or recreational land or buildings the evidence could not be relied upon by the Council, Sport England (as a statutory consultee) or applicants. The absence of an up-to-date PPS does not accord with the NPPF (Paragraph 98) and without it applicants are unable to provide the evidence needed to address criteria b-d of the policy.	Acknowledged. The Playing Pitch Strategy is currently being updated and will be published alongside the final draft of the Local Plan.	Updated Playing Pitch Strategy to be published.
00339 / 002 Nelson and Colne College (Smith and Love)	Policy DM31	<p>It is considered that the second part of Draft Policy DM31 is too far reaching and difficult to apply in practice when taking into consideration the planning policy set out at paragraph 99 of Draft Policy DM31.</p> <p>Draft Policy DM31 goes beyond the requirements of the paragraph 99 in so far as it also seeks to ensure that:</p> <p><i>(e) There is no harm, or adverse impact caused to:</i></p> <ul style="list-style-type: none"> <i>i. A designated landscape or townscape feature.</i> <i>ii. The historic environment.</i> <i>iii. Ecological value on a site designated for its biodiversity value or the integrity of the Green Infrastructure network.</i> <i>iv. Amenity value.</i> <i>v. The level of flood risk (particularly beyond the boundary of the site) from all sources.</i> <p>However, it is considered that the requirements of criterion e) i-v are already set out elsewhere in the Draft Local Plan and furthermore, the criteria are more onerous than national planning policy. This is a result of the reference to there being 'no harm'. For example, when considering the impact of development on heritage assets where there is less than substantial harm to a heritage asset there is an opportunity for Local Planning authorities and developers to consider whether there are any public benefits that outweigh the harm (NPPF para. 202). Policy DM31 however, requires there to be 'no harm' to the historic environment in conflict the NPPF. In addition, the policy as drafted would</p>	<p>Agreed.</p> <p>The reference to "no harm" within the draft policy is more onerous than national planning policy, as set out in the NPPF, and the requirements of other policies in the draft Pendle Local Plan.</p> <p>Without adequate evidence to support this position, the policy requirement cannot be justified.</p> <p>The matters referenced in paragraph 8(e) are addressed in other Local Plan policies. They are not the intended focus of the policy and their inclusion at this point in the document reduces clarity for the reader.</p>	Criterion 8 (e) to be revised to make reference to the need for applicants to take into account wider policies of the Local Plan as relevant.

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		<p>not permit any harm to amenity value. If the policy positively permits the development of recreational open space this is somewhat difficult to achieve. In practice this is likely to be a matter of planning judgement. Impact on drainage and consideration of flood risk are also considered elsewhere in the Draft Local Plan.</p> <p>In order to overcome this objection, it is considered that either criteria e) be deleted or it is replaced with a requirement to comply with other policies of the Local Plan.</p>		
00364 / 001 Old Laund Booth Parish Council	General	<p>Old Laund Booth Parish Council welcomes Pendle Council's pledge in the presentation exhibition of the Local Plan 4th edition to:</p> <p>Protect the best of our natural and historic environment, so it can be enjoyed by future generations. Promote the recycling of urban land to prevent encroachment into the Green Belt, which helps to ensure that our towns and villages do not merge into one another. Prioritise the re-use of previously developed land (Brownfield sites) to help reduce the amount of construction on the fields at the edge of our towns and villages (Greenfield sites).</p> <p>The parish council especially backs the recycling of urban land. Rural villages and open countryside are vital in keeping a borough like Pendle attractive to visitors and investors and villages like Fence are full to capacity and need to be cared for with sensitivity. The parish council also welcomes plans for sustainability, renewables and biodiversity.</p>	Support noted.	No change
00439 / 001 Roughlee Booth Parish Council	General	The Parish Council think it is a very good document.	Support noted.	No change
00455 / 001 Salterforth Parish Council	Policy SP03	We support this part of the document.	Support noted.	No change
00455 / 002 Salterforth Parish Council	Policy SP05 Supporting Text Paragraphs 4.34, 4.36 and 4.37	<p>We would like to comment that we wish to maintain our status as a rural village and feel that maintaining a clear rural separation between us and bordering villages is essential.</p> <p>We would like to comment that this mentions the separation between the conurbations but does not mention Salterforth. We think Salterforth should be included.</p>	<p>Support and comments noted.</p> <p>Salterforth is designated as a Rural Village in Policy SP02. The open countryside surrounding the village is not formally designated as Green Belt. The Green Belt designation is a planning tool, and its aim is to prevent urban sprawl by keeping land permanently open.</p> <p>The stated purpose of the North West Green Belt is to prevent the uncontrolled growth of the built-up areas around Greater Manchester and Merseyside. It does not extend north beyond the towns and cities in the M65 Corridor between Preston in the west and Colne in the east.</p>	No change.

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			<p>The Pendle Green Belt Assessment (2017) did not identify the exceptional circumstances required to designate further land as Green Belt.</p> <p>No housing site allocations are proposed at Salterforth in this plan period, with Policy SP02 setting a clear steer on the Council's expectations for development proposals affecting the village.</p>	
00455 / 003 Salterforth Parish Council	Policy SP06	Support in principle but we are concerned about the practicalities of some areas for example, para 4.48 talks about making existing homes more energy efficient. We have many very old buildings in Salterforth and hope that the ideas outlined in this section, do not deter people from buying properties in the village.	Comments noted.	No change.
00455 / 004 Salterforth Parish Council	Policy SP08, Policy SP09, Policy SP10, Policy SP11 and Policy SP12	Support	Support noted.	No change.
00455 / 005 Salterforth Parish Council	Policy DM04 Supporting Text Paragraph 5.80	<p>Whilst we fully support the principle outlined in this section, we are sceptical about the concept and practicalities of compensatory provision. We consider that long-standing practices which are simple to implement, if there is a will, like the installation of Swift Nesting Bricks and Bat Boxes must be set made compulsory, for all to follow. We cannot contemplate a situation where such a provision would not be possible to be implemented. We consider that the option of compensatory provision is a 'get out clause' for some developers, which they will jump upon to suit themselves. We also believe that any compensatory provision would be very difficult to monitor and maintain, probably making it worthless in the longer term. We are aware that the subject of Swift Nesting Bricks being made compulsory in all new builds, was debated in the Houses of Parliament very recently and received cross party support, but was sadly blocked in the end by the Government. We would love to see Pendle Council going a step further than others, and make the introduction of Swift Nesting Bricks and Bat Boxes COMPULSORY in the area. It would be brilliant if Pendle Council was an exemplar in this matter.</p>	<p>Comments noted.</p> <p>BNG is to become a compulsory requirement implemented through the Environment Act 2021. The intention of BNG is to ensure that new provision responds to the existing habitats on a particular development site so that the mitigation measures achieve the most appropriate outcomes for nature. BNG does not replace the mitigation hierarchy which seeks to avoid impacts as a first which is implemented through Policy SP08.</p> <p>It will not always be the case that the installation of swift nesting bricks or bat boxes will form the most appropriate response. New provision should address the baseline condition of the site and the habitats affected by the development. A flexible approach is more desirable and will result in better outcomes for nature recovery.</p>	No change.

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00471 / 001 Sport England	Chapter 3 Spatial Vision	Sport England supports the aims to ‘create attractive neighbourhoods where residents are encouraged to live healthy and active lifestyles’ and to ensure ‘towns and villages are healthy, safe and vibrant places to live’ which will meet Sport England Active Design 3 principles https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design and the twelve planning-for-sport principles it presents, to help the planning system provide formal and informal opportunities for all to take part in sport and be physically active https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2020-01/planning-for-sport-guidance.pdf?VersionId=V91Twg6jajoe7TpardJDn9h6s9AiSqW0	Support noted.	No change.
00471 / 002 Sport England	Chapter 3 Key Objectives Objective 2	Sport England support the objective which meets the Sport England’s objective to provide https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2020-01/planning-for-sport-guidance.pdf?VersionId=V91Twg6jajoe7TpardJDn9h6s9AiSqW0 and promote sustainable communities through active design.	Support noted.	No change.
00471 / 003 Sport England	Chapter 3 Key Objectives Objective 3	Sport England support the objective which meets the Sport England Active Design 3 principles.	Support noted.	No change
00471 / 004 Sport England	Chapter 3 Key Objectives Objective 8	Sport England supports the objective which meets the Sport England Active Design 3 principles and its twelve planning-for-sport principles it presents, is to help the planning system provide formal and informal opportunities for all to take part in sport and be physically active.	Support noted.	No change.
00471 / 005 Sport England	Chapter 3 Key Objectives Objective 9	Sport England supports the objective which seeks the protection of sports facilities and the application of our Playing Pitch Policy https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2021-12/Playing%20Fields%20Policy%20and%20Guidance%20%E2%80%93%20Last%20updated%20December%202021.pdf?VersionId=2gSKc.DN7ZCfiMQJQZTyBvpI2AM DIjHn and in addition will meet Sport England Active Design 3 principles and the twelve planning-for- sport principles it presents, to help the planning system provide formal and informal	Support noted.	No change.

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		opportunities for all to take part in sport and be physically active.		
00471 / 006 Sport England	Chapter 3 Key Objectives Objective 11	Sport England support the objective which meets the Sport England Active Design 3 principles.	Support noted.	No change.
00471 / 007 Sport England	Policy SP05 Supporting Text Paragraph 4.34	Sport England supports the justification and potential for sports facilities in the Green Belt where it accords with NPPF.	Support noted.	No change.
00471 / 008 Sport England	Policy SP10 Paragraphs 1a and 1b	Sport England supports the policy that will support the Sport England twelve planning-for-sport principles it presents, to help the planning system provide formal and informal opportunities for all to take part in sport and be physically active and the application of its Playing Field Policy where appropriate. Sport England supports direct reference to its Active Design 3 and the encouragement of its application and policy cross reference to SP11.	Support noted.	No change.
00471 / 009 Sport England	Policy SP11	Sport England supports the policy but considers it would benefit by the inclusion of direct reference to Active Design 3 principles and have policy linkage to Policy SP10. Include reference to Active Design 3 in relation to points 3, 4, 5, and 7 and include Policy SP10 link.	Comments noted. The objectives of Active Design 3 relate better to those of Policy SP10 rather than Policy SP11. As highlighted after paragraph 1.32 on page 15, the Local Plan should be read as a whole. Development proposals will be measured against both Policy SP10 and Policy SP11, so there is no need to repeat this reference.	No change.
00471 / 010 Sport England	Policy SP12	Sport England supports the requirement for contributions, particularly towards sports facilities, where the demand created by the development now or in the future, requires it. It would be beneficial for the policy to include specific reference to sport facilities and to incorporate a direct reference and link to the Sport England Active Places Power https://www.activeplacespower.com/ – Sports Facilities Calculator and Playing Pitch Calculator to assist developers in understanding the level of contribution the demand will require. Include within the policy itself a requirement for contributions towards sports facilities and within the Supporting Text reference to Sport England Active Places Power https://www.activeplacespower.com/ – Sports Facilities Calculator and Playing Pitch Calculator as a tool to enable developers to plan appropriately for financial	Comments noted. The Sports Facilities Calculator and the Playing Pitch Calculator will help applicants to understand the level of contribution that projected demand is likely to require. As such a specific reference and link to the Sport England Active Places Power website https://www.activeplacespower.com/ will be included in the Supporting Text.	New paragraph included (4.186): 'Where a proposed development creates increased demand for new sports facilities either now or in the future the Sport England Active Places Power website includes a Sports Facilities Calculator and a Playing Pitch Calculator to assist developers in understanding the level of contribution the demand will require.' Further reference is also made with the insertion of a new paragraph within the supporting text of Policy DM31.

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		contributions required resulting from demand created by their development. To comply with NPPF paragraph 98.		
00471 / 011 Sport England	Page 71 Key Diagram	The Key Diagram does not provide sufficient detail for Sport England to make substantive comment. Sport England reserves the right to comment further on a more detailed Proposals Map and/or site allocations and/or future planning applications affecting playing fields.	Comments noted. National planning policy requires the key diagram to illustrate the spatial strategy. It is not intended to be a detailed map showing the spatial implications of all the policies in the Local Plan. To help avoid confusion the Regulation 18 public consultation only highlighted the changes that are being proposed to the existing Proposals (Policies) Map. The Regulation 19 Draft Pendle Local Plan will be accompanied by a fully revised Policies Map. To aid clarity open space sites below a threshold of 0.2 hectares are not shown on the Local Plan Policies Map. All open space sites can be viewed on the interactive map accompanying the Pendle Open Space Audit .	No change.
00471 / 012 Sport England	Policy DM03	Sport England may object to planning applications for such proposals affect playing fields and will be assessed under the terms of its Playing Fields Policy https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2021-12/Playing%20Fields%20Policy%20and%20Guidance%20%E2%80%93%20Last%20updated%20December%202021.pdf?VersionId=2gSKc.DNZ7CfiMQJZTyBvpI2AM_DljHn and paragraph 99 of the NPPF. Whilst reference is made to Local Green Space or open space, there is a concern that sites may come forward that have not been designated as such or for education site, where such proposals may compromise a playing field provision. Ensure that policy conforms to NPPF paragraph 99 with regard to 'playing fields' in the 11. (b) by adding this additional text – "... and do not conflict with paragraph 99 of the NPPF."	Comment Noted. Additional text inserted into policy in response to comment to provide clarification.	Amend Policy DM03 Part 11b to add 'including any non-designated sports pitches associated with educational facilities'.
00471 / 013 Sport England	Policy DM06	Sport England has concerns that this policy, as it cross references the Green Infrastructure Strategy, does not sufficiently protect sports facilities and playing field and does not conform to paragraph 99 of the NPPF. The Green Infrastructure Strategy includes playing pitches, although references the now out of date Playing Pitch Strategy (2016) and is not a sound basis for decision making. Is not consistent with NPPF paragraph 98. Include changes to policy with replacement text as follows:	Responses to comments inserted into policy but not as Sport England outlined. The proposed terminology in paragraph 2 (c) arguably sets a higher test than the NPPF. Use of the phrase 'any unacceptable' provides more flexible wording allowing the tests to better relate to the NPPF. Paragraph 2 (d) lacks sufficient clarity – a link to Policy DM31 should address this.	Replace the existing text as follows: 2 (c) Avoid <u>any</u> significant loss, or include mitigation measures that overcome any <u>unacceptable</u> 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.), ecological feature (e.g. wildlife corridor, hedgerow, ancient semi natural woodland or water environment) or outdoor sports provision (see Policy DM 31).

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		<p>(c) Avoid 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).</p> <p>(d) Include measures that avoid any harm to the green infrastructure network. Any mitigation should meet with the requirements of paragraph 99 of the NPPF.</p> <p>(h) Make a positive contribution to improving the physical health and wellbeing of the local and wider community and encouraging Active Travel, promoting walking and cycling (Policies SP11, DM16, DM30 and DM32).</p>	Paragraph 2 (h) Would benefit from a link to Policy SP10 as the parent policy.	<p>2(d) Delete as the matter is adequately covered by revisions to paragraph 2 (c)</p> <p>2 (h) Make a positive contribution to improving the physical health and wellbeing of the local and wider community (Policy SP10)</p>
00471 / 014 Sport England	Policy DM12	<p>Sport England objects to the wording of the policy as it is not consistent with the National Planning Policy Framework (NPPF) paragraph 99. Playing fields are caught by Local Green Space designations according to Appendix 8. Paragraph 99 protects existing open space, sports and recreational buildings and land, including playing fields, unless an assessment has been undertaken that shows the open space, buildings or land to be surplus to requirements; the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</p> <p>The policy as presented allows for a criteria-based approach to allow development on Local Green Space which would include playing field and is inconsistent with what paragraph 99 of the NPPF is seeking. The policy needs to be reworded to be consistent with National Policy.</p> <p>Include re-wording consistent with paragraph 99 of the NPPF with reference to points 2 and 3.</p>	<p>Comments noted.</p> <p>The LGS designation is applied to sites that are particularly valued by the local community.</p> <p>Land designated as Local Green Space (LGS) is subject to the same strong development restrictions as land in the Green Belt. As with Green Belt land, LGS sites will often include playing pitches and other sports facilities. These should not be unduly affected by the policy, as the objective is to ensure that LGS sites retain their open character.</p> <p>Neither the policy approach nor the process for designation of a site in the draft Pendle Local Plan conflict with the national policy position on open space, as set out in paragraph 99 of the NPPF.</p>	No change.
00471 / 015 Sport England	Policy DM13	<p>Sport England would like to see this policy expanded to specifically protect sports facilities and playing fields from prejudicial development.</p> <p>Sport England seeks clarity or rewording the policy to be clear that it includes playing fields.</p> <p>Existing sports facilities including playing fields, should not have unreasonable restrictions placed on them as a result of new development, where this is likely, suitable mitigation would be required. This would ensure that the policy met paragraph 187 of the NPPF.</p>	<p>Comments noted.</p> <p>The policy relates to the sources of pollution, the effects of pollution on development and the pollution generated by the development process. The policy protects sports facilities where they are or could be affected by proposals. There is no need to make direct reference to sports facilities in this case.</p>	No change.

Responder ID	Policy /Site Ref	Issue	Council Response	Changes to the Local Plan and/or supporting documents
		Point 2 of the policy is a general direction regarding the location of development and potential pollution, rather than being under the 'Air Quality' heading. Sport England wishes to see this include reference to existing sports facilities so that it conforms to paragraph 187 of the NPPF.		
00471 / 016 Sport England	Policy DM16	Sport England supports direct reference to its Active Design 3 and the encouragement of its application. Would benefit a policy cross reference to SP10 and to include a footnote reference https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design	Comments noted. References inserted into the plan to improve clarity and navigation.	Make the reference to Active Design a weblink or insert a link to the Sport England Website as a footnote. https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design Add a reference to Policy SP10 at the end of paragraph 5.241
00471 / 017 Sport England	Policy DM25	Sport England would prefer this policy to include additional text to ensure the protection of sports and recreation facilities in order that it conforms to paragraph 99 of the NPPF. Additional criteria letter (j) as follows: (j) Where the proposed residential use may lead to the loss of a sport or recreation facilities, that an assessment has been undertaken which has clearly shows the impacted open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.	No objection, revised wording proposed to ensure that the plan is concisely written.	Amend Policy DM25 part j) to: 'The proposal accords with Policy DM41 (Protected Employment Areas) and Policy DM42 (Town Centres), and Policy DM31 (Open Space, Sport and Recreation) where the site or premises were previously used for sports or recreation.'
00471 / 018 Sport England	Policy DM30	Sport England supports the promotion of healthy lifestyles and would recommend including reference to its Active Design 3. 1 (h) ensuring compatibility with Sports England's Active Design 10 principles 3 (b) ..and how it meets the 10 principles of Active Design 3.	As written the policy supports the principles of Active Design 3, which is also referenced at appropriate points elsewhere within the Local Plan. Wording has been included to strengthen this connection within the policy. Direct reference to the 10 principles would date the policy.	Part 1 b) amended to 'support healthy lifestyles and promote Active Design (Policy DM16)'
00471 / 019 Sport England	Policy DM31	There are general difficulties with this policy due to the ambiguity of its terminology which is discussed below. It should where possible relate directly to the requirements of paragraphs 98, 99 and 187 of the NPPF. Sport England welcomes further discussion on the policy wording. Part 1 - Sport England is concerned that by attempting to identify specific areas of land by size on the Policies Map, that there is a possibility that playing fields could be overlooked. Whilst reference is made to Local Green Space or Open Space, there is a concern that sites may come forward that have not been designated as such or for education site, where such proposals may compromise a playing field provision.	Comments noted and accepted in part. Part 1 – The policy is clear that it relates to all areas of designated Open Space, in accordance with national planning policy. It is not possible to legislate for sites that are not formally designated. Including areas of open space under 0.2 hectares on the Policies Map would cause significant issues with regard to clarity. Officers in Development Management are well aware of the need to consult the online map for the Open Space Audit with regard to small areas of open space. As the smallest permissible 11-a-side football field covers an area of 0.4 hectares, it is clear that the Policies Map will show most playing pitches. Part 2 –NPPF paragraph 99 (now 103) sets out the instances where land in sport and recreational use can be redeveloped	Part 1 – No change. Part 2 – No change. Part 3 – No change. Part 4 – No change. Part 5 – No change. Part 6 – Amended the existing wording to read: 'New open space must be accessible, well-designed, fit for purpose and made available for wider community use as appropriate.' Part 7 – No change. Part 8 – Part (e) has been revised to omit i) – v) and instead relate more broadly setting out 'the proposal accords with other policies of the Local Plan as relevant'. Part 9 – No change.

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		<p>Part 2 - Both buildings and land <u>will</u> be protected as per NPPF paragraph 99 – the word ‘normally’ needs to be omitted as it is inconsistent with NPPF.</p> <p>‘New Provision’ needs to be defined as currently it is unclear as to whether this refers to new provision of ‘open space, sport and recreation’ or new development generally. This has implications for the remainder of the policy and could result in a misinterpretation of it any the difficulties that would ensure as set out below.</p> <p>Part 3 - Sport England may object to planning applications for any proposals affecting playing fields and sports facilities and will be assessed under the terms of its Playing Fields Policy https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2021-12/Playing%20Fields%20Policy%20and%20Guidance%20%E2%80%93%20La%20updated%20December%202021.pdf?VersionId=2gSKc.DNZ7CfiMQJQZ_TyBvpl2AMDljHn and paragraph 99 of the NPPF.</p> <p>The word ‘normally’ should be omitted from this policy wording and include reference to needing to comply with paragraph 99 of the NPPF.</p> <p>Part 4 - This is not consistent with paragraph 99 of the NPPF which states that playing fields, open space, sports and recreation buildings and land should not be built on unless;- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Whilst the policy may be aimed at on site open space for new schemes, it could be used to justify the loss of existing sports facilities and playing field. The policy requires re-wording to reflect this and meet NPPF conformity.</p> <p>Part 5 - Sport England broadly agrees but would emphasise the requirement for a needs assessment approach through a Playing Pitch and Outdoor Sports Strategy and NPPF paragraph 98.</p> <p>Part 6 - This should include the requirement for sports facilities to be available to the wider public through Community Use Agreements.</p> <p>Part 7 - Reference should be made to Sport England’s Active Design 3 with specific regard to the need for proposals to be co-located with other facilities</p>	<p>where specific criteria is met. Use of the word “normally” is therefore consistent with the wording in the NPPF.</p> <p>Part 3 –The policy relates to the increased pressure on existing open space that can be attributed to a new development proposal and the potential need to provide additional open space to help alleviate these pressures.</p> <p>Part 4 – It will not always be possible to accommodate new open space provision on-site due to the lack of available space, management, functionality or sustainability implications. This paragraph sets out the steps to be taken by the applicant where off-site provision is necessary to provide a satisfactory solution.</p> <p>Part 5 – Ensures that new open space provision addresses evidenced needs and helps to meet this need locally.</p> <p>Part 6 – Ideally open space should be publicly accessible, but this may not always be possible depending on the specific proposal and end user.</p> <p>Part 7 – Co-location although desirable may not always be possible or appropriate. The policy seeks to direct provision to locations that are in a sustainable location and easily accessible to all.</p> <p>Part 8 – Planning policy must be clear, positive, relevant and capable of being delivered. The proposed wording does not comply with the Government requirement for planning policy to be positively written and supportive of sustainable growth. It is not consistent with the NPPF, as paragraph 99 sets out that only one of the criteria that are listed needs be met for a proposal to be allowed. The policy as set out in Paragraph 8 (a) to (c) is consistent with the approach taken in the NPPF. Paragraph 8 (e) of the policy will be revised as this element of the policy departs from the requirements in other parts of the Local Plan and national planning policy.</p> <p>Part 9 – Planning policies need to be written positively and worded in such a way that they seek to promote appropriate development. The proposed wording is not consistent with the NPPF.</p> <p>Part 10 – The issue of how a building affects open space and sports facilities is addressed in earlier parts of the policy. The policy also protects against this by ensuring that proposals ‘do not normally exceed the footprint or height of the existing structure’</p> <p>Part 11 – Point 11 (d) addresses the matter of functionality.</p> <p>Part 12 – see response to Part 11. Part 12 relates to recreational pressure on the South Pennines Moors.</p>	<p>Part 10 – No change.</p> <p>Part 11 – No change.</p> <p>Part 12 – No further changes.</p> <p>Part 13 – No change.</p> <p>Sub-headings: For the purpose of clarity the two sub-headings will be renamed “New Open Space Provision” and “Existing Open Space Provision”</p> <p>Para 6.148 – No change.</p> <p>Para 6.151 – wording amended inserting ‘as appropriate’</p> <p>Para 6.154 – No change.</p>

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		<p>https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design</p> <p>‘Existing Provision’ needs to be defined.</p> <p>Part 8 - This policy needs to be termed as ‘protective’ i.e. “The development of existing open space will not be permitted unless...” In addition, it requires better definition in terms of the criteria (a)-(e) – does a proposal need to meet all 5? It is currently inconsistent with NPPF paragraph 99. Where open space is assessed as playing field, Sport England will assess it under the terms of its Playing Field Policy and paragraph 99 of the NPPF. https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2021-12/Playing%20Fields%20Policy%20and%20Guidance%20%E2%80%93%20La%20updated%20December%202021.pdf?VersionId=2gSKc.DNZ7CfiMQJQZTyBvpl2AMDljHn</p> <p>This needs to be set out so that the aims and purpose of NPPF paragraph 99 are achieved. Currently set out as a choice criterion rather than needing to meet all set out requirements. It provides the opportunity for submissions to meet one criterion to be policy compliant – however this would be inconsistent with NPPF.</p> <p>It would be preferable if the policy was split and relate directly to NPPF paragraph 99 with criteria (e) forming a separate development management sub policy.</p> <p>Part 9 - Redevelopment and replacement of existing buildings on or associated with an existing playing field will be assessed by Sport England under the terms of its Playing Field Policy and paragraph 99 of the NPPF. This policy needs to be termed as ‘protective’. i.e. “The redevelopment and replacement of existing buildings will not be permitted unless...” It is currently inconsistent with NPPF paragraph 99.</p> <p>Part 10 - Where open space is assessed as playing field, Sport England will assess it under the terms of its Playing Field Policy and paragraph 99 of the NPPF. ‘Sensitive to their setting’ is not sufficient to protect sports facilities – i.e. they should not prejudice the use of any open space, sports and recreational buildings and playing fields. Currently the policy is inconsistent with NPPF paragraph 99. https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2021-12/Playing%20Fields%20Policy%20and%20Guidance%20%E2%80%93%20La</p>	<p>Part 13 – It is unclear to what part of the policy this comment relates. Part 2 of the policy relates to supporting evidence regarding public open space.</p> <p>Sub-headings – The sub-headings ‘New Provision’ and ‘Existing Provision’ are both set within the policy text addressing ‘Open space, sport and recreation’. Although we believe that it is self-evident that these sub-headings relate to new and existing areas of open space, we will re-word to help overcome any possibility of confusion on the part of the reader.</p> <p>Supporting Text paragraph 6.148 – The Playing Pitch Strategy is currently in the process of being updated. Until such time that a new strategy is available the Council will continue to use the best available evidence to help formulate its policies.</p> <p>Supporting Text paragraph 6.151 – The wording of this paragraph does not deny off-site provision, but this could be made clearer.</p> <p>Supporting Text paragraph 6.154 – Comments noted.</p>	

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		<p>st%20updated%20December%202021.pdf?VersionId=2gSKc.DN77CfiMQJQZTyBvpl2AMDljHn</p> <p>Part 11 - This policy needs to be reworded to ensure conformity with paragraph 187 of the NPPF.</p> <p>Part 12 - This requires rewording to ensure future development does not prejudice the use of sports facilities. For example, "Development adjacent to an area of existing open space (including outdoor sports) should seek to safeguard the future use of the open space by having no adverse impact on:..."</p> <p>Needs to be consistent with NPPF paragraph 98 – currently inconsistent as not expressly stated.</p> <p>Supporting Text:</p> <p>6.148 – Sport England considers the Rossendale, Pendle and Burnley Playing Pitch Strategy, Action Plan and Assessment (Knight, Kavanagh and Page, 2016) to be out of date.</p> <p>6.151 – This should include reference to any proposals affecting a playing field, which is assessed differently under the terms of its Playing Field Policy and paragraph 99 of the NPPF. https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2021-12/Playing%20Fields%20Policy%20and%20Guidance%20%E2%80%93%20Last%20updated%20December%202021.pdf?VersionId=2gSKc.DN77CfiMQJQZTyBvpl2AMDljHn</p> <p>6.154 - Sport England may object to planning applications for such proposals affecting playing fields which will be assessed under the terms of its Playing Fields Policy https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2021-12/Playing%20Fields%20Policy%20and%20Guidance%20%E2%80%93%20Last%20updated%20December%202021.pdf?VersionId=2gSKc.DN77CfiMQJQZTyBvpl2AMDljHn and paragraph 99 of the NPPF.</p>		
00471 / 020 Sport England	Policy DM32	Sport England supports the principles behind this policy and would welcome direct reference to its Active Design 3 https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design and the encouragement of its application and policy cross reference to SP10 and SP11.	Comments noted. As written the policy supports the principles of Active Design 3, with cross references included as appropriate in other Local Plan policies. There is no specific need for this policy to reference Sport England's Active Design guidance in detail, or to include a cross reference to Policies SP10 and SP11.	No change.
00471 / 021 Sport England	Policy DM35	Sport England considers that the policy is insufficient to protect existing sports facilities and is not consistent with paragraph 99 of the NPPF. Suggested wording:	Comments noted. Planning policy must be clear, positive, relevant, and capable of being delivered. The proposed wording does not comply	Amend part 3 to read: Any proposal to change the use of a building or land which is already cultural or community use will only be supported

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		<p>3. Any proposal to change the use of a building or land which is already in Use Class F2 for open space, sport and recreation, or playing field, will <u>not</u> be supported unless:</p> <p>a) An assessment has been undertaken which has clearly shown the buildings or land to be surplus to requirements; or</p> <p>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</p> <p>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</p>	<p>with the Government requirement for planning policy to be positively written and supportive of sustainable growth.</p> <p>Use Class F2 incorporates sports and recreational facilities. The policy should be amended to ensure that the approach it takes to Use Class F2 development is consistent with other Local Plan policies and the NPPF.</p>	<p>where it complies with the requirements of Policy DM31 as relevant and where:</p> <p>(a) Replacement facilities of a similar scale and function, which maintain or enhance the local built character, and are accessible via sustainable transport links to the community served, as provide; or</p> <p>(b) It is evidenced that there is no need or demand for the facility to remain in that use.</p> <p>(c) The existing use is no longer viable and cannot be reasonably made viable.</p>
00471 / 022 Sport England	Policy DM36	<p>Sport England is concerned regarding the potential for educational development proposals to result in playing field loss. In addition promotes the use of Community Use Agreements.</p> <p>Suggested text: Developers will be actively encouraged to make any sports facilities and hall space available for community use outside of termtime.</p> <p>Safeguards existing playing fields and any changing and toilet facilities, from development, or the impact from development, making these publicly accessible to the wider community.</p>	<p>Agree.</p> <p>The wording should be revised to strengthen the policy position and ensure that the infrastructure associated with sports pitches is protected wherever appropriate.</p> <p>The impact of development proposals is addressed in paragraph 3 (c) i.</p>	<p>Revise the policy text as follows:</p> <ol style="list-style-type: none"> As appropriate, sports facilities (including hall space) should be made available for community use in the evening and outside of term time (c) ii. Safeguards existing playing fields and associated facilities from development, making these publicly accessible to the wider community' <p>Insert the following text after paragraph 6.204: On many educational sites sports facilities and large spaces suitable for community use are often underused or unused outside their normal opening hours. A Community Use Agreement (CUA), addressing matters such as availability, management, and pricing, could help to secure well-managed and safe spaces that help to promote more active lifestyles and promote community cohesion.</p>
00471 / 023 Sport England	Policy DM46	<p>Sport England advises clarity in this policy so that it gives a clear indication of it the policy is for 'new' equestrian development or redevelopment of existing.</p>	<p>Comments noted.</p> <p>The is no benefit in adding differentiation as all policy points apply to development proposals concerning new or existing equestrian facilities.</p>	<p>No change.</p>
00471 / 024 Sport England	Policy AL01 Site P060	<p>This site has been used as a playing field in the past as part of the school as can be seen from satellite images. In order to bring the site forward for development there would need to be mitigation in place to replace the playing field and comply with paragraph 99 of the NPPF and Sport England's Playing Fields Policy.</p>	<p>Mansfield High School closed in June 2006. The Taylor Street site has been fenced off since this date and has not been used as a playing field. The school was replaced by the new Marsden Heights Community College, just to the north, which has significantly enhanced sports provision. There is no need for further mitigation measures in this instance.</p>	<p>No change.</p>
00471 / 025 Sport England	Policy AL01 Site P064	<p>The site lies adjacent to a playing field site (Earby Cricket Club at southern end) therefore Sport England would be a statutory consultee on any planning application and will assess any prejudicial impact on the sports facility. If mitigation is required, then it should be secured as part of</p>	<p>Comments noted.</p> <p>A planning application for housing development has recently been approved. As the site is now an existing commitment.</p>	<p>No change.</p>

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		the planning application and constructed and maintained in perpetuity at the developers' expense. Paragraph 187 of the NPPF applies.		
00471 / 026 Sport England	Policy AL01 Site P107	The site lies adjacent to a playing field site end therefore Sport England would be statutory consultee on any planning application and will assess any prejudicial impact on the sports facility. If mitigation is required, then it should be secured as part of the planning application and constructed and maintained in perpetuity at the developers' expense. Paragraph 187 of the NPPF applies.	Comments noted.	No change.
00471 / 027 Sport England	Policy AL01 Site P326	There has been a building on the site previously and its use is unknown. If the site has been used as a playing field in the past, in order to bring the site forward for development there would need to be mitigation in place to replace the playing field and comply with paragraph 99 of the NPPF and Sport England's Playing Fields Policy.	Comments noted. The site was formally used as nursery. The site is fenced off, overgrown and not accessible to the public.	No change.
00471 / 028 Sport England	Policy AL01 Sites P026, P052, P060, P064, P067, P107, P237, P257, P267, P311, P326 and P327	Sport England would encourage the requirement for contributions, particularly towards sports facilities, where the demand created by the development. It would be beneficial for this requirement to be incorporated into any future planning brief or masterplan for the site or any pre-application advice issues by the Local Planning Authority. This should reference the need to deliver sport facilities and should refer to the Sport England Active Places Power https://www.activeplacespower.com/ – Sports Facilities Calculator and Playing Pitch Calculator to assist developers in understanding the level of contribution the demand will require. The policy should include a reference to achieving the 10 principles of Sport England's Active Design guidance and cross reference LP Policies SP10 and SP11.	Comments noted. Paragraph 3 requires the sites allocated in Policy AL01 to contribute towards improved infrastructure provision. It references Policy SP12, which is concerned with infrastructure provision and developer contributions. This cross-referencing avoids unnecessary duplication and is sufficient to ensure that the requirements for open space, including sports facilities, are considered in the application process.	No change
00471 / 029 Sport England	Policy DM41 and Policy AL02 Lomeshaye Industrial Estate	The Protected Employment Area site lies adjacent to a playing field site – Nelson Football Club at the northeast of the site and the Strategic Employment Site Allocation lies close to an Archery Club site to the southwestern end therefore Sport England should be statutory consultee on any planning application for either site and will assess any prejudicial impact on the sports facilities. If mitigation is required, then it should be secured as part of the planning application and constructed and maintained in perpetuity at the developers' expense. Paragraph 187 of the NPPF applies. The policy should include a reference to achieving the 10 principles of Sport England's Active Design guidance and cross reference LP Policies SP10 and SP11.	Comments noted. Policy DM41: The Protected Employment Area at Lomeshaye is well established and covers just over 60 hectares. Pendle Council is not compelled to consult Sport England on all development proposals within the boundary of the PEA. Only those proposals close to the boundary of the site, which could impact on nearby areas of open space that are designated as outdoor sports facilities will be referred to Sport England for comment. Policy AL02: The strategic employment site at Lomeshaye is an existing commitment. Policy AL02 simply acknowledges that the allocation of this site in the Pendle Core Strategy (2015) will be carried forward in Pendle Local Plan Fourth Edition 2021-2040.	No change.

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		<p>Include wording to acknowledge the existence of the playing field and the need for compliance with paragraph 187 of the NPPF.</p> <p>Include additional wording to encourage the delivery of proposals to accord to the 10 principles of Active Design.</p>	<p>The Lomeshaye Extension is not currently part of the Protected Employment Area but will be identified as such through this iteration of the Local Plan.</p> <p>As written the policy supports the principles of Active Design 3, with cross references included as appropriate in other Local Plan policies. There is no specific need for this policy to reference Sport England's Active Design guidance in detail, or to include a cross reference to Policies SP10 and SP11.</p>	
00471 / 030 Sport England	Policy AL02 sites: P013 P257	The policy should include a reference to achieving the 10 principles of Sport England's Active Design guidance and cross reference LP Policies SP10 and SP11.	<p>Disagree.</p> <p>Active Design is addressed in Policy DM16 which is referred to in paragraph 5 (b) of Policy AL02. There is no specific need for this policy to reference Sport England's Active Design guidance in detail, or to include a cross reference to Policies SP10 and SP11.</p>	No change.
00471 / 031 Sport England	Appendix 9	Sport England would like to see the clearer inclusion within the Green Infrastructure and Open Space of playing field and sports facilities.	<p>Disagree.</p> <p>The description of green infrastructure is not prescriptive about the types of land, so to reference open space, playing pitches and sports facilities would not be appropriate.</p> <p>The description of open space already includes a reference sport and recreation and this is considered to be sufficient.</p>	No change.

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00505 / 001 The Coal Authority	Policy DM14	<p>We are pleased to see the inclusion of Policy DM14: Contaminated and unstable land in the new Local Plan and the reference to coal mining features posing a potential risk to surface stability. We support this policy.</p> <p>We are also pleased to see reference to the history of coal mining and other industrial activities in the area, as set out in Paragraph 5.213 which forms part of the Supporting Text.</p>	Support noted.	No change.

<p>00516 / 001 Theatres Trust</p>	<p>Policy DM35</p>	<p>Policy DM35 Community facilities is too restrictive as it does not cover the full range of facilities and services cited within paragraph 93 of the NPPF. In particular it fails to protect cultural facilities including the borough's theatres and these types of facilities do not appear to be covered by other policies within the Plan. We recommend that the policy is amended to cover uses that are not within F2 such as those which are Sui Generis, that the definition of uses is broadened, and also that further guidance is given as to what constitutes sufficient evidence to justify loss of facilities.</p>	<p>Comments acknowledged. New text has been inserted into the policy to ensure that Paragraph 93 (now 97) of the NPPF is addressed and the Local Plan provides a proportionate response.</p>	<p>Revised policy title to: 'DM35: Cultural and community facilities'</p> <p>Revised policy text to:</p> <ol style="list-style-type: none"> 1. The Council will support proposals for cultural and community facilities (including shops in the F2 use class) where it: <ol style="list-style-type: none"> a) Responds to a local need or community aspiration as confirmed within an adopted Neighbourhood Plan, Parish Plan or community supported Masterplans b) Promotes multifunctional use of existing buildings where this is suitable and sustainable. c) It supports the continued vitality of town and district centres. 2. Proposals for new or expanded cultural and community venues should: <ol style="list-style-type: none"> a) Prioritise the redevelopment of existing buildings or previously developed land. b) Respond positively to the local built form and historic character (see Policy DM18), scale, appearance, material, massing and layout (see Policy DM16) c) Safeguard local amenity 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 land or a building which is already in cultural or community use will be supported where consistent with Policy DM31 as applicable, and: <ol style="list-style-type: none"> a) Replacement facilities of a similar scale and function, which maintains or enhance 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; or c) The existing use is no longer viable and cannot be reasonably made viable. <p>Parts 4 and 5 left unaltered.</p> <p>Added supporting text: 'The importance cultural facilities for local communities is recognised in paragraph 97 of the NPPF (2023). They play an important role in maintaining vibrant communities providing important opportunities for education and social interaction. Cultural facilities include, but are not limited to, theatres,</p>
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				libraries, museums and art galleries. Policy DM35 seeks to safeguard and support the sustainable expansion of existing cultural facilities particularly where they offer a unique insight into Pendle's history and its identity.'
00526 / 001 Trawden Forest Parish Council	Policy SP06	We support the policies on Zero Carbon but feel policy 4 could be reworded to: 'Developments that include the following design measures are more likely to be supported'. This is because there, possibly, could be other reasons why they should not be brought forward.	Agreed. Broader material issues need to be considered which could affect the outcome of the decision. The wording will be revised to reflect this.	Revised the opening sentence of paragraph 4 to read: 'Developments that include the following design measures will be considered favourably.'
00526 / 002 Trawden Forest Parish Council	Policy SP08	We support the policies on natural environment having both statutory and non-statutory sites within the Parish. We suggest complete protection of the areas of peatland bog by preventing extraction and drainage in order to protect habitat, wildlife and valued landscape features, and to alleviate the risks of flooding. Wycoller suffered major flooding events in 1989 and 1990, with several less violent floods since then, in which fast run-off from the adjacent moorland, was a factor.	Comments noted. Policies DM08 South Pennine Moors and DM15 Soils, minerals and Waste also make specific mention of the need to protect areas of peatland.	No change.
00526 / 003 Trawden Forest Parish Council	Policy SP09	The Parish Council has produced a Local List, for inclusion in the listed building status. We care for the historic Tram Tracks, flagged stone paving, industrial and pre-industrial estate heritage assets. The Parish has many traditional weavers' cottages, mills, vaccary walls and the ruins of a great hall.	Comments noted.	No change.
00526 / 004 Trawden Forest Parish Council	Policy SP10 4.131	We saw a large increase in people using many of our green spaces, during the pandemic. Trawden has a number of green spaces, that people have continued to use.	Comments noted.	No change.
00526 / 005 Trawden Forest Parish Council	Policy SP11 Part 7	Where possible, new developments should have the opportunity to introduce and connect to a cycleway, footpath or bridleway.	Comments noted. To ensure that cycleway provision achieves broader strategic objectives the Lancashire Cycling and Walking Infrastructure Plan (LCWIP) is referenced in the supporting text to Policy SP10 and Policy DM32.	No further changes.
00526 / 006 Trawden Forest Parish Council	Policy SP12 Part 3	This has had a direct impact, on our local services recently, by a developer requesting the removal of S106 contributions and removal of affordable housing requirements. In rural areas, outside the Tier One Service Centres, the wording should be as firm as is allowable to prevent the varying away of offers made at the initial application stage.	Disagree. The suggested approach is too inflexible given that development costs can change significantly in the time between obtaining planning approval and commencing the development. The policy ensures that where a developer does need to renegotiate any agreed contributions that it is their responsibility to justify any proposed changes.	No change.
00526 / 007 Trawden Forest Parish Council	Policy DM01	We are pleased that this policy has been included but feel that the major requirements are either very small or optional. We feel that more of these should be mandatory requirements in order to achieve the stated aims.	Disagree. The evidence presented in the Local Plan Viability Assessment shows that mandatory requirements would result in development being unviable across large areas of the borough. Imposing requirements that make development	No change.

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			undeliverable would be inconsistent with national planning policy. The policy offers guidance to both developers and decision makers on how to best secure climate resilience and provides the necessary flexibility to ensure that it is responsive the wide-range of development proposals received in the borough.	
00526 / 008 Trawden Forest Parish Council	Policy DM05	We support the County's ecological network but would like to strengthen the need for landscape interventions, for example tree and hedgerow planting to be site appropriate to ensure they protect and enhance the historic and natural environment. 5.94: We accordingly also support the differentiation of priority habitats.	Disagree. This matter is addressed in Policy DM07 of the Local Plan.	No change.
00526 / 009 Trawden Forest Parish Council	Policy DM07	Throughout this Policy, where it states 'should' we would like to see this replaced with 'must'.	The current wording provides the necessary flexibility to give the issue proportionate recognition and consideration through the planning process but not at the cost of the delivery sustainable development.	No change.
00526 / 010 Trawden Forest Parish Council	Policy DM10	We need to ensure long-range views are protected. Policy 6A – Trawden Forest Parish Council would like to see the addition of vaccary walls to this part of the Policy. Section 5.159: We should like to be included in the South Pennines Park, to provide additional protection for our area, since it includes the heritage hamlet and landscape of Wycoller Country Park; the important habitats of Boulsworth; the valued Trawden Conservation area and significant views towards Pendle.	It is unclear which views are sought for protection and why. Vaccary Walls are protected for the role they fulfil within the Trawden Forest Conservation Area. Nonetheless the policy has been amended to make specific reference to them to provide for added clarity. South Pennines Park is no longer in operation. The Council however continues to cooperate with its neighbouring authorities regarding cross-Pennine issues.	Part 6a of policy amended to refer to 'vaccary walls'.
00526 / 011 Trawden Forest Parish Council	Policy DM12	Supports policy and proposes additional green spaces at: <ul style="list-style-type: none"> • Area to rear of bus terminus • Green verges of the Tram Tracks • Both sides of the Old Post Office, Cotton Tree • To the front of Duke Street, Winewall • Between Cobden Place and Thornfield Terrace, Winewall Lane • The Green at the Well at Well Head • To the side of the The Old Dairy/to front parking area in Wycoller • Verge of Rye Croft • Land between the Community Centre and Library • Area to the front of East View/Ash Street • Land at Harambee Surgery • Trawden Bowling Club, Hollin Hall • Picnic and pond site at Wycoller • Between the Aisled Barn and the Ruins at Wycoller. 	Comments noted. These sites have been nominated as being suitable for designation as Local Green Space and assessed in the Local Green Space Assessment. The final decision on whether to designate these sites as LGS in the Local Plan will be based on the findings of this assessment.	No direct changes.

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00526 / 012 Trawden Forest Parish Council	Policy DM13	Trawden Forest Parish Council supports this policy and specifically Policy 6 – we need to preserve our dark skies; no 'bright' additional lights.	Support noted.	No change.
00526 / 013 Trawden Forest Parish Council	Policy DM15	We would support the inclusion of some re-used stone, to developments within out conservation area, particularly to the frontages of new properties.	It is assumed that the comment relates to Policy DM16 (Design) rather than Policy DM15 (Soils, minerals and waste). This matter is address within Policy DM16. Comments noted.	No change.
00526 / 014 Trawden Forest Parish Council	Policy DM18	Trawden Forest Parish Council has submitted our Local List of non-designated heritage assets, that we are currently waiting for confirmation of inclusion. This was considered when we wrote our Neighbourhood Plan.	The Lancashire Local List is currently being prepared by Growth Lancashire. The sites identified in an adopted neighbourhood plan have followed an agreed procedure drawn-up by the Council's former Conservation Officer and subject to confirmation that they comply with the agreed criteria will be automatically included on the Local List.	
00526 / 015 Trawden Forest Parish Council	Policy DM20	Trawden Parish Council supports the standard methodology to provide 140 properties, per annum, in Pendle as per sections 6.20 and 6.30.	Support noted.	No change in response to comment.
00526 / 016 Trawden Forest Parish Council	Policy DM22	Trawden Parish Council holds a differing stance from Pendle Borough Council. While acknowledging the necessity for additional housing to accommodate Pendle's expanding population, which includes an aging demographic, the Parish Council does not concur that exclusively focusing on bungalows is the optimal solution to address this challenge. The Council asserts that larger dwellings, such as semi-detached and terraced houses, can equally fulfil the demands arising from Pendle's growing populace, encompassing its aging residents. It is the view of the Parish Council that these alternative housing types offer numerous advantages. Notably, they entail reduced construction expenses and lower utility costs for inhabitants. Furthermore, their smaller building footprints align harmoniously with the traditional architectural layout characteristic of Trawden. The Council firmly believes that a re-evaluation and refinement of the current policy is warranted to best serve the community's evolving housing needs.	Comments noted. The policy seeks the provision of bungalows on major developments (10 or more dwellings) as part of the broader range of provision to be provided. The policy seeks smaller-sized homes to address the needs of the borough's ageing population, with provision focused towards 2- or 3-bedroom homes. The intention is to help release larger family homes back onto the market. The policy text will be amended to make this position clearer and remove the potential for confusion on its intentions and requirements.	Revise the policy text to read: 'Major development proposals are encouraged to deliver bungalows as part of the product mix. Any bungalows that are provided will be expected to feature at least 2-bedrooms.'
00526 / 017 Trawden Forest Parish Council	Policy DM23	In light of the response to DM22, the Parish Council feels that not all properties that are affordable, need to be semi-detached houses. No new developments in Trawden have offered any type of terrace which are, surely, more affordable to construct, given the reduction in building materials required.	Comments noted. Neither Policy DM22 or Policy DM23 is specific about the type of home to be provided Instead they state that development proposals should deliver a range of types and sizes to help meet the needs of the community in which they are located. The Council would expect proposals to reflect wider local vernacular including the appearance, scale and massing of existing dwellings (see Policies DM16 and DM21).	No change.
00526 / 018	Policy DM24	The Parish Council broadly supports the policy for extensions and alterations but feel that they must not over-	Comments noted.	Paragraph 6.88 amended to include 'Applicants should also have regard to the published conservation area appraisals

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Trawden Forest Parish Council		shadow the existing construction. It should be apparent that any extension has been added that it must be in keeping with the original structure and we agree that any extension should be compared to the <i>original</i> construction size of the property, not including any subsequent extensions made by any previous or existing occupants. Areas that are recognised as Townscape Character, within our Neighbourhood Plan should be given additional consideration, so that extensions in these sensitive areas have no detrimental effects on the area, as a whole.	The requirements associated with the Townscape Character Areas designated in the Trawden Forest Neighbourhood Plan are applicable to development proposals within those areas. Paragraphs 1 (b) and 1 (c) address the issue of how extensions relate to the existing built environment. The insertion of a reference to neighbourhood plan policies and the Conservation Area Appraisals in the supporting text would provide added clarity and strengthen the linkages between the Local Plan and any adopted Neighbourhood Plans.	and policies addressing development within conservation and townscape character areas in an adopted neighbourhood plan. Proposals which are consistent with the forms of development promoted through these documents have the strongest prospect of gaining planning permission subject to relevant material considerations.'
00526 / 019 Trawden Forest Parish Council	Policy DM25	The sites designated within our adopted Neighbourhood Plan use two conversion sites for allocation to housing. Section 6.94 ensures that the character of Trawden is maintained.	Comments noted.	No change.
00526 / 020 Trawden Forest Parish Council	Policy DM26	By re-designating redundant barns and outbuildings, this protects our historic countryside.	Comments noted.	No change.
00526 / 021 Trawden Forest Parish Council	Policy DM27	The Parish Council supports self-building, where it conforms to other policies.	Support noted.	No change.
00526 / 022 Trawden Forest Parish Council	Policy DM31	Trawden Parish Council is committed to provide Open Space and have detailed this within our Neighbourhood Plan.	Comments noted.	No change.
00526 / 023 Trawden Forest Parish Council	Policy DM32	Trawden Parish has a vast number of footpaths/bridleways and we have Parish Councillors who regularly walk many of these routes. They also report any issues found, so that we can ensure the footpaths are properly signposted and maintained. We would not like to see any of these valued footpaths extinguished, due to new developments and they must be protected.	Comments noted. Footpaths are protected under different legislation to planning.	No change.
00526 / 024 Trawden Forest Parish Council	Policy DM35	Trawden Parish Council wholeheartedly endorses and champions this policy. Trawden stands as an exemplar of how exceptional community facilities can profoundly enhance the health and well-being of its residents. Notably, the triumph of our volunteer-operated Community Shop and Library highlights the positive impact of such endeavours. Furthermore, our Community Centre serves as the vibrant nucleus of our village, hosting a diverse array of activities ranging from yoga and indoor bowling to village assemblies and celebratory occasions, including weddings. It is equally noteworthy that our local pub stands as an invaluable community asset, emblematic of a triumphant collective effort by Trawden's residents to safeguard it from potential development. This establishment's ongoing	Comments noted.	No change.

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		success attests to the enduring benefits of a community united in its commitment to preserving and fostering shared spaces that enrich the lives of all who call Trawden home.		
00526 / 025 Trawden Forest Parish Council	Policy DM37	Parking is a huge issue throughout our Parish. Where new developments can ensure off-street parking, these would be most welcomed. The increase in garage size is also good news, as we are aware that many people are unable to park their cars in garages, as they are just too small. They are therefore used as storage for household items, rather than vehicles. The Parish Council would also support the inclusion of the charging of e-bikes within this policy.	Comments noted. The policy has been amended to also reference charging for e-bikes, noting the role that e-bikes could have in providing sustainable means of travel overcoming the borough's challenging topography.	Revise paragraph 8 of the policy text to read: 'A connection to the power supply capable of being upgraded to at least 7kw for the charging of electric, ultra-low emission and hybrid vehicles (including E-Bikes) should be provided.'
00526 / 026 Trawden Forest Parish Council	Policy DM39	Recently, the mobile phone signal has been disrupted, with many people having no signal for over two weeks. The network needs investment, as more people discard landline telephones and rely solely, on Wi-Fi and mobile phone signals. There are pockets of the Parish which struggle to get either a decent land, or mobile line signal.	Comments noted. The quality of the signal for mobile telephones is a matter to follow up with the respective network providers, it is not within the remit of planning policy.	No change.
00526 / 027 Trawden Forest Parish Council	Policy DM43	Where farms are no longer sustainable, and outbuildings become redundant, the Parish Council would support appropriate development for mixed-use development.	Comments noted. Proposals for such development would need to conform with Policy DM09 and other Local Plan policies, where relevant.	No change.
00526 / 028 Trawden Forest Parish Council	Policy DM45	Trawden Forest Parish Council supports appropriate tourism facilities and accommodation, and have a policy regarding this, within our adopted Neighbourhood Plan.	Comments noted.	No change.
00526 / 029 Trawden Forest Parish Council	Policy AL01	Although site allocation reference PO67 is officially outside of our parish boundary, Trawden Parish Council generally supports this development if an appropriate scheme, especially one which mitigates potential any flooding issues, is acceptable.	Comments noted.	No change.
00539 / 001 United Utilities	Objective 2 and Objective 4	We are supportive of the Local Plan objectives outlined in Table 3.1 in particular objectives 2 relating to infrastructure capacity and 4 relating to climate change.	Supported noted.	No change.
00539 / 002 United Utilities	Policy SP05	We welcome the provision within this policy that recognises Burnley Wastewater Treatment Works as a Major Developed Site where redevelopment or limited infilling will not be considered inappropriate development in the Green Belt. It is more critical than ever that we are able to flexibly respond to the need for investment in our assets, including our wastewater treatment works. Whilst supportive of the policy in principle, we are concerned that Criteria 5 a) - 5d) are overly prescriptive and lack sufficient flexibility to allow for: – investment that is ultimately necessary to meet future growth and environmental drivers; and	Comments noted. The Council understands the requirements placed on utility companies by the Environment Act 2021. These requirements must be balanced against the overarching principles of Green Belt policy which is to maintain its openness. The policy requirements will be revised to relax the potential restrictions placed upon the development of utility infrastructure, balanced against requirements of national Green Belt policy.	Revise paragraph 5 of the policy text to read: 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) The height, massing and footprint of the buildings and structures within the facility maintain the general openness of the Green Belt. (b) It can be demonstrated that the proposals will have positive environmental benefits, particularly in relation to

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		<p>– to take account of any existing site-specific circumstances.</p> <p>Future investment may need to propose buildings / structures which are higher than existing structures or with a greater footprint than existing operations. We therefore request that the policy is amended to state:</p> <p><i>'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:</i></p> <p><i>(a) Careful consideration is given to the impact on the openness of the Green Belt including the height of new buildings.</i></p> <p><i>(b) Any increase in the overall footprint, or any change in the location or height of buildings, can be shown to have positive environmental benefits.</i></p> <p><i>(c) Existing mature vegetation is retained wherever possible and supported by an agreed landscaping scheme around the proposed development.'</i></p>		<p>reducing traffic movements and level of emissions (noise and odour) associated with the operation of the site.</p> <p>(c) Mature vegetation along the site boundary, and in areas surrounding the site, is retained wherever possible and supported by an agreed landscaping scheme.</p>
00539 / 003 United Utilities	Policy SP07	<p>For consistency with Policy DM01, we request that Policy SP07 is amended to state:</p> <p>'Be designed to be water efficient, in accordance with the optional standard for water efficiency in Part G of the Building Regulations'</p> <p>Groundwater Source Protection Zones</p> <p>The prevention of pollution to drinking water supplies is critical. The SPZs signify where there may be a particular risk from activities on or below the land surface. Such activities include construction. The details of SPZs can be viewed on the website of the Environment Agency.</p> <p>With respect to the site selection process, we wish to highlight that new development sites are appropriately located away from locations which are identified as sensitive groundwater protection areas. The strong preference of UUW is for development to take place outside of any Environment Agency designated SPZ1, as this is the most sensitive location from a groundwater protection viewpoint.</p> <p>It is critical that there is clear policy wording outlining the requirements for development that mitigate the effects of development on the groundwater environment and public water supply. In addition to any site-specific wording, you should also include standalone policy in the Local Plan relating to SPZs. UUW therefore supports the inclusion of and the policy wording of Policies SP07: Water</p>	<p>Agree</p> <p>Additional text will be inserted into the policy and supporting text to strengthen the plan's approach to these matters.</p> <p>Part 3 – Supported noted. The need to protect Groundwater Source Protection Zones is addressed in both here and in Policy DM02.</p> <p>Part 7 (now 10) – Amend the reference to Part G of the Building Regulations, as suggested.</p> <p>As a strategic policy, any reference to 'risk assessments' is better addressed in the supporting text.</p> <p>The recommended text commencing 'Development will be only acceptable where demonstrated ...' is not required as this is already outlined in Paragraphs 1 and 3 of the policy.</p> <p>The proposed amendment regarding water supply catchments is more appropriately located within the supporting text.</p> <p>The issue of water quality is addressed in Part 1 of the policy.</p>	<p>Revise the policy text as follows:</p> <p>Water quality</p> <p>Part 1 – Amend the opening sentence to read 'Developers should ensure that water quality and groundwater resources are not compromised ...'</p> <p>Part 3 - 'Development proposals are expected to comply with the latest national guidance on groundwater protection. Where the groundwater environment or public water supply may be affected by a proposal a risk assessment will be required to fully understand the nature of any impact.'</p> <p>Water efficiency</p> <p>Part 10 (a) Be designed to be water efficient, in accordance with the optional standard for water efficiency set out in Part G of the Building Regulations, or any future national standards for water efficiency.</p> <p>Revise the policy text as follows:</p> <p>Paragraph 4.89 – Add the text: Guidance on development within a Groundwater Source Protection Zone is provided in the Environment Agency publication Approach to Groundwater Protection</p> <p>Water Supply Infrastructure</p> <p>After paragraph 4.91 insert:</p>

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		<p>Management and DM02: Flood Risk. However, UUW also recommends the following additional policy wording to be included in Policy SP07:</p> <p>‘Groundwater Source Protection Zones</p> <p>3. Groundwater Source Protection Zones will be protected from development that could compromise their integrity. Development proposals must accord with the latest national guidance on Groundwater Protection. Where necessary, applicants will be required to undertake a risk assessment (quantitative and qualitative) of the impact on the groundwater environment and public water supply. Development will only be acceptable where it is demonstrated to the Local Planning Authority that there will be no unacceptable impact on the groundwater environment and public water supply.’</p> <p>We also request that you include the following explanatory text.</p> <p>‘Explanatory Text</p> <p>Where required in consultation with the Environment Agency and/or the water and sewage company, new development proposals will be expected to be supported by a risk assessment, careful masterplanning, and the incorporation of mitigation including measures to manage the impact of the construction process. Guidance on development in groundwater source protection zones is provided on gov.uk and within the ‘Environment Agency’s Approach to Groundwater Protection’.</p> <p>A quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection will be required to manage the risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. Subject to the outcome of the risk assessment, the mitigation measures may include the highest specification design for the new foul and surface water sewerage systems (pipework, trenches, manholes, pumping stations and attenuation features).’</p> <p>As noted above, it is important that any allocation which is within a groundwater source protection zone is first assessed to determine if the principle is acceptable and thereafter any proposal should be covered by site-specific detail which clearly identifies this constraint and the need</p>		<p>New paragraph: The prevention of pollution to drinking water supplies is critical. The SPZs signify where there may be a particular risk from activities on or below the land surface.</p> <p>Insert two new paragraphs after the relocated paragraph 4.84 stating (4.90 and 4.91):</p> <p>Where required, a risk assessment should identify all potential sources of contamination associated with the proposed development and its operation. It should also provide details of the measures required to mitigate any risks caused to groundwater and the public water supply.</p> <p>Development should be located away from land used for public water supply purposes. Where development is likely to affect this land, the Council expects applicants to engage with the relevant water undertaker. An assessment should be taken of the impact on water supply and any mitigation measures required. Careful consideration should be given to the location, type and intensity of development within affected areas.</p>

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		<p>for proposals to be undertaken in accordance with the above recommended policy.</p> <p>UUW wishes to note that development proposals on water catchment land can have an impact on water supply resources and therefore we recommend that you include a policy which identifies the need to engage with the statutory undertaker for water to determine whether any proposal is on land used for public water supply catchment purposes. Please get in touch for information on the location of catchment land in the borough.</p> <p>In cases of wind energy proposals on water catchment land the applicant should seek to locate development so that the impact on public water supply is minimised through the location of the development and through the undertaking of appropriate risk assessments and inclusion of mitigation measures in the design and construction process. It is particularly important to avoid the location of new wind turbines on deep peat land.</p> <p>We recommend you include the following policy relating to water catchment land as an additional criterion to Policy SP07 under the heading of 'Water quality'.</p> <p><i>'Development proposals on land used for public water supply catchment purposes will be required to consult with the relevant water undertaker. The first preference will be for proposals to be located away from land used for public water supply purposes. Where proposals are proposed on catchment land used for public water supply, careful consideration should be given to the location of the proposed development and a risk assessment of the impact on public water supply may be required with the identification and implementation of any required mitigation measures.'</i></p>		
00539 / 004 United Utilities	Policy SP12	<p>Once more information is available with respect to specific development sites, which is often only at the planning application stage, we will be able to better understand the potential impacts of development on infrastructure and, as a result, it may be necessary to coordinate the delivery of development with the timing for the delivery of infrastructure improvements. We recommend that you include a development management policy in your draft plan to this effect. It is recommended that the following wording is added to Policy SP12.</p> <p><i>'Once more details are known on development sites, it may be necessary to coordinate the delivery of development with timing for the delivery of infrastructure improvements.'</i></p> <p>We recommend that future policy requires applicants to provide drainage strategies for foul and surface water. For</p>	<p>The policy will be amended to recognise the potential need to phase the timing of development to accord with the delivery of supporting infrastructure.</p> <p>The policy will be revised to ensure that the piecemeal delivery of larger developments does not prejudice the delivery of associated infrastructure.</p> <p>Supporting text will be inserted to make clear the intentions of the policy and its justification.</p>	<p>Revise the policy text as follows:</p> <p>1(a) Adequate infrastructure to serve the proposed development can be shown to exist, without prejudicing existing users or later phases.</p> <p>Insert as new paragraph 3: 'Developments may be phased to coincide with the funding and delivery of supporting infrastructure. Where it is necessary to coordinate development with the delivery of infrastructure improvements, applicants should submit a comprehensive infrastructure strategy to show how the wider site will be brought forward in a co-ordinated manner.'</p>

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		<p>larger sites, we would recommend that policy requires applicants to prepare an infrastructure phasing and delivery strategy. For strategic sites, we would recommend that early consideration is given to the infrastructure strategy as part of the preparation of the Local Plan and to ensure a co-ordinated approach to the delivery of new development and infrastructure. We would recommend the following policy is considered for inclusion in Policy SP12 as a new additional criterion:</p> <p><i>'Where applications are submitted on land which is part of a wider allocation / development, applicants will be expected to submit comprehensive allocation / site-wide infrastructure strategies to demonstrate how the site will be brought forward in a co-ordinated manner. The strategies shall be prepared in liaison with infrastructure providers and demonstrate how each phase interacts with other phases and ensure coordination between phases of the development over lengthy time periods and by numerous developers. Where necessary, the strategy must be updated to reflect any changing circumstances between phase(s) during the delivery of the development.'</i></p>		<p>New paragraphs to be inserted in supporting text:</p> <p>(4.188) There may be occasions where a development is delivered in phases. This may be planned, to coincide with funding streams or the delivery of supporting infrastructure, or unplanned due to differences in landownership. A phased approach will only be acceptable where it does not compromise the comprehensive delivery of the wider development (as planned or approved), compliance with the Local Plan or the provision of infrastructure necessary to provide for a sustainable development.</p> <p>(4.189) Upfront delivery of the infrastructure necessary to support phased development may not be possible. The Council will work with its partners and applicants to agree suitable timescales and delivery mechanisms which will be secured through a signed legal agreement or planning conditions as necessary.</p>
00539 / 005 United Utilities	Policy DM01	<p>Would encourage the policy to be intrinsically linked to wider policies in the Local Plan including those relating to the detailed design of new developments and the provision of green and blue infrastructure, as well as Pendle Borough's Climate Emergency Action Plan (2020).</p> <p>We recommend that criterion 3(d) of Policy DM01 does not expressly mention 110 litres per head per day but rather simply refers to the optional standard for water efficiency in building regulations. This will allow for any future amendments to the optional requirement which may come forward in the future. We request that the policy wording is amended as follows:</p> <p><i>'3. Proposals should minimise the use of natural resources, increase self-sufficiency and lower carbon emissions. Responses include but are not limited to must as a minimum:</i></p> <p><i>Adopting water efficiency techniques; including the implementation of the optional technical standards for water efficiency in Building Regulations Requirement G2 (or any future updated optional standard for water efficiency) for all new residential developments. All major non-residential development shall incorporate water efficiency measures so that predicted per capita consumption does not exceed the levels set out in the applicable BREEAM 'Excellent / Very Good' standard. within building design, which limit water use to no more than 110 litres per person</i></p>	<p>Comments noted.</p> <p>The policy contains links to a number of other Local Plan policies to help ensure a coordinated and comprehensive approach. Additional references to Policy SP07 will be inserted, as appropriate.</p> <p>The adoption of a flexible approach will help to prevent the possibility of newer and potentially higher standards from being achieved. Revised wording will be introduced to address this request.</p> <p>The linkages between green infrastructure and surface water management is recognised by the plan (see paragraph 4.81). There are comprehensive policies related to green infrastructure, the natural environment, climate resilience and flood risk within the plan.</p>	<p>Amend paragraph 3 (d) to read:</p> <p>Adopt water efficiency techniques; including the implementation of optional technical standards for water efficiency set in the Building Regulations.</p>

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		<p><i>per day. Developments should also seek to promote rain water capture to reduce pressure on water supply.'</i></p> <p>As mentioned in our wider response, surface water should be managed as close to its source as possible. We support encouragement for water re-use opportunities in redevelopment proposals such as grey water recycling. We welcome the inclusion of 3(e) within Policy DM01 outlining that new homes should be equipped with a water butt of at least 200 litres storage capacity.</p> <p>We wish to ensure that the climate change policy gives appropriate emphasis to green and blue infrastructure, natural flood management techniques, multi-functional sustainable drainage, designing new development so that it is resilient to the challenges of future climate change and the incorporation of water supply efficiency measures.</p> <p>As the LPA will be aware, green infrastructure can help to mitigate the impacts of high temperatures, combat emissions, maintain or enhance biodiversity and reduce flood risk. Green / blue infrastructure and landscape provision play an important role in managing water close to its source. If the necessary link between green/blue infrastructure, surface water management and landscape design is outlined as a strategic requirement in Local Plans, it will help ensure that sustainable surface water management is at the forefront of the design process.</p>		
00539 / 006 United Utilities	Policy DM02	<p>When considering flood risk policy and the location of development, we believe it is important to highlight that the preparation of the Local Plan should give sufficient emphasis to all forms of flood risk. UJW therefore supports the intentions of the policy wording in Policies SP07: Water Management and DM02: Flood Risk. However, UJW also recommends the following additional policy wording to be included in Policy DM02 to address the risk of flooding from other sources namely overwhelmed drainage systems and reservoirs:</p> <p><i>'Applicants will be required to consult with the water and sewerage undertaker to confirm the nature and extent of any flood risk from sewers and reservoirs. For sewers, the consultation should confirm:</i></p> <p><i>a) if there are any sewer surcharge levels at the point of connection that could influence site design;</i></p> <p><i>b) whether there is an incident of sewer flooding at, or in the vicinity of, the proposed development site; and</i></p> <p><i>c) if sewer modelling data indicates that existing sewers that pass through or near to the site present a modelled risk of sewer flooding.</i></p>	The Council acknowledge the need for applicants to consult with statutory providers through the pre-application process including in determining the risk of flooding from sewers. The need to engage with the relevant statutory provider has been inserted into Policy SP07.	Policy SP07 under the heading 'water supply infrastructure' new part 6 'The determine whether it is necessary to apply the sequential approach applicants should consult with the relevant water and sewerage undertaker to confirm the nature and extent of any flood risk from sewers or reservoirs.'

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		<p><i>This will determine whether to apply the sequential approach. Development should not be located in an area at risk of flooding. Applicants must demonstrate that proposals do not increase flood risk and are safe. Applicants should not assume that changes in levels or that changes to the public sewer (including diversion), will be acceptable as such proposals could increase / displace flood risk.'</i></p>		
00539 / 007 United Utilities	Policy DM02	<p>New development should manage foul and surface water in a sustainable way in accordance with national planning policy. We wish to emphasise the importance of any future policy setting out the need to follow the hierarchy of drainage options for surface water in national planning practice guidance which clearly identifies the public combined sewer as the least preferable option for the discharge of surface water.</p> <p>UUW is pleased to note that the issues of flood risk and surface water management are dealt with as two separate elements. We welcome the intentions behind the policy wording of policies SP07: Water Management and DM02: Flood Risk, which also deals with surface water management.</p> <p>Paragraph 167 of the National Planning Policy Framework (NPPF) outlines that <i>'When determining any planning applications, Local Planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment'</i>.</p> <p>Noting that not all applications are required to submit a flood risk assessment, UUW wishes to outline that emerging policy should set an expectation that all applications will be required to submit clear evidence that the hierarchy for surface water management has been fully investigated to ensure that flood risk is not increased elsewhere.</p> <p>We wish to recommend that Policy DM02 requires applicants to submit a foul and surface water drainage strategy that fully investigates the surface water hierarchy to minimise the risk of flooding and ensures that future development sites are drained in the most sustainable way whilst being resilient to the challenges of climate change. Therefore, we wish to recommend the following amendments to the surface water management element of Policy DM02:</p> <p>'Foul and Surface water management</p> <p>14. Surface water must be controlled at source and re-used, wherever possible. Proposals should be designed to maximise the retention of surface water on-site and minimise the volume, and rate of, surface water discharge</p>	<p>Comment re: 14. All the matters are addressed within the policy and have been reordered to make the policy clearer and more succinct.</p> <p>Comment re: 15(a) – The use of natural features within surface water drainage schemes is already referenced within Policy DM02. Wording has however been inserted in part 15 of the policy to further emphasise this.</p> <p>Comment re: 15(d) – These matters are addressed elsewhere within Policy DM02. The requirements sought are too prescriptive for policy.</p> <p>Comment re: part 16 – Requirement is disproportionate however agree that reference for the need to submit a foul and surface water management strategy should be included in the policy. This has been inserted earlier on in the policy.</p> <p>Comment re: part 17 will be reflected within the Policy.</p> <p>Changes made to part 18 and 19 of Policy DM02 (now Part 4 of Policy DM02b) reflect the wording requested by the LLFA. The request for 50% betterment is not supported by evidence to justify this requirement.</p> <p>The requests made through (h) and (i) repeat policy requirements set out in other parts of the local plan.</p> <p>The requests made through (j) (k) and (l) are too detailed for local plan policy. Policy SP12 refers to the maintenance of infrastructure through legal agreements.</p> <p>Elements of the additional suggested supporting text provides welcomed guidance. The wording has been altered to make this more focused. Parts relate to suggested amendments considered too detailed for a local plan and so are not included as changes.</p>	<p>Revised part 15 (now 3(a) of Policy DM02b) to 'All development proposals must:</p> <p>(a) Respond to the hydrological characteristics of the site to ensure that flood water is not deflected or constricted (Policy DM01).'</p> <p>Revised part 1(a) of Policy DM02b to 'where appropriate, applications should be supported by a strategy for foul and surface water management'</p> <p>Policy DM02(b) Part 2 new text 'Applicants wishing to discharge into a public sewer must submit clear evidence to demonstrate why alternative options are inappropriate. The right to connect surface water runoff to public sewers is conditional upon a drainage system being approved before any construction work can start.</p> <p>Supporting text</p> <p>Include the additional text (below) after paragraph 5.39 (new 5.44):</p> <p>Foul and surface water drainage should be considered from the outset and address the four pillars of sustainable drainage: water quantity, water quality, amenity and biodiversity.</p> <p>Inserted as paragraph 5.47: 'Proposals should consider site topography, naturally occurring flow paths, ephemeral watercourses and any low-lying areas where water naturally accumulates.'</p> <p>Inserted as paragraph 5.50: 'There is a wide range of green infrastructure solutions. Examples include green roofs; permeable surfacing; soakaways; filter drainage; swales; bio-retention tree pits; rain gardens; basins; ponds; reedbeds and wetlands.'</p> <p>Inserted as paragraphs 5.30 and 5.31 under a new subheading Development and Flood Risk (Policy DM2(a))</p> <p>'Drainage details, ground levels and finished floor levels are critical to ensure that developments are resilient to flood risk and climate change. It is good practice to ensure the external levels fall away from the ground floor level, to allow for safe overland flow routes and minimise any associated flood risk.</p> <p>Where the ground floor is below ground level, at the point where the drainage connects to the public sewer, care must</p>

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		<p>off-site. The right to connect surface water runoff to public sewers is conditional upon a drainage system being approved before any construction work can start.</p> <p>15. All development proposals must:</p> <p>(a) Assess and respond to the existing hydrological characteristics of a site to ensure a flood resilient design is achieved and water / flooding is not deflected or constricted.</p> <p>(b) Address how surface water is to be managed during the construction phase(s) of the development.</p> <p>(e) (c) <i>Manage surface water close to its source and on the surface where reasonably practicable to do so.</i></p> <p>(f) (d) <i>Include 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 there is clear evidence that this would be inappropriate. New SuDS must be designed to adoptable standards. Applications for major development will be required to incorporate sustainable drainage which is multi-functional, in accordance with the four pillars of sustainable drainage, in preference to underground piped and tanked storage systems, unless, there is clear evidence why such techniques are inappropriate. The sustainable drainage should be integrated with the landscaped environment and the strategy for biodiversity net gain. Any drainage must be designed in accordance with 'Ciria C753 The SuDS Manual' and sewerage sector adoption guidance.</i></p> <p>(g) (e) <i>Minimise the use of impermeable surfaces.</i></p> <p>(f) <i>Include an acceptable maintenance and management regime for any surface water drainage schemes, which should:</i></p> <ul style="list-style-type: none"> • <i>Ensure sufficient right of access for future maintenance of any open or culverted watercourses, SuDS components and surface water discharge points.</i> • <i>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.</i> <p>16. All applications must be supported by a strategy for foul and surface water management. Surface water should be controlled at source and re-used, wherever possible. Any discharge should employ the most</p>		<p>be taken to ensure that the proposed development is not at an increased risk of sewer surcharge.'</p>

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		<p>sustainable drainage option, in the following order of priority:</p> <p>(a) <i>Into the ground (infiltration).</i></p> <p>(b) <i>To a surface water body.</i></p> <p>(c) <i>To a surface water sewer, highway drain or another drainage system.</i></p> <p>(d) <i>To a combined sewer.</i></p> <p>17. <i>Applicants wishing to discharge into a public sewer must submit clear evidence to demonstrate why alternative options are inappropriate.</i></p> <p>18. <i>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).</i></p> <p>19. <i>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 rising to a minimum of 50% in any critical drainage area identified by the SFRA. To demonstrate any reduction, applicants must submit clear evidence of existing operational connections from the site with associated calculations on rates of discharge. Where clear evidence of existing connections is not provided, applicants will be required to discharge at a Greenfield rate of run-off.</i></p> <p>(h) <i>The provision of green infrastructure to assist with flood mitigation will be supported in line with Policies DM06 and DM031.</i></p> <p>(i) <i>Overland flood water exceedance routes must be designed and managed in a way that reduces the risk to people and property.</i></p> <p>(j) <i>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.</i></p> <p>(k) <i>Long term arrangements for the maintenance of drainage measures provided on site will be secured through a signed legal agreement.</i></p> <p>(l) <i>For any development proposal which is part of a wider development / allocation, foul and surface water strategies must be part of a holistic site-wide strategy. Pumped drainage systems must be minimised and a</i></p>		

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		<p><i>proliferation of pumping stations on a phased development will not be acceptable.'</i></p> <p>We also request that you include the following explanatory text.</p> <p><i>Explanatory Text</i></p> <p><i>Application of the hierarchy for managing surface water will be a key requirement for all development sites to reduce flood risk and the impact on the environment. Clear evidence must be submitted to demonstrate why alternative preferable options in the surface water hierarchy are not available.</i></p> <p><i>Foul and surface water drainage must be considered early in the design process. Sustainable drainage should be integrated with the landscaped environment and designed in accordance with the four pillars of sustainable drainage (water quantity, water quality, amenity and biodiversity). It should identify SuDS opportunities, including retrofit SuDS opportunities, such as green roofs; permeable surfacing; soakaways; filter drainage; swales; bioretention tree pits; rain gardens; basins; ponds; reedbeds and wetlands. Any drainage should be designed in accordance with 'Ciria C753 The SuDS Manual' and sewerage sector adoption guidance.</i></p> <p><i>The hydrological assessment of the site must consider site topography, naturally occurring flow paths, ephemeral watercourses and any low lying areas where water naturally accumulates. Resultant layouts must take account of such circumstances. Applications will be required to consider exceedance / overland flow paths from existing and proposed drainage features and confirm ground levels, finished floor levels and drainage details. Drainage details, ground levels and finished floor levels are critical to ensure the proposal is resilient to flood risk and climate change. It is good practice to ensure the external levels fall away from the ground floor level of the proposed buildings (following any regrade), to allow for safe overland flow routes within the development and minimise any associated flood risk from overland flows. In addition, where the ground level of the site is below the ground level at the point where the drainage connects to the public sewer, care must be taken to ensure that the proposed development is not at an increased risk of sewer surcharge. It is good practice for the finished floor levels and manhole cover levels (including those that serve private drainage runs) to be higher than the manhole cover level at the point of connection to the receiving sewer.</i></p> <p><i>Holistic site-wide drainage strategies will be required to ensure a coordinated approach to drainage between</i></p>		

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		<p><i>phases, between developers, and over a number of years of construction. Applicants must demonstrate how the approach to drainage on any phase of development has regard to interconnecting phases within a larger site with infrastructure sized to accommodate interconnecting phases. When necessary, the holistic drainage strategy must be updated to reflect any changing circumstances between each phase(s). The strategy shall demonstrate communication with infrastructure providers and outline how each phase interacts with other phases.'</i></p>		
<p>00539 / 008 United Utilities</p>	<p>Policy DM04</p>	<p>As part of our response to the Environment Act and in preparation for the future delivery of BNG, we are currently reaching out to local authorities to ensure we develop a BNG strategy that, wherever possible, supports local biodiversity and nature recovery needs. We are currently evaluating all land owned by Uuw within local authorities that could be used for habitat creation or enhancement works and developing a list of candidate sites. In identifying land, we clearly recognise the strategic importance of aligning our site selection process with local, regional and national policies and objectives on biodiversity and nature recovery. As part of the preparation of your new Local Plan, we would welcome the opportunity to further discuss your approach to the delivery of BNG and the identification of strategic opportunities to support local nature recovery.</p> <p>Uuw welcomes Policies DM04: Biodiversity Net Gain and SP12: Infrastructure and Developer Contributions, which includes flexibility to allow for off-site BNG provision. However, we note the requirement that off-site provision should be provided within a 20-minute walk of the development site, or a financial contribution be provided to fund projects for designated sites within the borough. We would suggest that greater flexibility is given to support off-site provision within the borough, which is not limited to being within a 20 minute walk. Ultimately the issue of proximity to the site is already addressed in the Biodiversity Metric devised by Natural England and therefore we do not consider it appropriate to introduce this additional walking requirement. The focus of the policy should be on how to maximise the benefit to biodiversity which is already reflected in the biodiversity metric calculation. We therefore request that criterion 4 of Policy DM04 is amended as follows.</p> <p><i>'4. Where a net gain for biodiversity cannot be secured on-site, off-site provision should be provided. 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.'</i></p>	<p>Comments noted.</p> <p>Published guidance and the DEFRA metric favour on-site delivery of measures for Biodiversity Net Gain (BNG). Policy DM04 reflects this position, which seeks to ensure that the community losing habitat to new development benefits from the compensatory measures.</p> <p>The policy also allows for off-site provision where on-site provision is neither feasible, nor the best option. This anticipates the adoption of the Local Nature Recovery Strategy (LNRS) currently being prepared by Lancashire County Council. The LNRS will inform the delivery of mandatory BNG and help to guide local planning policy for nature recovery. It will help to indicate whether off-site enhancement of the ecological network offers greater benefits for biodiversity than smaller on-site interventions.</p> <p>The wording of part 4 has been revised to better link to and support the delivery of the LNRS.</p>	<p>No direct change.</p>

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		<p>We wish to highlight that on-site provision is not always the most appropriate long term solution for the delivery of BNG when investing in key infrastructure such as water and wastewater assets. It is critical that land at and around our key infrastructure sites is not sterilised to ensure that we are able to flexibly and most appropriately respond to future growth and environmental drivers. This approach is supported by the planning practice guidance which states that the approach to BNG should be resilient to future pressures from further development. We also wish to note that biodiversity mitigation / enhancement should not be located directly over water and wastewater assets or where excavation onto the asset would require removal of the biodiversity.</p>		
<p>00539 / 009 United Utilities</p>	<p>Policy DM07</p>	<p>We wish to emphasise that the evaluation of surface water management opportunities should be undertaken early in the design process. It is imperative that the approach to design including site analysis is intrinsically linked to <i>'making space for water'</i>. Sustainable surface water management will be particularly important to consider in the context of the requirement for new streets to be tree lined. It is a national policy requirement that new streets are tree lined as stated in paragraph 131 within the NPPF. Therefore, UUW wishes to recommend the following wording for inclusion within Policy DM07:</p> <p><i>'Landscaping proposals, including proposals for tree-lined streets, must be integrated with the strategy for sustainable surface water management.'</i></p> <p>We also recommend the following associated explanatory text to support this policy amendment.</p> <p><i>'Explanatory Text</i></p> <p><i>Landscaping proposals, including public realm improvements, must be intrinsically linked to opportunities for surface water management improvements and considered early in the design process. The integration of landscaping proposals with surface water management can be achieved through a variety of features including:</i></p> <ul style="list-style-type: none"> • permeable surfacing; • bioretention tree pits; • rain gardens; • soakaways and filter drainage; • swales; and • blue / green roofs.' <p>Any approach to planting new trees must also give due consideration to the impact on utility services noting the implications that can arise as a result of planting too close</p>	<p>Comments noted.</p> <p>The suggested amendment, whilst important in a wider context does not address the focus of this policy, which is to address how new development affects trees and any requirement for compensatory provision arising from this.</p> <p>The importance of surface water drainage and the need for this to be accounted for and integrated early in the design process is set out in Policy DM02.</p> <p>Policy DM16 Design and Placemaking has will be amended to directly reference the need for sustainable management of surface water and its importance in securing resilient places.</p> <p>The Council considers this approach to be more appropriate.</p> <p>The issue of tree planting on utility infrastructure is noted. However this isn't a planning policy matter but should be considered through the planning application process. The supporting text rather than the policy will be amended to make reference to this issue.</p>	<p>Amend Policy DM16 text as follows:</p> <p>1 (b) i. – Taking all reasonable opportunities to ensure future resilience to a changing climate (see Policy DM01) by reducing energy and water use; integrating sustainable surface water management; minimising waste ...</p> <p>Amend the supporting text as follows:</p> <p>Paragraph 5.240 (now 5.255) – Add a new bullet point:</p> <p><i>'Resilience – Places must be designed so that they are able to withstand and recover quickly from the effects of climate change. The management of surface water flooding, heat and drought should be integrated into a proposal's design at an early stage. Effective responses include but are not limited to; the layout, massing and orientation of new buildings, the adoption of permeable surfacing, tree planting (including tree lined streets), soakaways and filter drainage, swales, rain gardens and water butts (see also Policies DM01 and DM02(a/b)).'</i></p> <p>Amend the supporting text for Policy DM07 as follows:</p> <p>Paragraph 5.125 (now 5.137) –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. Due consideration should be given to the impact planting may have for utility assets. Provider will be consulted on planting schemes through the planning process. Tree lined streets, provided in accordance with paragraph 136 of the NPPF, should ensure that sufficient visibility splays are maintained for driveways and at road junctions to ensure highway safety for all road users.'</p>

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		<p>to utility services. This can result in root ingress, which in turn increases the risk of drainage system failure and increases flood risk. It will be important that applicants refer to our 'Standard Conditions for Works Adjacent to Pipelines' (a copy of which can be found on our website) and consult with us when implementing the delivery of landscaping proposals. The approach to any planting must have regard to the proximity to existing or proposed utility assets to ensure there is no impact on these assets such as root ingress. Trees should not be planted directly over water and wastewater assets or where excavation onto the asset would require removal of the tree. We therefore recommend that Policy DM07 includes the following additional criterion.</p> <p><i>'The approach to any planting must have regard to the proximity to existing or proposed utility assets to ensure there is no impact on these assets such as root ingress. Trees and biodiversity proposals should not be planted directly over water and wastewater assets or where excavation onto the asset would require removal of the tree / biodiversity.'</i></p>		
00539 / 010 United Utilities	Policy DM09	<p>UUW requests the support of the Council for future investment in infrastructure in order to be able to expediently respond to infrastructure needs. UUW wishes to highlight that it owns assets which are currently situated in protected areas such as open countryside or Green Belt. Upgrades to these assets may be required in the near future, and it is important to ensure that any required upgrades and expansions to these sites can be made in order for us to meet the infrastructure requirements of proposed future development in the borough and future environmental drivers.</p> <p>It is worth noting that the Environment Act 2021 places an obligation on sewerage undertakers in England to secure a progressive reduction in the adverse impacts of discharges from storm overflows to reduce the impacts on the environment and public health. This obligation has triggered the need for significant future investment in our wastewater assets (treatment and network). This investment will often be constrained by engineering circumstances to determine the most appropriate location for additional storage to reduce spills. This may necessitate investment away from existing treatment facilities such as in the Green Belt, the open countryside and other green areas that are in, or adjacent to, existing settlements.</p> <p>Consistent with meeting its obligations, UUW requests that local development plan policy is worded to recognise that utility sites, located within protected land, are appropriate</p>	<p>Comments noted.</p> <p>The principal of development within the Green Belt is dealt with in Policy SP05 and national planning policy. Policy SP05 also addresses development at the Burnley Wastewater Treatment Works directly.</p> <p>Any proposals for the development of facilities associated with water supply or treatment, which are already located in the open countryside would be examined on their merits. Because of their existing location it should also be possible to justify the need for the development to take place in a countryside location paragraph 3 (a).</p>	No change.

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		<p>for development for operational purposes. Our preference would be for this principle to be reflected in policy and through designation of existing sites on the Proposals Map. We also request wider support for water and wastewater infrastructure investment that is ultimately beneficial to the environment, biodiversity, watercourses and growth so that our investment can be delivered in the most timely and effective manner.</p> <p>The following policy wording is recommended as additional wording to Policy DM09 to provide support for water and wastewater infrastructure in the Open Countryside and Green Belt:</p> <p><i>'The Council will support water and wastewater infrastructure investment which facilitates the delivery of wider sustainable development and the meeting of environmental objectives of water and sewerage undertakers including development proposals for water and wastewater infrastructure in protected areas such as the Green Belt, open countryside or in existing green spaces, where the investment is needed to respond to future growth and environmental needs.'</i></p> <p>This policy would enable us to ensure we can continue to meet the growth and development aspirations of the region, by ensuring that fundamental infrastructure requirements are met and that we are able to respond to the need for investment in our assets to protect the environment and reduce flood risk. Our assets in the borough include:</p> <ul style="list-style-type: none"> • Town House Service Reservoir • Barnoldswick Wastewater Treatment Works • Nelson Service Reservoir • Ridgaling Water Treatment Works • Walderden Service Reservoir • Colne Wastewater Treatment Works 		
00539 / 011 United Utilities	Policy DM13	<p>Necessary to carefully consider their proximity to our existing wastewater treatment works, detention tanks, pumping stations and sewer overflows. It is important to explain that:</p> <ol style="list-style-type: none"> 1. Wastewater treatment works are key infrastructure for the borough which may need to expand in the future to meet growth needs or respond to new environmental drivers. Maintaining a space around a treatment works is therefore desirable to respond to any future investment requirements. 2. As a waste management facility, a wastewater treatment works is an industrial operation which can 	Agree however this is addressed within Part 2 of the policy, with wording amended to make specific reference to odour.	Part 2 of the policy amended to read: 'Housing, or other environmentally sensitive development, will not normally be permitted in locations where existing levels of pollution (including dust and odour), 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.'

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		<p>result in emissions. These emissions include odour and noise. A wastewater treatment works can also attract flies. A wastewater treatment works is also subject to vehicle movements from large tankers which need to access the site.</p> <p>Therefore, we welcome the wording included in paragraph 5.200 regarding residential development and waste water treatment works. However, we would like to recommend the following additional wording to be included within Policy DM13: Pollution:</p> <p><i>'Applicants must demonstrate that the occupiers of new developments will enjoy an appropriate standard of amenity and will not be adversely affected by neighbouring uses and vice versa. When applicable, applicants will be required to submit the relevant impact assessments, outlining any adverse effects from the neighbouring site, and any required mitigation.'</i></p>		
00539 / 012 United Utilities	Policy DM37	<p>We would also recommend that Policy DM37 relating to Parking is amended to support the integration of landscaping with surface water management. We request the following amendments.</p> <p><i>2. 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.</i></p> <p><i>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, which are integrated with the strategy for surface water management.'</i></p>	<p>Agree in part.</p> <p>The policy will be strengthened to ensure that surface water drainage is effectively dealt with through the delivery of parking proposals.</p> <p>Part 4 – This policy requirement focuses on the design of parking within the street scene. A reference to surface water management is not required, this matter having been more appropriately addressed in an amendment to paragraph 5.243 of Policy DM16</p>	<p>Amend the policy text as follows:</p> <p>Part 2 – 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.</p>
00539 / 013 United Utilities	Policy AL01	<p>When considering potential new development sites, it is important to identify where there are existing public sewers within or near to the site, which are predicted to be at risk from flooding and/or sites where there is a record of previous flooding from the public sewer.</p> <p>The proposed site allocations could also be affected by overland flow from nearby off-site public sewers. At this stage we can only undertake a limited assessment as detailed information is not available on the sites, for example, topographic details. Policy should be clear that this risk needs to be considered early in the design and development process and that any flood risk should not be displaced.</p> <p>Our initial assessment of the employment and housing sites for which we have received shp files identifies:</p>	<p>The Council acknowledge the importance of this issue and the need for developers to ensure that the matter of flooding relating to all sources is addressed through the design and development process.</p>	<p>Specific reference has been inserted into Policy AL01 – Part 4 'Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b)'</p> <p>Specific reference has been inserted into Policy AL02 – Part 6 'Flood risk from all sources should be considered from an early stage through the design process, ensuring that any potential risk is not increased or displaced (Policies SP07, DM02(a) and DM02(b)'</p>

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		<ul style="list-style-type: none"> - sites with an on-site modelled flood risk; - sites with a record of on-site sewer flooding; and - sites with a record of sewer flooding in the vicinity of the site. <p>This information is included in tables that are appended to this letter and summarised below.</p> <p>The sites with a modelled sewer flood risk within / in the vicinity of the site are:</p> <p>Site Ref. Site Name</p> <p>P052 Former Railway Sidings</p> <p>P060 Former Mansfield High School</p> <p>P237 Former Barnsey Shed</p> <p>P026 Riverside Mill</p> <p>P067 Land at South Of Colne Water</p> <p>P309 Land at Jackdaw Road</p> <p>P267 Land at Former LCC Depot, Halifax Road, Brierfield</p> <p>(Appears to relate to on-site watercourse into which a surface water sewer connects)</p> <p>The sites with a record of sewer flooding in the vicinity of the site are:</p> <p>Site Ref. Site Name</p> <p>P052 Former Railway Sidings</p> <p>P060 Former Mansfield High School</p> <p>P107 Land at Mansfield Crescent</p> <p>P267 Land at Former LCC Depot, Halifax Road, Brierfield</p> <p>We request that you use this information to update your Strategic Flood Risk Assessment.</p> <p>U UW also recommends the following additional policy wording is included in the Local Plan. In instances where sites are affected by sewer flood risk and it is your decision to continue to allocate the site, we suggest the following additional wording is included in Chapter 8 as a new Site Specific Requirement for each site listed as having a modelled sewer flood risk:</p> <p><i>'Modelled Sewer Flood Risk Existing public sewers pass through and near to this site which modelling data (and / or flooding incident data) identifies as being at risk of sewer flooding. This will need careful assessment and consideration in the detailed design, masterplanning and drainage details for the site. The risk of sewer flooding could affect the developable area of the site and the detail of the design.'</i></p>		

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		<p>Where there is a record of flooding on-site, or in the vicinity of the site, we would recommend the following wording in the Site Specific Requirements for each site:</p> <p><i>'Sewer Flooding Incidents</i></p> <p><i>'There are flood incidents from the public sewer on-site / in the wider area. Applicants must engage with United Utilities to consider the detailed design of the site and drainage details. The risk of sewer flooding could affect the developable area of the site and the detail of the design.'</i></p> <p>We also recommend the following explanatory text in respect of sewer flood risk matters for each site where we have identified a risk of flooding from the public sewer:</p> <p><i>'Explanatory Text</i></p> <p><i>A range of sites have been identified as being at risk of sewer flooding or in where sewer flooding has occurred in the wider vicinity. In respect of these sites, the applicant must engage with United Utilities prior to any masterplanning to assess the flood risk and ensure development is not located in an area at risk of flooding from the public sewer. Applicants should consider site topography and any exceedance flow paths. Resultant layouts and levels should take account of such existing circumstances. Applicants must demonstrate that the proposed development would be safe and not lead to increased flood risk. Applicants should not assume that changes in levels or changes to the public sewer, including diversion, will be acceptable as such proposals could increase / displace flood risk. It may be necessary to apply the sequential approach and incorporate mitigating measures subject to the detail of the development proposal. Careful consideration will need to be given to the approach to drainage including the management of surface water; the point of connection; whether the proposed drainage will be gravity or pumped; the proposed finished floor and ground levels; the management of exceedance paths from existing and proposed drainage systems and any appropriate mitigating measures to manage any risk of sewer surcharge.'</i></p>		
00539 / 014 United Utilities	General comment	<p>Effects on UU Infrastructure Assets:</p> <p>We would wish to assess any possible future development sites to determine whether we have any land interests such as easements and rights of access which are in addition to our statutory rights for inspection, maintenance and repair. These land interest may have restrictions that must be adhered to. It is the responsibility of the developer to obtain a copy of the associated legal document, available from</p>	<p>Comments noted.</p> <p>Applicants are encouraged to obtain pre-application advice and engage with providers directly before submitting a planning application (see Policy DM34).</p>	No change.

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		<p>United Utilities' Legal Services or Land Registry and to comply with the provisions stated within the document.</p> <p>We recommend that landowners/developers contacts our Property Services team at PropertyGeneralEnquiries@uuplc.co.uk to discuss how any proposals may interact with our land interests. Our easements, pipe structures and access rights should not be affected by the design and construction of new development.</p>		
<p>00539 / 015 United Utilities</p>	<p>General comment</p>	<p>Reservoirs:</p> <p>There are a number of reservoirs within Pendle, each with its own reservoir flooding zone, showing how far flood water would spread from the reservoir in the unlikely event that a reservoir failed. These maps are available on the Environment Agency website at https://flood-warning-information.service.gov.uk/long-term-flood-risk/map.</p> <p>When looking at possible future development allocations within a reservoir flood zone, we draw your attention to the advice within the National Planning Practice Guidance on Flood Risk and Coastal Change.</p> <p>This states that the Local Planning authority will need to evaluate the potential damage to buildings or loss of life in the event of dam failure, compared to other risks, when considering development downstream of a reservoir.</p> <p>Local Planning authorities will also need to evaluate in Strategic Flood Risk Assessments (and when applying the Sequential Test) how an impounding reservoir will modify existing flood risk in the event of a flood in the catchment it is located within, and/or whether emergency draw-down of the reservoir will add to the extent of flooding.</p> <p>If considering allocating land for development within a reservoir flood zone, Local Planning authorities should also discuss their proposed site allocations with reservoir undertakers (such as UUW) at the earliest opportunity, in order to:</p> <ul style="list-style-type: none"> - avoid intensification of development within areas at risk from reservoir failure; and - ensure that reservoir undertakers can assess the cost implications of any reservoir safety improvements required due to changes in land use downstream of their assets. <p>Developers should be expected to cover any additional costs incurred, as required by the National Planning Policy Framework's 'agent of change' policy (paragraph 187). This could be through Community Infrastructure Levy or section 106 obligations for example.</p>	<p>Comments noted.</p> <p>A Level 2 SFRA has been commissioned by Pendle Council and United Utilities will be consulted as part of its preparation. The Level 2 SFRA will provide detailed modelling of the likelihood of flooding from all sources on the sites it is proposed to allocate for development in the Local Plan. The Council will make a final decision about the sites to be allocated based on these findings and the feasibility and likely effectiveness of any potential mitigation measures.</p>	<p>No change.</p>

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		<p>Unfortunately we have not been able to complete a review of reservoir flood risk (UUW owned and operated reservoirs) of the sites that you propose to allocate as part of our response to the current consultation. We can provide you with this information under separate cover in the future as part of our further ongoing liaison. You will need to ensure that your Strategic Flood Risk Assessment identifies any sites that are in a location that is at risk of flooding from a reservoir and ensure that this is considered in your site specific requirements for any allocation. Where they exist, you will need to consider these sites against the aforementioned advice in the Planning Practice Guidance.</p>		
<p>00539 / 016 United Utilities</p>	<p>General comment</p>	<p>Renewables: We are currently evaluating all land owned by UUW within local authorities that could be used for renewable energy and developing a list of candidate sites. In identifying land, we clearly recognise the strategic importance of aligning our site selection process with local, regional and national policies and objectives on renewable energy and net zero. As part of the preparation of your new Local Plan, we would welcome the opportunity to further discuss your approach to the delivery of renewable energy sites and the identification of new opportunities.</p>	<p>Comments noted. To comply with the requirements of the Duty to Cooperate the Council conducts meetings with statutory consultees including United Utilities, where these matters can be discussed further.</p>	<p>No change.</p>

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<p>00594 / 001 Mr A. Ashworth</p>	<p>Appendix 2 and Policies Map</p>	<p>Natural England confirmed Pendle Council's declaration of a new Local Nature Reserve (LNR) on Gib Hill.</p> <p>(1) Whilst the plan mentions that a part of the Gib Hill site is of Biological Heritage Status (BHS), Gib Hill is not included as an LNR in the list in Appendix 2. Now that now the site is an official Local Nature Reserve in the eyes of Natural England, the list should be updated to include a tick in the LNR column for Gib Hill, and Gib Hill should also be marked on the Policies' Map as an LNR.</p> <p>(2) Gib Hill used to be allocated as in the "Open Countryside", outside of the Settlement Boundary, before it was "Safeguarded for Replacement Housing" for possible requirement in the long-abandoned HMR Pathfinder project. We request that in view of its new use as a Local Nature Reserve, with its hedge-lined small fields rich in flora and fauna, it is placed back outside of the settlement boundary and back in the Open Countryside again. The planning policies for the Open Countryside are much more relevant to the use as a Nature Reserve and will give extra protection to the site going forward. In the public enquiry into the previous Local Plan, the Inspector was quite sceptical about the use of "Safeguarded / Just-in-case Sites" but agreed to let it pass so long as it reverted back to its previous classification as Open Countryside outside of the settlement boundary if the site was not required in the HMR Pathfinder project. The project was abandoned 12 years ago, but the designation has still not reverted back to Open Countryside outside of the Settlement Boundary. We note that in this Local Plan Review, similar consideration is being given to remove a plot of land adjacent to the Trough Laithe development site in Barrowford from within the Settlement Boundary.</p>	<p>Comments noted.</p> <p>(1) When the Regulation 18 Draft Pendle Local Plan was written, Gib Hill had not been formally been designated as a Local Nature Reserve (LNR), hence its omission from the list in Appendix 2. This matter will be addressed in the next iteration of the Plan.</p> <p>(2) Given the change in circumstances the settlement boundary will be redrawn to place Gib Hill within the open countryside.</p>	<p>Appendix 2 revised Include Gib Hill in the list of designated sites</p> <p>Policies Map: Settlement boundary redrawn so that the land at Gib Hill covered by the LNR/BHS designation is removed from within the settlement boundary and placed within the open countryside.</p>

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00639 / 001 Dr A. Birkinshaw	Policy DM12/ Appendix 8	I would like to object to the land known as The Upper Rough (reference P005 Land between Skipton Old Road and Castle Road, Colne) NOT being included as a valued green space and instead there being a reliance on planning decisions to preserve what is a vital area of land for the local community. This is a reversal of the democratic process where the Neighbourhood Plan put this area forward to be protected following extensive consultation with the local community. Following this, the inspector accepted that it fulfilled the requirements to be classed as a valued green space, but left the decision to those putting together the Local Plan. I would ask that the strength of feeling of those who live in the locality is taken into account - this land should be protected just as the Lidgett Triangle has been protected from development. The land is used regularly by the local community for exercise and access to green space and it is a vital habitat for breeding curlews, other birds, small and larger mammals and insects. Any development would be to the detriment of the locality in terms of views and the historic significance of the area, and the ensuing light pollution would damage habitats for protected species, such as bats even further. I would ask that this land is recategorised as unsuited for development which would protect such a crucial area.	Comments noted. This site has now been assessed please see the Local Green Space Site Assessment.	No direct change to the Local Plan.
00729 / 001 Pendle Climate Emergency Working Group	Paragraphs 3.3 and 3.4	We contend that para 3.4 does not conflict with the five points in 3.3 and instead should be included in bullet point 3 on high-quality landscapes and biodiversity. As presented currently, it potentially reads as five points in the former paragraph make it difficult to achieve carbon neutral status in the Borough.	Agree in part. The need to address the climate emergency also represents an opportunity. But it is an issue that affects the borough more widely than paragraph 3 bullet point 3 and sits better with the final bullet point.	Amend as follows: 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 requires a positive and proactive approach to development that: ... <ul style="list-style-type: none"> Responds positively to the impacts of climate change and delivers measurable progress towards Net Zero emissions. Delete former paragraph 3.4
00729 / 002 Pendle Climate Emergency Working Group	Policy SP03	We agree with the distribution of development, as urban development is the most sustainable.	Support noted.	No change
00729 / 003 Pendle Climate Emergency Working Group	Policy SP05	We support these policies concerned with the Green Belt.	Support noted.	No change.
00729 / 004 Pendle Climate Emergency Working Group	Policy SP06	SP06 We broadly support the thrust of these policies on Zero Carbon. However, Policy 4 should be reworded from: "Developments that include the following design measures will be supported" to "Developments that include the following design measures are more likely to be supported".	Part 4 – Agreed. Broader material issues need to be considered which could affect the outcome of the decision. The policy wording will be revised.	Amend the policy text to read: Part 4 (now part 3) – Developments that include the following design measures will be considered favourably:

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		<p>This is because there could be other reasons why they should not be brought forward. Para 4.53 assumes concrete construction and misses the opportunity to suggest the much less ecologically damaging limecrete. Similarly, lime mortar is less polluting than cement and is more appropriate for older buildings, where there might be conversions, rather than new development. Para 4.64 A professor from the University of Durham recently addressed our Working Group. He believes there is the potential for geothermal energy to be exploited in the Borough, possibly using redundant mine workings. However, more analysis needs to be carried out, something this Working Group is keen to push forward. Re Solar Power para 4.69, the only evidence given for not supporting it as viable for Pendle appears to be that solar irradiation in Pendle is lower than in southern England. This seems to completely ignore the numerous examples of many different types of solar arrays/farms found in the north of England and Scotland. Some of these are community co-operatives whilst others are local authority schemes. An excellent example of a community scheme can be found in Edinburgh. To quote from its website:</p> <p>“Edinburgh Community Solar Co-operative (ECSC) owns and operates 30 solar panel installations throughout Edinburgh with a total generating capacity of 1.38MW. Our panels can be found on Edinburgh Council schools, community centres and leisure facilities. Each year we generate approximately 1.1GWh of clean, renewable electricity for these buildings and the wider grid. After providing a fixed return on our member’s investments, excess profits are invested in community projects throughout Edinburgh that promote sustainability and renewable energy. ECSC has raised the necessary capital in two tranches, the first for £1.4 million and the second for £660,000. This was achieved with a public share offer, giving priority to Edinburgh residents to become members of the co-operative by purchasing shares for a minimum of £250. Some or all of the electricity generated by each project is used by the building, depending on internal demand, which is sold to the Council through a Licence Agreement at a price considerably less than the market rate. Any surplus electricity is exported to the grid for which ECSC receives an income. The ECSC’s scheme illustrates how in many ways Community Energy schemes can be a win/win opportunity for both councils and communities. Councils get renewable electricity at a discounted rate and ownership of the panels after 20 years without any capital outlay. The co-operative members are given an opportunity to participate in positive, constructive action to help mitigate climate change and to use excess</p>	<p>Paragraph 4.53 – RA reference to Limecrete has been added to Paragraph 4.55 in response to this comment.</p> <p>Paragraph 4.64 – This paragraph reflects the absence of such projects at this time. The paragraph will be amended to make this clearer and reference the future potential for geothermal energy.</p> <p>Paragraph 4.69 – It is accepted that as worded the paragraph comes across as negative with regard to the viability of solar schemes in Pendle. The text will be reworded to provide a more positive impression.</p> <p>Paragraph 4.71 – The evidence in the Forest of Bowland AONB Small Hydro Study and discussions with officers at the Environment Agency confirm that the Higherford scheme is not feasible. It is accepted that as worded the paragraph comes across as negative with regard to the viability of hydro-electric schemes in Pendle. The text will be reworded to provide a more positive impression.</p>	<p>Amend the following paragraphs in the supporting text to read:</p> <p>Paragraph 4.56 – 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. Building materials with lower environmental impacts, such as Limecrete, should be used wherever possible.</p> <p>Paragraph 4.65 – At this time the available evidence shows that there is limited potential for commercial scale renewable energy proposals in Pendle. Whilst it has not proved possible to identify opportunity areas for commercial wind, there is broad support for low carbon energy generation, particularly:</p> <ul style="list-style-type: none"> • large-scale schemes (>0.5MW). • community-led initiatives, where there it may be feasible to support development outside any Local Plan or Neighbourhood Plan allocations and strategic planning policies. <p>Paragraph 4.68 – Add the following text to the end of the paragraph: This has not prevented solar voltaic and solar thermal projects coming forward elsewhere in northern England and Scotland. There is potential for such schemes to come forward in Pendle over the plan period.</p> <p>Paragraph 4.72 (new) ‘Deep geothermal heat and power is an established renewable energy technology. It is supported by Greenpeace, Friends of the Earth, and the United Nations, evidencing widespread recognition of it as an environmentally friendly source of heat and power.’</p> <p>Paragraph 4.73 (new) ‘A study by the Durham University reveals that there are strong overlaps between those areas with high potential for realising deep geothermal heat and areas in need of levelling up. Pendle is one of 45 local authorities identified as having the likely greatest potential exploitable opportunity.’</p> <p>Paragraph 4.71 (now 4.76) – Policy DM03 considers the planning requirements for small scale and community-led RLC energy generation. It recognises that technological advancements are likely to improve the viability of deploying renewable and low carbon technologies and make potential opportunities feasible.</p> <p>Paragraph 4.75 The Forest of Bowland Small Scale Hydro Power Feasibility Study (2010) considered that the potential to introduce small-scale hydro power generation schemes</p>

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		<p>profits to benefit the whole community.” Pendle Council could work with school trusts or LCC as a pilot project, maybe beginning with just one school, but the potential generation of renewable energy across Lancashire would be huge. Many councils are now funding solar arrays on their own properties e.g. West Sussex and Portsmouth City Councils have put solar on more than 130 schools between them. Other local authorities have set up Solar Together schemes. Solar Together Suffolk being one example, as explained on their website:</p> <p>"Solar Together Suffolk is an innovative scheme offering high-quality solar photovoltaic (PV) panels and battery storage. It is a group-buying scheme, which brings Suffolk households together to get high-quality solar panels at a competitive price, helping you through the process and keeping you informed at every stage. It is free to register and there is no obligation to purchase. Since 2018, we have installed solar panel systems in over 1000 households across Suffolk. On average, homeowners have saved 33% on average market price for installation costs and £263 each year on energy bills in addition to reducing harmful carbon emissions entering the atmosphere."</p> <p>An encouraging a number of councils are now looking to develop solar farms on urban Brownfield sites e.g. Gateshead. There must be many plots of Brownfield land in where such developments are possible, such as in the South Valley of Colne. In Pendle could a survey of possible sites be carried out by Pendle Council? Many energy schemes have overcome land ownership complexities. An inspiring example of a solar array close to Pendle is the Coach Rd Solar Meadow, Oswaldtwistle being developed by the Hyndburn charity Prospects Foundation. To quote from their website:</p> <p>"With the support of the Rural Community Energy Fund and consultants Sharenergy we have reached an advanced stage of design with our Coach Road Solar Meadow proposal in Oswaldtwistle. The panels will generate up to 2 megawatts of electricity, equivalent to the needs of about 550 houses, and will help to reduce carbon emissions by replacing fossil fuels with renewable energy. The project will be owned and run by our new community benefit society, PROSPECTS Community Energy Ltd (PCE Ltd), on the 11 acre site which is owned by the Foundation. The existing woodland, pond, hedgerows and grassland will be managed to maximise benefits for wildlife alongside the panels. The funding for the building of the installation will come from a community share issue, when local people will have an opportunity to invest in PCE Ltd - their own not-for-profit community-owned business. It is hoped to negotiate a supply</p>		<p>across the borough was not technically feasible, opportunities may arise in the future.</p> <p>Policy DM03 amended to support community led renewable development.</p>

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		<p>agreement with a local energy user and the trading surpluses of PCE Ltd will be reinvested in local community benefit."</p> <p>Prospects Foundation does have the advantage of being well endowed through a substantial annual grant paid by the owners of the windfarm on the hills above Accrington. However, it does show that with vision and determination great things can be achieved even at a local level. Para 4.71 The River Ribble Trust has done analyses and there is a potentially viable hydro scheme in Higherford – this report is being forwarded to add to your evidence base.</p>		
00729 / 005 Pendle Climate Emergency Working Group	Policy SP07	We support the approaches to Water Management outlined in these policies. Para 4.90 West Craven – Barnoldswick, Foulridge, Salterforth and Earby – comes in an area managed by Yorkshire Water, so does this paragraph need revisiting? Para 4.98 As previously discussed, these words on water efficiency measures should be revisited and tightened up so the use of water butts is adopted widely.	<p>Paragraph 4.90 will be amended to reference Yorkshire Water.</p> <p>Paragraph 4.98 UU advise that standards should reflect those set out in Buildings Regs. The policy reflects this position.</p>	<p>Amend the supporting text to read:</p> <p>Paragraph 4.90 (now 4.97) – 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. In the east of the borough Yorkshire Water provide essential water and wastewater services in and around Earby.</p> <p>Paragraph 4.98 – No change.</p>
00729 / 006 Pendle Climate Emergency Working Group	Policy SP08	We broadly support these policies on the Natural Environment. Point 2(b)iii should have stronger wording to ban peat extraction and drainage across the Borough. On page 53, under Priority Habitats and Species, we suggest that if development is to take place on a site where there is a priority habitat, then the developer should acquire a similar sized piece of land near to the application site and manage it proactively for that species for a period of thirty years as has happened recently in the Ribble Valley.	<p>Paragraph 2 (b) iii. – Peatland benefits from significant protection through Policies DM08 and DM15. There is no need to duplicate these policy requirements in detail here.</p> <p>Priority Habitats and Species – Loss of priority habitat would be assessed and considered through the implementation of Policy DM04 Biodiversity Net Gain. The Biodiversity Metric 3.0 builds in a penalty for any loss of quality, extent or importance to a habitat, requiring the need for equivalent provision or significant other provision. Any BNG provided must be managed for a minimum period of 30 years.</p> <p>BNG does not alter the mitigation hierarchy, which is well established in planning policy. The Council expects applicants to avoid before contemplating mitigation. The pre-application and application stages provide an important opportunity for dialog with developers on how their proposals affect the habitats present on a site and their design response. Based on the above, the suggested approach is not necessary as it is already implemented through the policies of the Local Plan as currently drafted.</p>	<p>Point 2 (b) iii. – No change</p> <p>Table SP08a – No change</p>
00729 / 007 Pendle Climate Emergency Working Group	Policy SP10	We support paragraph 4.131 on the importance of green spaces for wellbeing.	Support noted.	No change.

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00729 / 008 Pendle Climate Emergency Working Group	Policy SP11	The working group recognises the limited role Pendle Council plays in transport matters, but supports these policies, most especially the reinstatement of the Colne to Skipton Railway Line. We especially support paragraphs 4.135, 4.136, 4.150 and 4.153.	Support noted.	No change.
00729 / 009 Pendle Climate Emergency Working Group	Policy SP12	We support Policy 2 re: developer contributions for open space, biodiversity net gain and travel plans where appropriate.	Support noted.	No change.
00729 / 010 Pendle Climate Emergency Working Group	Policy DM01	It is heartening to see that Climate Change Resilience is the first of the Development Management Policies and they broadly receive our support. Policy 2(d) of the policy text should be worded more strongly to ban peat extraction and drainage across the Borough. Policy 3d seems rather impractical, as building standards alone cannot limit water use per person to 110 litres per person per day. Policy 4b iii needs additional wording, so “high ceilings” are easier to determine.	Policy 2 (d) – Peatland benefits from significant protection through Policies DM08 and DM15. There is no need to duplicate these policy requirements in detail here. Policy 3 (d) – Offers a practical means of addressing water scarcity through new development which is supported by United Utilities and Yorkshire Water and implemented through building. Policy 4 (b) iii. – Needs to be considered in the context of proposals and the wider character of the area. To define this precisely would be inflexible.	No change.
00729 / 011 Pendle Climate Emergency Working Group	Policy DM02	We support these policies on Flood Risk. 5.24 If Global Warming causes the North Atlantic Drift to shift, then potentially, the UK will not become warmer, but paradoxically, cooler.	Support noted.	No change.
00729 / 012 Pendle Climate Emergency Working Group	Policy DM03	We broadly support these policies on Renewable Heat and Energy. 5.59 Decentralised energy and local secondary heat sources <i>could</i> be considered with a large industrial partner, as with Safran in Burnley, or if there was, in future, to be a large social housing or strategic housing scheme – such schemes are proven technology in the Netherlands, as highlighted by Prof Gluyas of Durham University. 5.60 We feel this paragraph is too negative. We have held further online meetings with Prof Gluyas and he believes there is potential and has offered a PhD student to carry out more analysis under his supervision for approx. £10,000. Although our groundwater at depth might not demonstrate the biggest heat differentials nationally (we are in the middle), he believes parts of the Borough will be viable for this form of energy. He claims that the disparity between surface and underground does not need to be enormous, or even massively deep, to achieve good heating and also cooling effects. We have supplied his seminars and a recording of his session with the Working Group. Any developments of on-shore wind in the future should be carefully grouped following a careful analysis of important	Paragraph 5.59 will be amended to reflect continuing nature of the study. Paragraph 5.60 will be re-written to be more positive and supportive of renewable energy schemes, whilst noting the requirements of the policy and its wider significance.	Amend the support text to read as follows: Paragraph 5.59 (now 5.66) – ‘The use of decentralised energy and local secondary heat sources also have the potential to play a part in reducing emissions from buildings. Heat-mapping and feasibility studies have yet to identify a district heat network in Pendle but studies continue.’ Paragraph 5.60 (now 5.67) – ‘Pendle has been identified as an area where it may be feasible to exploit deep level geothermal energy. At depth, a particularly thick sequence of Lower Carboniferous rocks, including limestone, contain natural fractures through which water can flow. Shallow former mine working also contain water that is likely to be warmer than surface temperatures. As technologies improve it may be possible to exploit both of these potential sources of geothermal energy.’

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		<p>long-range views, so the turbines are not dumped, haphazardly in the landscape. Para 5.60 states:</p> <p><i>"By supporting a mix of appropriate schemes the Council will aim to achieve the following generation figures by 2040:</i></p> <p><i>(a) 15.4 MW of electricity</i></p> <p><i>(b) 11.8 MW of heat"</i></p> <p>However, at no point does the Local Plan indicate just how these figures might be achieved. Without a clear strategy Pendle is in danger of finding itself in 2040 again falling well short of the targets for energy generation first set 30 years earlier. Pendle Council needs to be far more ambitious and creative than this and much more specific in its Local Plan about how we will fulfil our stated renewable energy obligations.</p>		
00729 / 013 Pendle Climate Emergency Working Group	Policy DM04	Page 91 and DM04 We broadly support this text on Promoting Biodiversity and Biodiversity Net Gain. We wish to see bee bricks added to the Mitigation and Compensation measures outlined in para 5.80.	Support noted. Paragraph 5.80 – The wording highlights a few of the more commonly recognised examples of small-scale BNG measures and is not intended to provide a comprehensive list. There is no need to identify “bee bricks” at this point in the supporting text.	No change.
00729 / 014 Pendle Climate Emergency Working Group	Policy DM05	We support this policy on Ecological Networks, especially paras 5.98 and 5.99. 5.99 It would be good to see this green infrastructure represented on a map, most especially for the main settlements, so it is clear where there are breaks in the network and work can be undertaken to prioritise and redress these areas. We look forward to LCC’s anticipated Local Nature Recover Strategy (LNRS) and the mapping of the Nature Recovery Network (NRN).	Support noted. The Pendle Green Infrastructure Strategy (2019) forms part of the evidence base for the Local Plan. It is available to view or download from the Council’s website. Whilst it is not appropriate to include a map of the GI network in Pendle within the local Plan itself, a reference and link to this important evidence base document is a noticeable omission from the supporting text.	Include an additional sentence at the beginning of paragraph 5.113: Green infrastructure is a key feature of sustainable communities bringing numerous environmental, social and economic benefits. New paragraph 5.117: The Pendle Green Infrastructure Strategy (2019) maps the many components of the borough’s GI network. It identifies gaps in existing provision and highlights opportunities to protect and enhance existing assets. In doing so it helps to guide the delivery and future investment in GI to maximise its associated benefits.
00729 / 015 Pendle Climate Emergency Working Group	Policy DM07	We support these policies on Trees and Hedgerows. We should remove the permitted development right to have closely boarded fences, as the Colne's Design Code does. Two metre high closely boarded fences negatively impact street scenes and provide nowhere for wildlife to live. The Colne Design Code says: <i>“Boundary Treatments Many of the terraces front directly onto the street, with no set back. Stone walls are the most common boundary, and uphold a traditional character and sense of consistency. Soft boundaries, such as hedges and landscaped gardens, also work well and help to blur plots with the surrounding countryside. Boundary Treatments (USBF14) – Panel fencing along publicly visible boundaries is considered inappropriate</i>	There are circumstances where wooden boundary fencing will be appropriate. Treatments require a nuanced and flexible policy approach which can be achieved through the preparation of a Design Code or a Supplementary Planning Document (SPD). The Local Plan must take a more general approach to the matter and cannot be prescriptive.	No change for Local Plan Potential text for SPD: Where planning permission is required the provision of a new fence, wall, hedgerow, gate or other means of enclosure will be supported where the boundary treatment: <ul style="list-style-type: none"> • is subordinate to the dwelling(s) and in keeping with the character and appearance of neighbouring properties and its wider setting • would not have a significantly adverse effect on the amenities of nearby residential properties, or the future occupiers of the dwelling • makes suitable provision for access and parking

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		<i>and should be avoided. – Traditional stone walls should be retained and reinforced with the line of other boundary treatments. – The replacement of walls and hedges with alternative fencing should be restricted and only allowed where appropriate.”</i> If the Pendle Local Plan were to adopt a similar policy on boundary treatments, more hedges would survive and more would be planted. Even traditional stone walls provide a better environment than boarded fences, owing to the nooks and crannies and the potential for mosses and lichens, as well as insects.		The replacement of stone walls and hedgerows with alternative boundary treatments will normally be resisted. Particular regard will be had to the loss of existing soft landscaping and the prevailing character of boundary treatments in the surrounding area.
00729 / 016 Pendle Climate Emergency Working Group	Policy DM08	We support the policies on the South Pennine Moors, which are designed to protect them.	Support noted.	No change.
00729 / 017 Pendle Climate Emergency Working Group	Policy DM09	We support the policies on Open Countryside, which seek to protect and enhance it.	Support noted.	No change.
00729 / 018 Pendle Climate Emergency Working Group	Policy DM10	We support these policies on Landscape Character. As we are a Borough named after a hill in an upland landscape, views are very important to residents (6f) and so we believe that the most important views and vistas should be described, so they can be protected more effectively.	This would require a level of detail which is better dealt with through a Supplementary Planning Document (SPD).	No change.
00729 / 019 Pendle Climate Emergency Working Group	Policy DM11	We support these policies on the Forest of Bowland Area of Outstanding Natural Beauty, as they seek to protect and enhance this area.	Support noted.	No change.
00729 / 020 Pendle Climate Emergency Working Group	Policy DM12	We support this policy on Local Green Space, but we would like to see more designated of all sizes and types, right across the Borough. 5.174 The Upper Rough in Colne has passed all these three tests at independent examination.	A detailed appraisal of the sites nominated as Local Green Space is set out in the accompanying assessment.	No change.
00729 / 021 Pendle Climate Emergency Working Group	Policy DM13	We support these policies on pollution.	Support noted.	No change.
00729 / 022 Pendle Climate Emergency Working Group	Policy DM14	We support these policies on Contaminated and Unstable Land.	Support noted.	No change.
00729 / 023	Policy DM15	We support these policies on Soils, Minerals and Waste, especially para 5.229. Policy 3 should be reworded to	In addition to the measures set out in Policy DM15, peatland benefits from significant protection through Policies SP08, DM01 and DM08. As the Plan should be read as a whole,	No change.

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Pendle Climate Emergency Working Group		ensure peat extraction and drainage is not allowed in Pendle.	there is no need to address peat extraction and drainage in detail in this policy.	
00729 / 024 Pendle Climate Emergency Working Group	Policy DM16	We support these policies on Design and Placemaking, especially policy 1b, 3, para 5.243 on Access, Waste Minimisation and Energy Efficiency and para 5.245.	Support noted.	No change.
00729 / 025 Pendle Climate Emergency Working Group	Policy DM19	We support these policies on the Leeds and Liverpool Canal Corridor, especially paras 5.262 and 5.263.	Support noted.	No change.
00729 / 026 Pendle Climate Emergency Working Group	Paragraph 6.10	<p>6.10 The Working Group supports terraced housing and attached housing generally. 19th century houses have embodied carbon from 150 years ago. They might not be the most sustainable to heat, but that isn't to say, they cannot be made so. People are not deprived <i>because</i> they live in terraced houses, nor are terraced houses small, necessarily. They are affordable and they are available to be improved, because they are so solidly built.</p> <p>Together Housing is working to retrofit its entire estate with state-of-the-art insulation combined with green energy sources and the Working Group has received a presentation on this and it was inspirational. This does potentially leave private tenants and homeowners left behind. Roughly 70% of Pendle's houses are of solid stone construction, but adding modern insulation materials could easily introduce damp and cause the houses to actually become colder. It is essential with traditional building methods, that the building materials are breathable. The best product on the market to increase the thermal value of solid walls is aerogel. It is thin and breathable: https://www.phstore.co.uk/spacetherm-aerogel/ and http://www.aerogel.uk.com/.</p> <p>If Pendle is considered overcrowded because it has households of two and a half people as an average, then most people are not living in overcrowded conditions. There is however, a trend to extended families living together in the Borough and this is to be encouraged and should be factored in to new developments. A great example is the PEARL development on Carry Lane - the self-contained ground floor could be used for a dependent relative, or for an adult yet to leave home. Over time, these houses could serve families flexibly in this way. These houses are semis and large terraces and the whole development's footprint is small. There is a crisis in social care and with young adults in this country. This is acknowledged with numerous television programmes about</p>	<p>A proportion of terraced housing stock within Pendle is suffers from poor energy efficiency. This issue is particularly significant within the borough's most deprived wards, which also have the highest levels of overcrowding. Minor amendments will be made to the paragraph to reflect this.</p> <p>The figure of 2.5 equates to the average household size in Pendle. A large number of households in Pendle occupy properties that can be considered to be under-occupied, although there is also a large proportion that can be considered to be overcrowded. The concern is that population growth in Pendle has been highest in those communities which occupy smaller, low-quality properties in areas where deprivation levels are at their highest. In contrast the population has stagnated or fallen in more affluent areas where larger, higher quality properties are concentrated.</p>	<p>Amend paragraph 6.10 to read as follows: 'Pendle has a high proportion of 19th century and early 20th century terraced housing, which provide little outdoor space, no off-street parking and offer poor energy efficiency ... There is a distinct correlation between the quality of housing and deprivation levels in Pendle. The 2021 Census confirms that the wards suffering the highest rates of deprivation have also seen the greatest rise in population...'</p>

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		<p>poor mental health, self harming and loneliness. Humans are social people, happiest living within supportive networks, such as extended families. Pendle's Development Management codes should recognise this fact. Residents often report that they <i>could</i> move, but they like where they live and so they choose to adapt their homes to cope with their changing circumstances. This philosophy also builds stronger and more resilient communities.</p> <p>Most urban terraced houses in Pendle, whether old or new, have access to green spaces virtually on their doorstep, within a short walk of their homes. Much greening can take place within a typical terrace's yard or back alley and there are many wonderful examples of this in the Borough - we simply need to promote this and encourage. Open Gate in Colne has actually built a terraced yard using our Community Fund and has demonstrated just what can be achieved, including growing vegetables.</p>		
00729 / 027 Pendle Climate Emergency Working Group	Policy DM20	We support provision to deliver a minimum of 2,660 net dwellings, equating to a net average of 140 dwellings per annum and paras 6.29 and 6.30 supporting the reasoning for adhering the Government's Standard Method.	Support noted.	No change.
00729 / 028 Pendle Climate Emergency Working Group	Policy DM21	We support this policy, especially 2, 3d, 3e, 3f and 3g, para 6.47 and 6.48.	Support noted.	No change.
00729 / 029 Pendle Climate Emergency Working Group	Policy DM22	As laid out above in para 6.10, the Working Group supports attached housing and believes this policy DM22 should be rewritten to reflect this within the Housing Mix. Attached houses are more sustainable and less wasteful of land, delivering more usable green spaces. We do not support para 6.54 – not only can older terraces be brought up to modern insulation and living standards, but new, large attached, family houses can be delivered that are considered desirable, as residents in Bath, Exeter, Lancaster and Cheltenham can attest.	<p>Comments noted.</p> <p>The policy does not reject the provision of terraced housing. It states that "developments should provide a range of house types and sizes to help meet the housing needs of the community" and that "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 and biodiversity."</p> <p>Our evidence on housing does not justify the provision of purely terraced homes. To do so would ignore market forces and erode market choice.</p> <p>Paragraph 6.54 will be reworded to reflect more accurately the overall condition of the housing stock in Pendle.</p>	Amend paragraph 6.53 to read as follows: '..These dwellings can be of low quality and limited in size promoting overcrowding. The most deprived wards in Pendle (Waterside, Whitefield, Bradley and Southfield) are all within the M65 Corridor where the housing stock is dominated by poor quality terraced housing.'
00729 / 030 Pendle Climate Emergency Working Group	Policy DM24	We support these policies on residential extensions and alterations.	Support noted.	No change.

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00729 / 031 Pendle Climate Emergency Working Group	Policy DM25	We strong support residential conversions, because the majority of embodied carbon contained within the building is retained and repurposed.	Support and comments noted.	No change.
00729 / 032 Pendle Climate Emergency Working Group	Policy DM26	We support these policies on Housing in the Countryside because they protect the countryside, whilst not preserving it in aspic.	Support and comments noted.	No change.
00729 / 033 Pendle Climate Emergency Working Group	Policy DM27	We support these policies on Self-Build and Custom Housebuilding.	Support noted.	No change.
00729 / 034 Pendle Climate Emergency Working Group	Policy DM29	We support these policies on Gypsy, Traveller and Travelling Showpeople Community, especially 1c, 1f, 1g.	Support noted.	No change.
00729 / 035 Pendle Climate Emergency Working Group	Policy DM31	We support these policies on Open Space, Sport and Recreation, especially 4c, 8c, 8e, 10, 11, 12, 13 and paras 6.145, 6.146, 6.153 and 6.154.	Support noted.	No change.
00729 / 036 Pendle Climate Emergency Working Group	Policy DM32	We support these policies on Walking and Cycling wholeheartedly, but given the acknowledgement of Pendle's often challenging topography (para 6.156), we think that there should be some mention of secure, charging racks for E-bikes, as this transport mode is surely in the ascendent, especially for older adults. Here is the official map for charging points for E-Bikes: https://www.sustrans.org.uk/our-blog/national-cycle-network-route-collections/2023/all/find-an-e-bike-charging-station-on-the-national-cycle-network There isn't a single one in Pendle, despite us trumpeting about being part of the National Cycle Network.	Comments noted. A reference to the requirement for E-Bike charging infrastructure will be inserted into Policy DM37 (Parking).	Amend paragraphs 8 and 16 of Policy DM37 to read as follows: 8. A connection to the power supply capable of being upgraded to at least 7kw per hour for the charging of electric, ultra-low emission and hybrid vehicles (including E-Bikes) should be provided: 16. Charging points for electric, ultra-low emission and hybrid vehicles (including E-Bikes) should not harm the significance of a heritage asset (including its setting).
00729 / 037 Pendle Climate Emergency Working Group	Paragraph 7.18	We strongly support paragraph 7.18 on Brownfield Sites	Support noted.	No change.
00729 / 038 Pendle Climate Emergency Working Group	Policy DM40	We support these policies on Employment Land Requirement and Delivery, especially paras 2b, 3c, 3d, 3e, 3f, 3g.	Support noted.	No change.

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00729 / 039 Pendle Climate Emergency Working Group	Paragraph 7.34	Walk Mill, South Valley, Colne appears to be excluded from this list, but it is a big development of employment land.	<p>Comments noted.</p> <p>Policy DM41 is concerned with areas that are the principal focus for existing employment provision. These are designated as Protected Employment Areas (PEA) and are locations where businesses in the B2 (manufacturing), B8 (warehousing) and E(g) (ii) and (iii) (light industrial) use classes are concentrated.</p> <p>Walk Mill was partially demolished some years ago leaving a derelict and cleared site that is partially used for storage. On its own it is not of borough-wide significance. The site is situated in the South Valley of Colne. Once occupied by large textile mills the area is no longer of borough-wide significance in terms of the employment opportunities that it provides and is not designated as a PEA.</p> <p>Any proposal to make active use of the site for employment, including the development of new buildings would generally be considered positively due its location within the settlement boundary of Colne, use of previously developed land, and likely compatibility with surrounding land uses, provided that policy requirements relating to flooding and drainage, ground conditions and pollution were satisfied.</p> <p>Policy SP02 sets out that there is a presumption in favour of sustainable development for proposals relating to sites located within defined settlement boundaries.</p>	No change.
00729 / 040 Pendle Climate Emergency Working Group	Policy DM42	We support these policies seeking to encourage vibrant town centres. There is a spelling mistake in paragraph 7.56.	<p>Agree.</p> <p>This is a typographical error.</p>	Amended to read 'Alterations'
00729 / 041 Pendle Climate Emergency Working Group	Policy DM43	We support these policies on Mixed-use Development, as our towns and villages can benefit from efficient use of land serving more than one purpose, as laid out in paragraph 7.63.	Support and comments noted.	No change.
00729 / 042 Pendle Climate Emergency Working Group	Policy DM45	We support these policies on Tourist Facilities and Accommodation and especially those on Rural Tourism.	Support noted.	No change.
00729 / 043 Pendle Climate Emergency Working Group	Policy AL01	We support that Pendle Council has not allocated any housing on Greenfield sites.	<p>There are no wholly Greenfield sites allocated for housing in this iteration of the Local Plan. Sites P067 and P237 do have Greenfield elements within their site boundary.</p> <p>Site P013 in Policy AL02 is a wholly Greenfield site. It benefits from adjoining a successful business park and being easily accessible from Earby and the A56.</p>	No change.

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00729 / 044 Pendle Climate Emergency Working Group	General comment – ‘High Streets into Living Streets’	<p>The Council, working with partners in PEARL, Brookhouse, Together Housing and Calico should continue to identify empty town centre buildings, including, where appropriate, shops in Pendle's towns, for conversion to residential uses.</p> <p>A Policy to turn High Streets into Living Streets has many advantages:</p> <ul style="list-style-type: none"> • Provide affordable housing for people on low incomes; • Help with the Regeneration of deprived run-down areas; • Access to Public Transport and local services; • Residents would not need a car, which would reduce carbon emissions in built up areas and make the environment more healthy to live in; • Residents in turn would boost the businesses of surviving retail outlets in town Centres and so create a vibrant living and working environment; <p>Shops should be converted into full eco standard homes and the streets made greener, which will contribute towards achieving the target of net zero carbon by 2030.</p>	<p>Policy DM42 supports residential conversions within the borough's designated town and local shopping centres but restricts such development to 'above ground floor level' within the Primary Shopping Area.</p> <p>The Council acknowledges the benefits that town centres can provide for sustainable living by making use of vacant premises and previously developed land; increasing footfall; providing increased surveillance; and promoting activity outside of shop opening hours. However these benefits must be balanced against the need to ensure that the vibrancy and vitality of town centres is not eroded and the wider value that they offer for the communities that they serve, which if lost could force people to travel further to access the goods, services, or sources of employment they need.</p>	No change.
00729 / 045 Pendle Climate Emergency Working Group	General comments	<ul style="list-style-type: none"> • The Pendle Brownfield Register should be widened to include very small plots for 1-6 houses. • Pendle Council should maintain a register for all buildings that could be converted to residential accommodation, including the spaces over shops that are currently under-utilised. Gentle densification of urban centres will be encouraged and this is reflected in 7.63 and 7.64. • All street lighting should be designed to minimise light pollution and should be capable of being switched off in the early hours, most especially in rural areas. It is recognised that Pendle Council would have to work with Lancashire County Council for this to be achieved. <ul style="list-style-type: none"> • Roundabouts, verges and green spaces should be managed not for neatness, but for biodiversity. Roundabouts can provide sizeable amounts of green space and could form part of urban ecological networks. Please read: https://iale.uk/roundabouts-can-be-so-much-more-just-traffic-calming-devices and https://www.sciencedirect.com/science/article/abs/pii/S1439179104000428 https://cdn.harper-adams.ac.uk/document/profile/Leather and Helden Biologist 2005.pdf and https://core.ac.uk/download/pdf/235259778.pdf <p>Clearly, Pendle has been set an example by Bracknell that we could choose to follow.</p>	<p>Street lighting and maintenance of green verges are highways matters that are not addressed through the Local Plan.</p> <p>The Town and Country Planning Regulations (Brownfield Land Register) 2017 defines criteria required of sites to be included in Brownfield Land Registers. This includes adopting a minimum area threshold of 0.25 ha and 5 dwellings. Sites below this threshold should not therefore be included on the brownfield register.</p> <p>The economic development unit maintains a property register which records vacant industrial and commercial buildings to help promote their re-use.</p>	No change.

<p>00754 / 001 Ms S. Dale</p>		<p>I am a member of Lidgett and Beyond and echo the response to the Pendle Local Plan. Much of the Plan is impressive and obviously the result of a lot of hard work. I'm a life-long resident of Pendle and bang on a lot about Colne and many other parts of Pendle being special in that we have quick and easy access, on foot, to countryside and how valuable this is in terms of wellbeing and also in presenting a positive impression on visitors and those who are contemplating moving here and opening businesses here. The new "working from home culture" and our relatively low house prices has also attracted outsiders to live and work and then, of course, spend their money in Pendle - again because of its countryside. That access to green spaces is a large part of Pendle's unique identity. It's why people are happy to stay here and to move here to work. Pendle's house prices are among the lowest in the UK and this too is a huge attraction for employers and employees. I work in Yorkshire where some areas, including Harrogate, struggle to find staff to work in businesses there because those on lower wages cannot afford to live in or around the town. That certainly is not the case here. The comment in 2.2 that there is "increasing concern that towns and villages throughout the country are losing their identity" is true and valid with large housing estates contributing greatly to this degradation. This is the fear in Colne and other parts of Pendle and we must strive to protect our borough from this by having a Brownfield first policy. As a property writer for The Yorkshire Post I have seen numerous fantastic examples of Brownfield sites being remediated and innovative, energy efficient and attractive homes being built. Developers CITU and Urban Splash are great examples of this. It is viable and it's happening and there is no reason why it shouldn't happen in Pendle. As for our terraced houses - they are not a problem. They are affordable and solidly built and if you want an example of how successful they can be then look at Hebden Bridge - its housing stock is overwhelmingly terraced homes and they command high prices and competitive bidding. Parking is a problem everywhere and I wonder whether there may be some innovative solutions re creating undercover parking areas for those in terraced houses. Back to green spaces - tourism is a growing part of Pendle's economy thanks to its countryside and its designated walks. Another reason why its green spaces must be preserved. The categorisation of Colne as a Main Town and Trawden as a Rural Service Centre and Laneshaw Bridge as a Rural Village is very welcome as long as there are strict design codes. Now to the Upper Rough. I and others in Colne are counting on Pendle Council to designate the Upper Rough as a Local Green Space via its Local Plan to give it long term protection. It is a vital and accessible green space for those</p>	<p>Comments noted.</p> <p>Also refer to the Council response to 00294 Lidgett and Beyond and the Local Green Space Assessment for comments on the Upper Rough.</p> <p>In overall terms Pendle is an affordable place to live. But when the relatively low wages and household incomes are considered, market housing remains unaffordable for many of the borough's residents. A large proportion of the population live in privately rented stock.</p> <p>The evidence presented in the HEDNA (2023) reveals that affordable housing need is nearly twice the annual housing requirement. The shortage of affordable housing and the increased demand for rented properties has led to a significant increase in private rents in recent years.</p> <p>The Council cannot introduce a 'Brownfield first' policy, as this would be contrary to national planning policy, as set out in the NPPF. The spatial strategy seeks to make the best use of Brownfield land by directing growth to the largest and most sustainable settlements and to support urban regeneration through the allocation of previously developed land.</p> <p>The Local Plan seeks to secure high quality design through a number of different approaches and policy priorities. Resources are currently devoted to the preparation and adoption of a Local Plan rather than the preparation of a borough-wide Design Code.</p>	<p>No direct changes.</p>
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		<p>who live in terraced housing on Keighley Road/Venables etc. and a Godsend for aiding mental and physical health. There are many, many examples of this. The designated walks that cross the Upper Rough are popular and have brought tourists and money into the area. Skipton Old Road, which is adjacent to the Upper Rough, is one of the most important gateways into the town when driving over from Skipton/Yorkshire. It is well used and leaves a stunning impression on those who use it. If development goes ahead, this stunning impression and this important amenity land will be lost. Development on the land would also adversely affect the adjoining conservation area. The other major issues are flooding - already an increased issue because of housing on the Lower Rough - and road safety, which would be greatly compromised. Lidgett and Beyond has given a more fulsome response re the Upper Rough and I agree with all that it says. I would like to see the Upper Rough included as a Local Green Space under policy DM12 and am delighted that Colne Town Council agrees. It fulfils all the criteria for a Local Green Space as laid out in para 102 of the NPPF. Re housing land, the Colne NP has designated sites and a large site on Cotton tree Lane include. The site has low accessibility by transport modes other than the private car and is remote from local facilities, it is not a sustainable location. Nor does it comply with the Core Strategy.</p>		

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00890 / 001 Mrs S. Hargreaves	Consultation process	What was the purpose of having two meetings on at the site time. One at Linden Court and one at New Road Community Centre. How was anybody able to get to both?	<p>Holding two consultation events in the same town, at the same time, on the same day was an unfortunate oversight. Whilst it was not ideal one benefit was that both the Pendle Local Plan and Earby Masterplan events were well attended, with many people finding the time to visit both. That said we will not look to repeat this in the future.</p> <p>To maximise the opportunity for people to view and comment on the Local Plan, consultation events were held in the borough's six largest settlements in both the morning and afternoon on different days. Evening meetings were held online. This approach has proved effective in the past.</p> <p>By the date in question a consultation event on the Local Plan had already taken place in Earby and an online event was scheduled for the following week. We do not believe that anyone wanting to comment on the Local Plan or the Earby Masterplan was unduly disadvantaged.</p>	No change.
01243 / 001 Rostron (Rural Solutions)	New site submission	<p>Proposal submitted for a potential development site of 2.7ha on land accessed from Wheatley Lane Road, west of Barrowford. The submission comprises:</p> <ul style="list-style-type: none"> • A site location plan showing the site outlined in red; • Summary landscape appraisal; • Completed Call for Sites form; and • Site promotion statement. 	<p>Site P327 has previously been assessed in the Strategic Housing Land Availability Assessment (SHLAA). It has also been appraised through the Local Plan site assessment process and in the Sustainability Appraisal report.</p> <p>This potential housing site has not been selected for allocation in this iteration of the Local Plan (i.e. it is regarded as an omission site) for the following reasons:</p> <ul style="list-style-type: none"> • No residual housing need in this part of the borough. Past delivery and existing commitments in Barrowford and the immediate vicinity mean that in the M65 Corridor the spatial strategy seeks to focus regeneration and housing delivery in Nelson and Brierfield. • Potential harm to the historic environment. The open countryside at this location makes a significant contribution to the character of the Carr road Conservation Area and is an important feature for the setting of a listed building. • Concerns that safe vehicular access and egress to the site cannot be achieved from Carr Hall Road. <p>The scale, form and character of housing development would not be consistent with the site's countryside location.</p>	Changes made to the SHLAA, site assessment spreadsheet and Sustainability Appraisal report to include information relating to site P327.
01306 / 001 Mr J. Stanford	Paragraph 2.18	Opportunities for development in Brownfield land is unreasonably disparaged in the spatial portrait 2.18 given modern technologies and the use of Pearl II which make such constructions sustainable in the long-term.	The conclusion in paragraph 2.18 reflects the findings of the evidence regarding the viability of Brownfield development in Pendle. The SHLAA shows that there is a limited supply of available Brownfield land which is also suitable for, and could deliver new housing, by the end of the plan period.	No change.
01306 / 002 Mr J. Stanford	Policy SP10	SP10 – Healthy and Vibrant Communities require breathing space, areas to exercise and relax so green spaces are essential and must be local to residents. A classic example	The Upper Rough is assessed in the Local Green Space Assessment.	No change.

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		is the Upper Rough which must be designated a local green space following the recent Inspector's confirmation that it passes NPPF and his predecessor indicating that it should not be developed. It should therefore be declared a Local Green Space under the Plan. Further, to ensure health and vibrancy, access to GP's and other health facilities should be considered an essentiality. Unsupported developments mitigate against this given the unavailability of additional doctors and must be taken into account. Walking access to public transport is another essential feature and should be measured from the furthest house to the nearest bus-stop, with the bus frequency and travel-time also considered.	Policy SP12 requires development to be supported by appropriate infrastructure provision.	
01306 / 003 Mr J. Stanford	General comment	On transport and connectivity – the Colne Masterplan stresses links to Manchester and Preston and fails to consider reconnection to Skipton to give proper access to Bradford and Leeds. This would give significant advantages to local economy.	The comment has been forwarded to the team preparing the Colne Masterplan for their consideration. Strategic Policy SP11 Transport and connectivity notes that 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 The policy also protects the track bed of the former Colne to Skipton railway line for future transport use, but is not prescriptive about which mode(s) of transport could utilise this route.	No change.
01429 / 001 Mr G. Wilson	Evidence Base – Settlement Sustainability Review	There are some errors in the criteria calculations for identifying settlements which will be designated as Rural Service Centres. a) Kelbrook and Sough does NOT have a public football pitch behind St Mary's Church. This is a field owned by a local farmer and is used for activities for the nursery (owned by the farmer). b) Salterforth DOES have a Village Hall.	Comments noted. Sough Park is designated under the Parks typology in the Pendle Open Space Audit (2019). Adjacent to the park, but within the area administered by Earby Town Council is a sports pitch which is directly accessible to the residents of Sough and Kelbrook. As such the score applied to Kelbrook and Sough will not be amended, but the justification will be amended to take these comments on board. The omission of a reference to the village hall in Salterforth is noted.	The text in the Sustainable Settlement Study has been amended to help justify the scoring of accessible recreational facilities (Kelbrook and Sough) and community facilities (Salterforth).
01429 / 002 Mr G. Wilson	Evidence Base – Settlement Sustainability Review	Within the HEDNA there is a recommendation that the Eden Works Industrial Site be given Protected Employment Area status. Yet although part of the Lomeshaye area falls within the parish boundaries of Fence, it has not been afforded any score. I believe that whilst Kelbrook is merely a recommendation yet to be agreed, it should keep the added point. To be fair and reasonable, therefore, Fence should have a 1 point score added to its "Shopping and Employment" sub-total.	Eden Works is an existing employment area that can be easily accessed from nearby settlements. Whilst much of the proposed extension to the Lomeshaye Industrial Estate is within the parish of Old laund Booth there is currently no vehicular access to the estate from the village of Fence. Whilst several public rights of way link the village and the existing industrial estate, none offer a direct, well surfaced or gently graded route.	A half score has been attributed to Fence noting its proximity to this allocation.

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			Phase 2 of the current Lomeshaye extension will be some distance from the village but accessible from the A6068. When businesses and providing employment opportunities to local residents are on the site, the 'Shopping and employment' score for Fence will be reassessed.	
01429 / 003 Mr G. Wilson	Evidence Base – Settlement Sustainability Review	The idea of scoring the settlement's size, population and number of households, as part of the criteria for designation of Rural Service Centres appears to be fraught with problems. First, the data is 12 years out of date. This can be of major significance, e.g. Salterforth where its population has risen by 220 since the 2011 census (some 33%). Secondly, the populations shown, albeit out of date, are for the parish, not the settlement, and thirdly the number of households is also based upon the parish, not the settlement. This means that geographically larger parishes are disadvantaged. It has been stated that census data from 2011 was used as 2021 census data was not available, but out of date data are worse than none in this particular scenario.	The limitations of this approach are acknowledged, but it is included to help ensure that development proposals are proportionate to the settlement's position within the settlement hierarchy and as such is not given much weight through the assessment. The assessment considers size in three ways by population, households and physical size. The availability of data for lower super output areas (LSOA) which offer the best fit to settlements (although they are not always a perfect fit) are not available until several years after the Census year. The study will be updated ahead of submission of the Local Plan to the Secretary of state, to reflect the most up to date information available at that time. Any significant changes will lead to re-evaluation of any relevant policy stance in the Local Plan.	Update the Settlement Sustainability Review to reflect the most up-to-date data from the 2021 Census and amend Local Plan policy as necessary.
01429 / 004 Mr G. Wilson	Evidence Base – Settlement Sustainability Review	<p>Have settlements been described properly? In the Sustainable Settlements Study of 2008, part of Pendle's adopted evidence base, the villages of Kelbrook and Sough are shown separately with an inter-settlement gap. This was also the case in previous iterations of the Local Plan, both approved and for consultation. Kelbrook and Sough were described as separate settlements, Kelbrook being a village and Sough being a hamlet. The Local Plan which has been adopted, treats them as such, as does the approved Neighbourhood Plan. The settlement boundaries have not had any significant change since the adoption of the currently Local Plan. Sough has NO available land for development, whereas a number of tracts of land were identified in and adjacent to the village of Kelbrook. The plan for consultation, however, scores the settlement areas of single entities against a newly created "super village" that being the village of Kelbrook with the hamlet of Sough. I believe that concatenating these settlement areas has been done simply to increase the perceived size, when used as a criterion for designation as a Rural Service Centre. This must be challenged.</p> <ol style="list-style-type: none"> 1. When did the separate settlements of Kelbrook and Sough become known as Kelbrook with Sough? 2. Why are Kelbrook and Sough now conjoined? 3. When was the change to the policies map made? 4. What was the authority for making such a change? 5. Was the Parish Council consulted? 	<p>Comments noted.</p> <p>The preparation of a new Local Plan allows the Council to review the existing spatial strategy by re-examining how settlements function both on their own and in combination with each other.</p> <p>The settlement boundary is a line drawn on the Policies Map. It is used solely for planning purposes and not to identify individual settlements. The settlement boundary defines where the "built up" area ends, and the open countryside begins. It indicates where development for housing, employment or infrastructure requirements will not normally be permitted in order to prevent urban sprawl and to protect the character of our settlements and the open countryside.</p> <p>The settlements of Kelbrook and Sough continue to be separate entities, but several factors have led to their joint consideration in planning policy terms.</p> <ol style="list-style-type: none"> 1) The civil parish of Kelbrook and Sough was created in 1992. Prior to this the village of Kelbrook and the neighbouring hamlet of Sough formed part of the unparished area that before 1974 had been the urban district of Earby. 2) Kelbrook and Sough have shared a settlement boundary since the adoption of the first Pendle Local Plan in January 1999. <p>A shared settlement boundary helps to:</p> <ul style="list-style-type: none"> • acknowledge that the urban area within the boundary is not part of nearby Earby. 	No change.

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		6. Was the Area Committee consulted?	<ul style="list-style-type: none"> • Recognise that the two settlements adjoin each other and do not function independently. • Allows the impact of any development proposals to be assessed in terms of their impact on the whole of the built-up area and the countryside immediately surrounding it. <p>The treatment of Kelbrook and Sough in this way is not unique. Newchurch-in-Pendle and Spen Brook, and Roughlee and Crow Trees are assessed as single settlements in planning terms. On a larger scale, in the M65 Corridor Brierfield, Nelson, Colne and Barrowford are all within the same settlement boundary.</p> <p>The administrative area of the Parish Council covers both villages and the Neighbourhood Plan adopted as recently as 2022 makes no distinction between Kelbrook and Sough.</p> <p>Eden Works and Sough Bridge Mill on the boundary between the two villages provide accessible employment opportunities. Together with other facilities in the two villages they justify the designation of the area within the settlement boundary as a Rural Service Centre.</p> <p>3) There has been no 'change' to the Policies Map.</p> <p>Kelbrook and Sough have shared a settlement boundary since the adoption of the first Pendle Local Plan in January 1999. This position has remained unchanged and unchallenged since then.</p> <p>The current Proposals (Policies) Map was defined through the adoption of the Pendle Core Strategy in December 2015. Subsequent modifications have been brought into effect through the adoption of four neighbourhood plans between 2019 and 2023.</p> <p>The Pendle Local Plan Fourth Edition will consolidate and where necessary modify these policy positions.</p> <p>4) As set out in paragraph 1.10 of the draft Local Plan local authorities are required to prepare a Local Plan under the provisions of the Town and Country Planning Act 1990 and the Compulsory Purchase Act 2004.</p> <p>Local Plans typically cover a time horizon of at least 15 years and should be reviewed every five years.</p> <p>The local authority in cooperation with the local communities identify the strategic priorities for the development and use of land in the area, and plan accordingly having regard to national planning policies and guidance.</p> <p>5) The preparation of the Pendle Core Strategy involved extensive consultation with key stakeholders and the</p>	

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			<p>public. This included the submission of reports and presentations to the five Area Committees, on which each of the Town and Parish Councils are represented. Written correspondence seeking feedback on the various iterations of the Core Strategy was sent directly to each Town and Parish Council.</p> <p>The Inspector conducting the independent examination of the Core Strategy commended the efforts that Pendle Council made to encourage meaningful engagement in the preparation of the document.</p> <p>See 5) above.</p>	
01429 / 005 Mr G. Wilson	Policy SP02	<p>The strategy of the Local Plan features a hierarchical structure. However, the theory/English implementation of development through sustainable settlements has had much criticism in recent times. It has succeeded where there are long distances to facilities AND where designated RSCs have retail and medical facilities, (witness East Anglia and Lincolnshire). Bus services in particular have come in for much criticism as it is unusual, if not impossible for a worker to hold down a job by using bus services alone when living in rural areas akin to Pendle. The government's future strategy looks at e-scooters and e-bikes, driverless cars and drone deliveries for rural areas. This strategy would be unlikely to work in rural Pendle, as the current and foreseeable implementation costs and subsequent returns on capital would be far too small for district wide investment. Thus, a car has become and will remain a necessity for the majority of the rural population to access any medical treatment; shop at a reasonable price; work shifts; etc., and every other service they require. The consequence of this necessity for a household vehicle poses the question is there any need for the third tier of Rural Service Centres? Perhaps a different strategy worthy of consideration would be the acknowledgement that there are different types of rural areas within Pendle that are difficult to quantify or stratify, rather than describing each of these disparate villages as RSCs. Where an area, settlement or parish, has a neighbourhood plan, then its view of its future has been established. Those areas, settlements or parishes without a neighbourhood plan should be encouraged, helped, even mandated to produce one. Should the willingness to develop such a plan be seen by the Parish Council or residents group as too difficult, then such a plan should be produced on its behalf. This I believe, would do two things. First, create a sense of self determination and secondly, an understanding of where development has been agreed by the residents. This would make early development easier and later amendments more palatable through a defined</p>	<p>A hierarchical approach offers a suitable and sustainable approach for meeting development needs in Pendle.</p> <p>The spatial strategy ensures that the majority of development in the borough is directed towards its most sustainable settlements. This supports regeneration objectives, promotes the re-use of previously developed (Brownfield) land, makes the best use of existing infrastructure and services, and helps to safeguard the countryside. National planning policy supports housing provision in rural communities to address local housing need and to help support existing service provision.</p> <p>The proposed spatial strategy set out in Policies SP02 and SP03 sets a clear expectation that the majority of new development should be directed to settlements in the top two tiers of the hierarchy – 70% of all development promoted through the Local Plan is to take place within the urban areas of the M65 Corridor.</p> <p>As confirmed through the SHLAA, there is sufficient land available to support the delivery of the housing requirement in this way. Moreover consultation with providers has raised no concerns over the capacity of infrastructure.</p> <p>Kelbrook and Sough is a third-tier settlement. It is expected to accommodate just 20% of the housing development proposed for the West Craven spatial area. The majority of development is directed to the settlements of Barnoldswick (first-tier) and Earby (second-tier). No further development is proposed in Salterforth (fourth-tier) following the recent completion of a relatively large housing development on the site of the former Silentnight facility. The Kelbrook and Sough Neighbourhood Plan has identified potential sites for housing development. Any need for additional growth up to 2040 will be expected to take place on sites within the defined settlement boundary and be proportionate to its needs., as set out in Policy DM09 and Policy DM23.</p> <p>The local Plan sets out a comprehensive and deliverable strategy for meeting the identified development needs of the</p>	No change

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		<p>process of Neighbourhood Plan amendments, should any prove to be necessary.</p>	<p>borough up to 2040. The role of the settlement boundary is to strengthen the position of the local authority when determining applications for development in the open countryside.</p> <p>The role of the Local Plan is to establish a spatial strategy that helps to meet the boroughs development needs in a sustainable way. It helps to inform the preparation of neighbourhood plans by showing how their community is expected to contribute to borough-wide objectives. This ensures that neighbourhood plans support sustainable development goals and do not deliver less housing than is required.</p>	
<p>01476 / 001 Mr and Mrs Begley</p>	<p>General</p>	<p>General PLP2 was to run from 2015-2030 and had been worked on for a good number of years and was finally ready to go through the final processes, at the end of 2021 local councillors, at a council meeting to move the PLP2 forward, voted instead to reduce the number of houses required to less than half the amount proposed. This seems a very strange thing to do in that all throughout COVID it had been reported that the Pendle area had more cases and more deaths, due to being a deprived area with poor over-crowded housing/areas, this plan is doing nothing to improve this, as one would therefore assume that Pendle requires both more housing stock and spread out more. Pendle is also known to have a high ratio of terraced properties (and the highest proportion of Council Tax Band A in Lancashire), which also comes with the issues of unusable areas ie back streets and end of terrace areas, which as the residents don't take ownership of, as its not part of their property are becoming problem site areas used in the main for fly tipping, which is becoming a major issue in the Pendle area. Also narrow front streets are causing problems with parking on the pavement, which could become illegal, but there is nowhere else for residents to park. Surely this housing is not best for residents and some of it needs to go, to make way for parking and more useable outdoor space for other properties that area. PLP 4th Edition P147 DM20 What were local councillors thinking when they decided to reduce the housing requirements in Pendle, there are a lot of residents struggling to find properties to rent, which is also made worse through residents wanting to buy but can't find suitable properties, or wanting to move from over-crowded areas and sell their own properties, but failing to find suitable properties in less crowded, but still sustainable areas, who then end up taking up valuable rented properties whilst they wait for a suitable property to buy. Are these councillors thinking of the underprivileged people in Pendle who live in unsuitable housing?, or can't find anywhere to live?, or are they just</p>	<p>The Pendle Local Plan Fourth Edition will replace the Core Strategy.</p> <p>The NPPF sets out that strategic policies should look ahead over a minimum 15-year period from adoption (paragraph 22). The new Pendle Local Plan is likely to be adopted in 2025. As such 2040 represents the end of the 15-year period required by the NPPF from the date of adoption.</p> <p>Neighbourhood Plans provide detailed planning policies for the communities that prepare them. They are to be reviewed every 5-years to ensure the policies within them continue to be valid. It is for individual communities, in cooperation with Pendle Council, to determine whether their plans continue to be consistent with national planning policy and the strategic approach set out in the Pendle Local Plan Fourth Edition once it has been adopted.</p> <p>The preparation of the Pendle Local Plan Fourth Edition builds on the preparatory work for the Core Strategy (2015) and the abandoned Pendle Local Plan Part 2 (2021). Where appropriate it has continued to rely on evidence prepared for these documents and updated others as necessary to inform the approach of the new Local Plan.</p> <p>Evidence on housing includes the Strategic Housing Land Availability Assessment (SHLAA). This was refreshed in 2021 when a further Call for Sites was held. The findings of the Green Belt Assessment (2017) and the Green Infrastructure Strategy (2019) remain valid and these continue to form part of the evidence base for the Local Plan. The Retail and Leisure Capacity Study (2023), the Level 1 Strategic Flood Risk Assessment (2022) and the Settlement Sustainability Review (2023) have been updated. Where necessary new evidence has been prepared. The Housing and Employment Needs Assessment (HEDNA) looks at housing and employment needs in tandem. It replaces the Strategic Housing Market Assessment (2012) and the Employment Land Review (2014).</p>	<p>The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.</p> <p>Supporting text to be revised to reflect this update and more recent evidence.</p>

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		<p>NIMBYS who say ‘we are alright Jack, we have a lovely home, with a nice garden and off-road parking’? Surely reducing housing targets is not the best way forward and does nothing to help the local economy. PLP 4th Edition P14 1.26 and all 14 Evidence Base Documents (from Strategic Flood Risk Assessments to Sustainable Settlements Study) These councillors have caused a lot more work for the Local Planning Department who have had to re-write most of the Local Plan, now known as the 4th Edition, but not only have they then had to reduce the housing numbers, but they have had to increase the plan period from to run to 2040. This is completely out of sync now with the Neighbourhood Plans which although adopted in different years all run to 2030 and also all the Evidence Base Documents of which there are 14, all adopted, completed or approved between the years of 2008 and 2021, before local councillors pulled the plan, and all in the main giving evidence for the original plan up to 2030 and numerous times within the documents there are statements such as ‘the Plan period up to 2030’ or ‘to guide and manage development up to 2030’ or ‘will be used to manage development in the Borough in the period up to 2030’, there are so many relevant changes now happening within the various contexts of these documents that surely stretching them to 2040 will make the short to medium term information and recommendations in them very outdated and not in the best interests of the people of Pendle. The NPPF requires councils to ensure that their Local Plan is based on adequate, up-to-date and relevant evidence..... by the councillors changing the goalposts at such a late stage and the length of the plan being extended by 10 years neither the Neighbourhood Plans or all the Evidence Base Documents were written to be; adequate and provide evidence passed 2030. Housing and other planning are becoming major Political issues and it is inevitable that there are going to be government changes in policies along with changes to the planning system. Surely the current Local Plan 4th Edition can’t run to 2040 with such outdated documents, evidence and recommendations, perhaps it should just run to 2030 and then the situation could be reviewed again with the very fast changing environment which is so hard to predict. PLP 4th Edition P239 AL01a. Site allocations Another issue, is that local councillors are not only insisting the housing numbers be brought down, but also that only Brownfield sites be used, which the Council have managed to do to fit in with their request, but they are really scraping the barrel with the preferred housing sites. These in the main are on Brownfield sites, a lot contaminated, many in flood zones 2/3 and some have high risk of surface flooding and/or groundwater flooding. Some of these sites are also classed as unviable in fact some of</p>	<p>The draft housing requirement of 140 dwellings per annum reflects the figure generated by the Governments Standard Method. The Council has passed a resolution to use this figure in the Local Plan. The figure represents the would be minimum level of housing to be provided in Pendle. The annual housing requirement is not a cap on housing delivery. Policies in the Local Plan promote the development of windfall sites within defined settlement boundaries. This promotes the re-use of previously developed land.</p> <p>The supply of housing land identified through the SHLAA exceeds the housing requirement in the Local Plan providing flexibility should sites allocated for development fail to come forward as anticipated within the plan period.</p> <p>The proposed spatial strategy focuses development on the urban area and seeks to make use of previously developed land where this considered to be deliverable (i.e. available, suitable and achievable) within the plan period.</p> <p>The Council has sought to identify those sites which offer the best balance between sustainability and deliverability. The Council has had to dismiss a number of Brownfield sites due to concerns about their deliverability. The Local Plan nevertheless supports housing delivery on these sites should they come forward for development during the plan period.</p> <p>The population projections in the HEDNA used for the lower 140 and higher 270 dwellings per annum scenarios both indicate a significant increase in the number of people within the over 65 age group. This has informed our approach to establishing the housing mix whereby the majority of new homes delivered are expected to be smaller 2-3 bedroom properties to provide realistic opportunities for older residents to downsize and free up larger family homes.</p>	

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		<p>the sites have had previous planning permission which has either been previously refused or has lapsed due to no developer, probably due to being deemed to have low viability or other issues, some are considered uncertain on being achievable, so it is doubtful that all of these sites will come forward. Providing only these sites is in-fact an insult to the people of Pendle, Brownfield only.... what are local councillors thinking! Some of these sites are in already densely populated areas and could perhaps be put to better use to provide off street parking for local residents or to make communal areas where people can sit, mingle and integrate, even perhaps have benches that say on them 'Happy to Chat', being outside and mixing with other people has very positive effects on people and their mental health, perhaps we should stop crowding houses in these areas and give people a bit of space. PLP 4th Edition P20 2.18 Pendle isn't without beautiful countryside all around it and yes, this should be preserved where appropriate, but there are green fields that could be built on which would not have much affect on the countryside, it really is a case of the right housing in the right places and if by doing this and giving residents a better lifestyle means building on green fields which have little other value, that do not come with issues of flooding and contamination and that are sustainable, then they should be used for the good of Pendle's residents, instead of crowding them into overpopulated areas. Pendle also has challenges with large areas of the borough being designated as Green Belt, and also land adjacent to our urban areas not being viable, neither is most previously developed land. These challenges don't just need pointing out in the reports they need addressing, but local councillors seem to be fearful of being unpopular, so only want to build on Brownfield sites,, but there are a lot of local residents would be thankful of the improvement to their living conditions and quality of life. PLP 4th Edition P21 2.26, 2.28 and 2.25 Pendle people often seem to be forgotten, when it comes to things like connectivity (roads, and railways), and local recycling centres etc etc, but we have outstanding further education facilities both in Pendle and in neighbouring Burnley, so why don't we try to keep our talented young people in the area by supplying the employment and housing that they need?</p>		
<p>01529 / 001 Seddon Homes (Pinnacle Planning)</p>	<p>Plan period</p>	<p>According to the latest LDS produced by PBC in March 2022, adoption of the PLP is likely to occur at the end of 2024. However, due to the delay in publishing the Regulation 18 Preferred Options draft for consultation, the timetable is already six months behind, which is likely to mean that adoption will slip into the following monitoring year: 2025/26. In light of this, Seddon Homes is of the view that</p>	<p>The Council considers that adoption in 2025 remains a realistic prospect. A new Local development Scheme (LDS) setting out this timetable has been published.</p>	<p>No change.</p>

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		<p>the PLP should look ahead to at least 2040/2041 in order to ensure there is a degree of slippage within the timetable.</p>		
<p>01529 / 002 Seddon Homes (Pinnacle Planning)</p>	<p>Settlement Sustainability Review</p>	<p>Seddon Homes consider the methodology for reviewing the sustainability of each site to be flawed as it fails to assess general accessibility of services and facilities, i.e. whether a service could be reached within a reasonable distance of the settlement. The previous Settlement Sustainability Study (SSS) was undertaken in 2008 and this correctly scored each settlement against both, the proximity to services and whether or not the service was located within the settlement.</p> <p>For example, Table 3d of the SSS 2008 highlights in the case of Salterforth that it scores 15 points in respect of access to convenience stores and 7 points in respect of the number of services/facilities within the limits of the village. Similarly, Table 3g relates to education provision and Salterforth scores 4 points in respect of overall provision and 1 point for the number of facilities within the settlement.</p> <p>Seddon Homes does not think the change in methodology has been justified and considers it likely that Salterforth would score higher in the overall settlement rankings if the methodology included scores for accessibility to services and facilities given its location close to Barnoldswick and the accessibility of services by public transport. Table 3l of the SSS 2008 for example, provides the total sustainability scores of settlements in the second to fourth tiers (the same hierarchy as proposed in the emerging Local Plan) and Salterforth is the highest ranking fourth tier settlement by a considerable way; Salterforth scores 74 points above the next settlement, Higham, scoring 61.</p> <p>The 2008 SSS also includes contextual data around travel to work trends to better understand the nature of a settlement and how it is typically used by residents and visitors – this context hasn't been evidenced in the SSR 2022. The 2008 SSS identified that Salterforth had the third highest percentage of residents working from home or working within 2km of their home (approximately 35%) across the Borough (Figure 3g). This data is particularly important to note following the changes in working habits seen after the Covid19 pandemic and it demonstrates that changes to working patterns have not been accounted for or scored in the SSR 2022.</p> <p>The current methodology for reviewing settlements, and therefore establishing the settlement hierarchy at Policy SP02, is not effective or justified. The SSR 2022 fails to consider, or allocate points for the accessibility of services, including by walking or public transport and Seddon Homes</p>	<p>The Council is not tied to a specific methodology unless it is set by national planning policy.</p> <p>The assessment recognises the proximity of services to individual settlements where these can be considered to be reasonably accessible and would not promote travel by car – for example Nelson and Colne College which is within Nelson but easily accessible from Barrowford.</p> <p>The reliance on services in Barnoldswick by the residents of Salterforth does not mean that Salterforth represents a sustainable settlement or location. Rather it highlights that there are few essential services available within the village, requiring residents to travel to access the goods and services that they need encouraging the need to travel by car. These observations are consistent with those made by the Inspector for the previous planning appeal at Becksides, Salterforth and the level of service provision within the village has not altered since this appeal was determined.</p> <p>It is acknowledged that the assessment process in the Settlement Sustainability Review is at present inconsistent with the assessment of site nominations. A review will be undertaken to reconsider how distances to services should be factored into any assessment work and the updated assessment will be published alongside the final draft version of the Local Plan.</p> <p>Available Travel to Work data relied upon through the 2008 survey is now considerably out of date, so is not relied upon by the report. The 2021 census was conducted during a period of lockdown caused by the COVID-19 pandemic, requiring many people to work from home. The reliability of this data is therefore reduced.</p>	<p>The methodology of the Settlement Sustainability Review (2023) will be reviewed and settlements rescored as a result. Consideration will be given to any alterations required to the settlement hierarchy (Policy SP02) following the conclusion of this review.</p>

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		<p>are of the view that this further assessment must be undertaken to inform the emerging Policy. It is notable that Manual for Streets guidance highlights walking distances to services of 2,000m as having the potential to replace short car trips. Seddon Homes is of the view that this figure would provide a better guide to accessibility to facilities.</p> <p>Seddon Homes is of the opinion that Salterforth is a sustainable settlement with access to sufficient services and amenities, including regular bus services, to facilitate additional levels of growth. Table 4.1 of the SSR 2022 is titled Suggested Hierarchy and confirms that Salterforth is by far the most sustainable Rural Village, only one point behind Fence and a couple further behind Kelbrook (which is considered along with Sough) and Foulridge, which are all designated as third tier settlements. A re-scoring based on accessibility is likely to show that Salterforth could be considered as a Rural Service Centre.</p>		
<p>01529 / 003 Seddon Homes (Pinnacle Planning)</p>	<p>Policy SP02 Barnoldswick</p>	<p>The settlement provides a wide range of services which meet not only the employment and recreation needs of its residents, but also those of the surrounding wider rural and urban catchment. Barnoldswick clearly performs very well in the Settlement Sustainability Review (2022), using PBC's methodology.</p> <p>The Policy states that there will be a presumption in favour of sustainable development within settlement boundaries and proposals will be supported where they are of a proportionate scale and nature, having regard to the role and function of the settlement; where they re—use vacant buildings or previously developed land that is not of high environmental value; and where the site is allocated within a document that forms part of the Development plan to meet future needs or support growth.</p> <p>Seddon Homes supports these elements of emerging Policy SP02 and agrees with the identification of Barnoldswick as a top tier settlement.</p>	<p>Support noted.</p>	<p>No change.</p>
<p>01529 / 004 Seddon Homes (Pinnacle Planning)</p>	<p>Policy SP02 Salterforth</p>	<p>Seddon Homes also queries the role attributed to Rural Villages - “only development which addresses an identified local need will normally be permitted”. Seddon Homes considers the settlements within this tier of the hierarchy to be capable of making some contribution to meeting the overall Borough’s housing needs, as was envisaged through Part 2 of the current Local Plan, whereby the requirement for the Rural Area was to be disaggregated amongst the villages.</p>	<p>Comments noted.</p> <p>The Local Plan is not tied to the strategy proposed in the Local Plan Part 2, which did not advance beyond the draft stage.</p> <p>The Pendle Local Plan Fourth edition has reviewed the available evidence and developed a new spatial strategy which seeks to concentrate growth in the borough’s principal settlements – i.e. the top two tiers of the settlement hierarchy.</p>	<p>No change.</p>

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		<p>Seddon Homes is of the view that failing to identify individual housing requirements for each Rural Village could have a negative impact on the sustainability of smaller settlements which only have a limited level of sustainability. New development is essential to preserving the existing services which are present within these communities.</p> <p>Any Local Plan update should seek to fully review the needs of the Rural Villages and look to examine the impact that limited, or no development may have on the existence of services in these communities. The impact of the pandemic is likely to have worsened this situation dramatically and existing smaller settlements which are sustainable places to live will continue to dwindle if needs are not met.</p> <p>It is evident from the latest version of the SHMA that there is significant need for affordable housing across the Borough. By allowing for a larger scale of development within Rural Villages, it will enable the provision of much needed affordable housing and market housing in an area which is attractive to developers. Smaller scale development of less than ten houses will not contribute to meeting this need. Seddon Homes is of the view that this should be a consideration in the identification of development parameters for Rural Villages.</p> <p>To ensure the Rural Villages retain a degree of vibrancy the emerging Local Plan should ensure all existing services are retained and ideally improved upon. Seddon Homes argues that this can only be achieved by planning for additional housing at a scale commensurate with the existing settlement and therefore increasing use and expenditure of the existing services and potentially attracting additional services to the area.</p> <p>Seddon Homes considers the stated role of Rural Villages should be amended as follows: “to generate sustainable growth opportunities by allowing additional housing development commensurate with the existing scale of the villages.”</p>	<p>Rural housing needs are to be concentrated in the third-tier settlements, as these offer a wider range of goods, services and community facilities, with some offering access to employment opportunities.</p> <p>The fourth-tier settlements are not considered to represent suitable locations for large amounts of development. In these locations the spatial strategy takes a proportionate approach focussed on meeting the identified needs of the community.</p>	
01529 / 005 Seddon Homes (Pinnacle Planning)	Policy SP03	Seddon Homes supports the idea of identifying a pattern of growth and broadly agrees with the proposed distribution of growth across the Borough and are therefore of the view that Policy SP03 is positively prepared, effective, justified and consistent with national policy.	Support noted.	No change.
01529 Seddon Homes (Pinnacle Planning)	Policy DM20 Local Housing Need	<p>Paragraph 6.29 is not consistent with national policy and clearly pre-determines the Local Plan preparation process rather than responding to the available evidence.</p> <p>Paragraph 60 of the National Planning Policy Framework (NPPF) confirms that the Government’s objective is to: “significantly boosting the supply of homes”. The NPPF</p>	<p>As required by paragraph 61 of the 2023 NPPF the housing requirement has been “<i>informed by a local housing need assessment, conducted using the SM in national planning guidance.</i>”</p> <p>The initial housing requirement of 140 dwellings per annum (dpa), set out in the Regulation 18 draft of the Pendle Local</p>	The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.

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		<p>reiterates the importance of ensuring that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.</p> <p>The justification for not meeting the 270 dpa housing requirement appears to suggest there are insufficient sites or that the sites are not available within the settlement boundaries and therefore that justifies a reduction in housing delivery. This is a flawed approach to plan making and fails to recognise the purpose of preparing a Local Plan – paragraph 16 of the NPPF confirms that “Plans should... be prepared with the objective of contributing to the achievement of sustainable development...”. In this context sustainable development comprises the ability to meet PBC’s housing needs in full; if achieving this requires the amendment of settlement boundaries and the allocation of marginally less well achieving sites in the SHLAA site assessment, then PBC are required to make these amendments to ensure the emerging Local Plan is effective and consistent with the NPPF.</p> <p>Whilst the full delivery of 270 dpa may require a substantial reliance on Greenfield sites, it is not effective plan making to conclude that there are simply no suitable sites. It is Seddon Homes’ position that the purpose of SHLAA site assessments has been misunderstood by PBC; SHLAA’s are not to be used to demonstrate the unsuitability of sites, and paragraph 68 of the NPPF is clear that the purpose is to ensure policies “identify a sufficient supply and mix of sites”.</p> <p>Seddon Homes is of the view that the HEDNA’s recommendation of delivering 270 dpa is the most sustainable approach to growth in the Borough and to ensure the economic and employment aspirations are met. In turn, there will be greater local expenditure from residents able to move to the area, increased investment from businesses and less in-commuting of residents from other authorities to take up employment opportunities. To recognise these benefits PBC must allocate more sites for future residential development at draft Policy AL01.</p>	<p>Plan Fourth Edition, was based on the governments Standard Method (SM) figure when work on the plan commenced in early 2022. It has now been updated to reflect analysis that is based on newly available data.</p> <p>The 2021 Census was carried out during the COVID-19 lockdown and there is significant uncertainty about some of the results. This is particularly true for the demographic data relating to Pendle, which is heavily influenced by international migration. The population growth experienced between the 2011 and 2021 Census is considerably higher than was anticipated by the Sub-National Population Projections (SNPP), yet over the same period household growth is significantly lower than the figure anticipated by the 2014-based Household Projections and actual housing completion rates.</p> <p>The Housing and Economic Development Needs Assessment (HEDNA) (Iceni Projects, 2023) addresses this matter but is unable to reach a clear conclusion given the complexities of the situation. In the absence of alternative evidence. The Council therefore resolved to use the SM figure as the basis for plan-making in the borough.</p> <p>Following the conclusion of the Regulation 18 public consultation, the Council has updated its evidence on local housing need. The Pendle Housing Need Review (Iceni Projects, 2024) reveals that the SM figure for Pendle has now reduced to 124 dpa. Further demographic analysis, not accounted for within the SM calculation, supports an uplift of this baseline figure to 148 dpa, which caters for the full demographic needs of the borough including an adjustment in response to affordability indicators.</p> <p>The report also considers the level of housing required to deliver projected economic growth, concluding that an annual housing requirement of 230 dpa would be needed. The report highlights that economic activity rates in Pendle are significantly lower than the regional average. In response, a sensitivity test based on improving economic activity rates was carried out. This concludes that an annual housing requirement as low as 144 dpa would be appropriate were there to be modest increases in economic activity rates.</p> <p>Improving economic activity rates is a government priority. Programmes supported through the UK Shared Prosperity Fund, and those that are proposed, give the Council confidence that economic activity rates in Pendle will improve during the plan period. In these circumstances an annual housing requirement of 230 dpa would lead to an oversupply within the labour force, failing to achieve the necessary balance between housing and employment growth that is required by the NPPF.</p>	<p>Supporting text to be revised to reflect this update and more recent evidence.</p>

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			<p>Lomeshaye Phase 2, the borough’s strategic employment site and major contributor towards projected economic growth, is unlikely to be progressed in the first five years of the Local Plan. The adoption of the proposed housing requirement is therefore unlikely to constrain economic growth at least in the early part of the plan period.</p> <p>The lead-in time for Lomeshaye Phase 2 provides an opportunity for the impacts of the plan and other policies on economic growth, labour supply, and economic activity rates to be monitored using the indicators set out in Appendix 10 of the Local Plan. The NPPF requires local planning authorities to review their plans every five years. This will require the Council to review the housing requirement in light of monitoring information and ahead of the delivery Lomeshaye Phase 2.</p> <p>The HEDNA and its 2024 update are just one part of the Council’s evidence base. There are environmental and topographical constraints impeding the delivery of future housing growth. Large areas of the borough are subject to NPPF policies that seek to protect areas or assets of particular importance, as listed in footnote 7 to paragraph 11. Approximately 35% of the land in the borough (5,993 ha) is covered by an environmental designation listed in footnote 7.</p> <p>The Council is satisfied that projected economic growth can be achieved and adequately supported by the adoption of the demographic-based annual housing requirement of 148 dpa, which represents a 24 dpa (20%) uplift on the government’s SM baseline figure. Furthermore the flexibility built into the draft Local Plan can support the delivery of up to 162 dpa, confirming that 148 dpa is the minimum figure for housing delivery.</p>	
01529 / 006 Seddon Homes (Pinnacle Planning)	Policy DM20 Scale and extent of Affordable Housing Need	<p>The HEDNA proposed housing requirement of 270 dpa will also help to increase affordable housing delivery and help address the dire need. The Icen report states that rented affordable housing need is 288 dpa. The affordability ratio in Pendle has worsened over the last 10 years with Icen confirming the ratio currently sits at 5.34, whereas the figure was 3.8 in 2013.</p> <p>In regard to the delivery of affordable housing, paragraph 6.34 of the Regulation 18 PLP states:</p> <p>“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.”</p>	<p>Comments noted.</p> <p>The affordable housing needs of the borough are clearly identified and acknowledged. The need for affordable housing in Pendle is more inherent than a supply issue, this is demonstrated by findings within the HEDNA that 80% of requirements should be sought as affordable/social rent rather than partial ownership. The need for affordable housing is a result of low household income, itself linked to the economic structure of the borough, with low paid jobs. Market homes are simply unaffordable to a large part of the borough. They do not form an appropriate tenure to respond to this type of housing need.</p> <p>Viability evidence shows that affordable housing delivery through market led provision is not viable within the M65 Urban Area and there is limited viability in areas beyond this to support delivery through these means. This picture of viability reflects the Council’s experience. Market delivery of</p>	No change.

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		Seddon Homes is of the view that this approach fails to recognise the benefits of meeting the full range of housing needs and the requirement to identify sites in viable areas, where is keen to deliver. PBC must therefore seek to allocate more sites for residential development, particularly medium and large sites, to ensure the long term affordable housing needs are adequately met.	affordable housing as a proportion of overall housing delivery is extremely low as evidenced in the last two years with just 20 dwellings (of 285 dwellings) provided through this mechanism in 2022/23 and zero affordable housing was provided through this means in 2023/24. Affordable housing is principally secured locally through grant funded schemes, often in partnership with the Council. The plan has policies which would support further provision through this means of supply and the sites allocated in the plan would support further delivery. Noting this context, the Council find that further increasing the housing requirement is unlikely to benefit the supply or provision of affordable housing.	
01529 / 007 Seddon Homes (Pinnacle Planning)	Policy DM20 Monitoring of housing delivery	<p>Seddon Homes supports the intention of this section of the Policy and considers it necessary in order to be effective in establishing and maintaining a deliverable housing land supply. The identification of certain corrections which will be made to the strategy when there is evidence of a shortfall in delivery is also supported.</p> <p>In particular, Seddon Homes supports the inclusion of reference to applying the presumption in favour of sustainable development if there is a shortfall in housing delivery. However, it considers this should not be identified as the last action. The four actions can be implemented together and the first and third actions can be implemented when delivery is slowing (i.e. the HDT result is worsening) and the 5 year housing land supply figure is marginal or drops below 5 years.</p> <p>An additional action or supplementary paragraph should be added to Policy DM20 to demonstrate how additional sites would be brought forward if needed during the plan period. Seddon Homes suggests the following wording: "Where additional housing sites need to be brought forward, initial priority will be given to sustainable sites in edge of settlement locations, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits."</p>	<p>Comments noted.</p> <p>It should be noted that Policy SP02 implements the presumption in favour of sustainable development for proposals submitted within settlement boundaries. This represents a positive approach and seeks to maximise development opportunities and delivery.</p> <p>The Council considers that applying the presumption in favour of sustainable development outside of settlement boundaries must only be applied as the last action in order to ensure that the spatial strategy is given the opportunity needed to be implemented and that all potential to secure this has been explored before alternatives are considered. Adopting an alternative approach removes the certainty required for applicants, decision makers, providers and the community. It increases the risk that the strategy will not be secured and reduces the benefits provided by the adoption of a Local Plan.</p> <p>The policy does not say that these actions cannot be implemented ahead of a shortage in housing being confirmed. It is however acknowledged that the list set out could be implemented in a different order than set out which would benefit the effectiveness and clarity of the policy.</p> <p>The proposed wording is not in the Council's view required. The Council's approach to proposals where a five year supply cannot be demonstrated is clearly set out in Part 4 of the Policy.</p>	<p>Part 5 of Policy DM20 amended</p> <p>'If the Housing Delivery Test demonstrates a shortfall in new home provision, the Council will:</p> <ol style="list-style-type: none"> Work with developers to identify, address and overcome any barriers to the delivery of housing; Review housing density, site capacity, and product delivery at sites not yet commenced including allocated sites; Where required, prepare an Action Plan setting out measures to increase housing delivery; Apply the presumption in favour of sustainable development as required in accordance with the National Planning Policy Framework.'
01529 / 008 Seddon Homes (Pinnacle Planning)	Policy AL01 Deliverability of commitments	Seddon Homes wishes to raise concern with PBC's approach of heavily relying on existing planning permissions to demonstrate housing supply over a 19 year plan period. PBC recognises that there are challenges around viability of new residential development and therefore it is reasonable to assume that a number of the sites with planning permission may not come forward as currently planned (i.e. some may lapse due to a lack of developer interest, rising construction costs or variations in land value). A brief	<p>Comments noted.</p> <p>No evidence has been submitted to support the comments made. Monitoring shows that a large proportion of commitments are actively being delivered, and further supply not forming part of the base date to the plan has come forward further boosting supply (to be reported for information purposes in 2023/24).</p> <p>The plan makes provision for over 3083 dwellings. This is comfortably in excess of the proposed plan requirement of</p>	No change.

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		review of PBC's most recent 5 Year Housing Land Supply Assessment 2022/23 reveals that there are a number of sites included within the trajectory that comprise dated permissions. While some of the larger sites, including sites with draft allocations, are clearly in the process of being built, some of the small sites remain as deliverable despite having application references dating from as early as 2013. Seddon Homes considers these planning permissions are being too heavily relied on by PBC and other larger allocations are required to ensure the Local Plan trajectory is developable.	148 dpa and updated standard method figure of 124dpa. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.	
01529 / 009 Seddon Homes (Pinnacle Planning)	Policy AL01 Housing Trajectory	Seddon Homes wholly supports the inclusion of the site as a residential allocation for 128 dwellings and are hopeful of potentially securing permission by the end of summer 2023. It is therefore considered appropriate to amend the construction start date to 2024/25 – the trajectory at Appendix 1 of the Local Plan currently states 2025/26 as the first year of construction. Seddon Homes considers the inclusion of Site P237 as a residential allocation to be justified.	Comments noted. The trajectory for the Local Plan will be reviewed against the latest available information ahead of the plan's publication.	Local Plan housing trajectory to be reviewed and updated as necessary.
01529 / 010 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Context	An appeal against this refusal was dismissed in August 2021. The Inspector concluded that there was insufficient evidence to demonstrate that the proposed drainage regime for the site would not cause elevated flood risk elsewhere. Seddon Homes has sought to address this concern, looking in particular at how attenuation of water on-site can prevent any increased flood risk downstream, as well gathering more data and evidence to inform its revised flood management and drainage strategy for the revised application. Seddon Homes has undertaken a significant amount of work, in consultation with statutory drainage and flooding consultees, to ensure the revised strategy is suitable for the site and has addressed the previous refusal through the currently pending resubmitted application.	Comments noted.	No change.
01529 / 011 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 1	The detailed planning application at the site proposes 128 dwellings with a mix of 3 and 4 bedroom semi-detached, detached and mews properties (see Site Layout Plan at Appendix 1). The proposed housing mix seeks to rebalance and diversify the existing housing stock in Barnoldswick and the West Craven Towns more generally The proposed development includes 5% of the total units as affordable housing in accordance with adopted Policy LIV4 and emerging Policy DM23. The proposed development includes the delivery of seven affordable family dwellings, each with three bedrooms. These units are to be located	Comments noted.	No change.

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		along the western edge of the scheme, orientated outwards to overlook the canal.		
01529 / 012 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 2	The proposed scheme retains the principal vehicular access point from Long Ing Lane. The proposed layout also shows four separate footpath links to the Leeds and Liverpool Canal Towpath, along the site's western boundary. Lancashire County Council's Highways and Transport team, the Canal and Rivers Trust and the Council's Countryside Access Officer, have raised no objection to the proposed scheme.	Comments noted	No change.
01529 / 013 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 3	The house types proposed within the development comprise 2 and 2.5 storey dwellings, which are in keeping with the surrounding vernacular and ensures that the development is respectful of the existing landscape. The submitted layout plans and house types demonstrate that all new housing is designed and built in a sustainable way and makes the most efficient use of land at an appropriate density (25 dph) as well as taking into account surrounding townscape and landscape character as an edge of settlement location. Seddon Homes has designed the scheme to ensure the proposed dwellings are sympathetic to the surrounding area with the dwellings orientated to provide increased levels of natural surveillance of the canal.	Comments noted.	No change.
01529 / 014 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 4	Hepworth Acoustics prepared a Noise Mitigation Scheme to support the pending application. This demonstrates that acceptable noise levels can be provided in all internal areas, as well as back gardens, without the need for off-site noise control measures. The majority of gardens are screened by the houses themselves, although for some plots close to the boundary with the Silentnight factory, acoustic fencing of 2.1 metres in height is proposed. Further mitigation measures include the fitting of upgraded glazing to the living rooms and bedrooms of houses on the boundary with the Silentnight factory. It is also suggested that habitable rooms close to the boundary with the Silentnight factory are fitted with acoustically treated ventilation to ensure the internal noise criteria is met.	Comments noted	No change
01529 / 015 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 5	The pending application at the site is accompanied by a Phase 1 and Phase 2 Geo-environmental Assessment, undertaken by E3P. This report outlines details of the site investigation carried out at the site and concludes that a programme of remediation and enabling works will be required to remove the buried obstructions, geo-technically unsuitable materials and re-engineer the made ground to	Comments noted.	No change.

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		<p>create a suitable development platform for the proposed structures.</p> <p>While the applicant has not submitted a Construction Method Statement with the application, Seddon Homes will do so at the appropriate time prior to commencement of construction, subject to an appropriately worded planning condition.</p>		
01529 / 016 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 6	The proposed scheme includes a 10m buffer between dwellings and the Leeds and Liverpool Canal. This will include soft landscaping and footpaths to further enhance the green corridor with opportunities for increased biodiversity.	Comments noted.	No change.
01529 / 017 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 7	<p>The proposed scheme includes 0.93ha of public open space, including a central parcel of open space that maintains connectivity between the Leeds/Liverpool Canal and the Little Cut Nature Reserve to the northeast of the site. Planting within this area will be of native fruiting/flowering species in order to enhance the site for foraging bats and birds.</p> <p>The scheme also includes a 10m buffer to the canal which includes extensive planting and footpath links to the canal-side footpath. The site also includes SuDS features and wildflower planting along the southern boundary of the site to retain key biodiversity features.</p> <p>The existing dry stone walls, hedges and trees on the boundary of the site are to be retained and protected throughout construction, in-part to ensure wildlife is able to commute through and around the site.</p>	Comments noted.	No change.
01529 / 018 Seddon Homes (Pinnacle Planning)	Policy AL01 Site P237 Site Specific Policy Requirements Paragraph 8	<p>Seddon Homes have worked with Lancashire County Council, Yorkshire Water, Environment Agency and the Canal and River Trust to produce a surface water drainage strategy that safely drains water from the site and its wider catchment. The Flood Risk Mitigation Plan provided at Appendix 2 demonstrates how water is currently drained from the site and the site's wider catchment to the east of the site (image at the top of the page).</p> <p>During periods of heavy and prolonged rainfall, the catchment zones (shown in purple and red) run into the existing onsite depression as the capacity of the offsite culvert is not sufficient to convey flows of surface water from the catchment area. Once rainfall stops, the flood water located on site naturally flows towards the existing culvert and the flooding on site recedes.</p>	Comments and information provided acknowledged and noted.	No change.

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		<p>The Plan also shows the proposed drainage strategy (image at the bottom of the page).</p> <p>The proposed strategy creates two new systems:</p> <p>A. with the agreement of the Canal and River Trust, the water that currently falls on the application site will be directed away from Salterforth and into the Leeds and Liverpool Canal in order to feed the Greenberfield Locks to the north. This strategy ensures that 37% of the overall catchment area discharges its surface water in the opposite direction to the culvert via the canal.</p> <p>B. The catchment area (land beyond the allocation) will flow via a cut off drain to the proposed new SUDs ponds, which cumulatively have a capacity which is 19% larger than the existing onsite depression. These ponds will then naturally flow to the existing offsite culvert.</p> <p>The proposed scheme therefore improves the scheme for draining surface water from the existing position and ensures that there will not be an increased risk of flooding elsewhere. The reduction in the size of the catchment which is discharging to the culvert represents a significant betterment and should be viewed as a benefit of the scheme.</p>		
<p>01529 / 019 Seddon Homes (Pinnacle Planning)</p>	<p>Policy AL01 Omission Site P291 Land East of Beckside, Salterforth</p>	<p>Seddon Homes considers the appeal decision was issued in a different policy context and this argument should be revisited as part of Local Plan preparation. Seddon Homes remain of the view that the Site is in a suitable location for new development, with adequate access to local facilities and services, both within Salterforth and a short distance away in nearby Barnoldswick. Chapter 2 of this Representation addresses this point and argues that Salterforth is capable of delivering housing growth beyond the identified role of Rural Villages and could assist in the delivery of affordable housing.</p> <p>While the SHLAA assessment for the site (site ref: P291) concluded the site was not sustainably located, the distance to services and amenities were mostly within 2km of the Site. It is notable that Manual for Streets guidance highlights walking distances to services of 2,000m as having the potential to replace short car trips. Seddon Homes is of the view that this figure would provide a better guide to accessibility to facilities.</p> <p>Seddon Homes considers it possible to address and overcome the technical reason for the refusal of planning permission; landscape impact, as part of a revised planning application which includes additional landscape planting and pulls built development away from the areas of the site that are more prominent and contribute to the local</p>	<p>Comments noted.</p> <p>The Council maintains its view with regard to the suitability of Site P291 for housing.</p> <p>The Council also note that based on the proposed housing requirement of 148 dpa, further allocations are not required outside of the six main settlements (top two tiers of the settlement hierarchy).</p>	<p>No change.</p>

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		<p>landscape character. Seddon Homes is also willing to review the suggested capacity of the site when undertaking the layout amendments to facilitate this change.</p> <p>The Site is owned by Seddon Homes and therefore can be delivered swiftly and without ownership constraints. There are no statutory ecological or heritage designations and the areas of flood risk on site can be addressed and mitigated as part of a comprehensive drainage strategy.</p> <p>The Site is owned by a willing developer with a history of delivering residential sites in PBC and the development of the Site will contribute to PBC's housing land supply, which is relatively marginal at 5.61 years, and will deliver much needed additional market and affordable housing in the area.</p>		
01535 / 001 Home Builders Federation	General Plan Period	The Council propose a plan period of 1 st April 2022 to 31 st March 2040. The HBF considers that any update should ensure that the Plan covers a period of 15 years from the adoption of the Plan.	<p>Comments noted.</p> <p>It is not stated that the plan period is 1 April 2022 to 31 March 2040. The plan period commenced 1 April 2021.</p> <p>The National Planning Policy Framework is clear that strategic policies should be prepared over a minimum 15-year period. An end date of 31 March 2040 for the Pendle Local Plan Fourth Edition complies with this requirement taking account of the projected timetable for plan preparation as confirmed within the Local Development Scheme.</p>	No change.
01535 / 002 Home Builders Federation	Policy SP02	The HBF considers that it is appropriate for the Council to provide an appropriate settlement hierarchy which provides a logical hierarchy and allows for a suitable and sustainable spatial distribution of sites, provides an appropriate development pattern and supports sustainable development within all areas	Comments noted.	No change.
01535 / 003 Home Builders Federation	Policy SP03	The HBF considers that it will be important for the Council to ensure that the distribution of development provides an appropriate supply of sites and that it provides an appropriate range and choice of sites across all market areas.	Comments noted.	No change.
01535 / 004 Home Builders Federation	Policy SP06 Paragraph 1	The HBF is concerned that it is not clear what this policy requires. It is not clear what evidence an applicant would be expected to provide to demonstrate that they have conducted a detailed review of the carbon impact of various development options before applying for permission. The HBF considers that if the Council is to introduce a policy in relation to carbon impact it will have to closely consider how it will be monitored and what the implications are for the preparation of any assessment, and how it can ensure this is not overly onerous and is appropriately proportionate to the development proposed.	The Council agrees that the wording of Part 1 of Policy SP06 as set out is unclear and did not provide added value to Paragraph 4.55.	Part 1 deleted.

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01535 / 005 Home Builders Federation	Policy SP06 Paragraph 3	Part 3 of the policy looks for small-scale renewable and low carbon energy generation to be incorporated into the design of new development where appropriate. The HBF does not consider that it is a reasonable requirement for development to incorporate small-scale renewables or low carbon energy generation. The HBF recognises that there may be potential for energy to come from renewable or low carbon sources, however, it may be more sustainable and efficient to use larger scale sources rather than small-scale, it is also noted this policy also takes no account of the fact that over time energy supply from the national grid will be decarbonised.	Comments noted. The policy is flexibly worded to recognise that the proposed approach may not always be appropriate, feasible or viable. It seeks to promote self-sufficient sustainability helping to relieve pressure on national and local energy networks and lower carbon emissions within Pendle.	No change.
01535 / 006 Home Builders Federation	Policy SP06 Paragraph 5	The HBF does not consider that it is necessary for Pendle to look for developers to meet independently accredited energy and sustainability standards. The HBF does not consider that the Council have provided any evidence or justification for why residential development should need to meet the Passive House Standard or the BRE Home Quality Mark or why developments should need to be assessed using the Home Quality Mark. The HBF recommends that this policy is deleted.	Comments noted The policy is concerned with moving towards zero carbon development. Passivhaus and the BRE Home Quality Mark are two examples of standards that are currently widely recognised as pioneering low-carbon development. Domestic sources account for around one-third of Pendle's annual emissions. Tackling this at source is critical to meeting the Government's net zero carbon targets. The policy is flexibly worded to recognise that its on-site delivery will not always be viable.	No change.
01535 / 007 Home Builders Federation	Policy DM01 Part 3 (Water efficiency standard)	This policy states that proposals should minimise the use of natural resources, increase self-sufficiency and lower carbon emissions. It suggests responses include but are not limited to: promoting energy efficiency; using low carbon materials, taking opportunities to provide on-site renewables, adopting water efficiency techniques which limit water use to no more than 110 litres per person per day, providing a water butt, providing EV Charging Points, providing cycle storage, providing street trees and encouraging food production. Firstly, the HBF is concerned that it is not clear how this policy would be used in decision-making, and whether a decision maker would expect all or some of these elements to be met, and what would happen if they were not. Secondly, the HBF considers that a number of elements of this policy are not necessary and should be deleted. The HBF does not consider that it is necessary for the policy to require the use of the option water standard of 110 litres per person per day. The Building Regulations require all new dwellings to achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. The Optional Technical Housing Standard is 110 litres per day per person.	Comments noted. The policy seeks to deliver resilient places. It sets out the measures to be implemented through development proposals. It is acknowledged that the current wording of the policy is open ended and unclear about its expectations. The intention was to reflect that standards and responses are likely to change over the plan period and sought to ensure that these changes could be captured after its adoption. As noted, this results in too much uncertainty, so the approach of the policy will be revised. United Utilities have expressly set out their support for the implementation of option water standards and have submitted evidence to the Council justifying the implementation of this standard which will be relied upon by the Council and published alongside the final version of the plan. Whilst Pendle is not water strained, it forms the catchment area for areas that are within both the Ribble and Humber catchments areas. Pendle therefore has a role to play in reducing its water usage to support the resilience of communities which lay down stream of the borough. The implementation of the standard is therefore justified. However in recognition that building regulations may alter during the plan period, specific reference to 110 litres per person per day has been removed from the policy.	Revise part 3 of the policy to read: 'Proposals should minimise the use of natural resources, increase self-sufficiency and lower carbon emissions. Development should, as a minimum, and where feasible.' Revise part 3(d) to read: 'Adopt water efficiency techniques, including the implementation of optional technical standards for water efficiency in Building Regulations within building design.'

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		A policy requirement for the optional water efficiency standard must be justified by credible and robust evidence. If the Council wishes to adopt the optional standard for water efficiency of 110 litres per person per day, then the Council should justify doing so by applying the criteria set out in the PPG. PPG states that where there is a <i>'clear local need, Local Planning Authorities (LPA) can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day'</i> . PPG also states the <i>'it will be for a LPA to establish a clear need based on existing sources of evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration of the impact on viability and housing supply of such a requirement'</i> . The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. The North West and Pendle are not considered to be an area of Water Stress as identified by the Environment Agency. Therefore, the HBF considers that requirement for optional water efficiency standard is not justified nor consistent with national policy in relation to need or viability and should be deleted.		
01535 / 008 Home Builders Federation	Policy DM01 Part 3 (Water Butts)	The HBF considers that the suggestion for new homes to be equipped with a water butt is unnecessary and not justified or evidenced.	Comments noted. It is widely recognised that water butts can be used to store water for use in dry weather and can help to reduce the use of mains water. The policy response is therefore justified, and no further evidence is required.	No change.
01535 / 009 Homes Builders Federation	Policy DM01 Part 3 (EV Charging infrastructure)	The HBF considers that the provision of electric vehicle charging capability is unnecessary as Part S of the Building Regulations now provides the requirements for Electric Vehicle charging, including where exceptions may apply.	Comments noted. The Planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. Policies DM01 and DM37 highlight the need for developers to provide EV charging infrastructure and offer guidance on how it should be provided.	No change.
01535 / 010 Homes Builders Federation	Policy DM01 Part 3 (Food Growing)	The HBF considers that there is no justification or evidence for encouraging food production. The HBF is also concerned in relation to the implications of this policy in terms of viability, efficient use of land and site layouts. The HBF is also not sure whether residents of all new developments would want community allotments or food growing opportunities, and it is not clear what would happen where these facilities are not used in an appropriate manner or are not maintained for food growing.	Comments noted. The policy requirement is linked to Policy SP10. Together they seek to promote self-sufficiency and healthy living, whilst also helping to address climate change. Again the policy encourages, rather than requiring such provision. Community allotments are a viable form of open space provision in the right circumstances. Their use and stewardship could be transferred to a third-party management company or the relevant Parish or Town Council.	No change.

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01535 / 011 Homes Builders Federation	Policy DM20 (Housing Requirement)	The HBF considers that the housing requirement identified by the Council, whilst meeting the local housing need as calculated using the Standard Method is likely to be insufficient to meet the local housing need when other evidence is taken into consideration. Much of this evidence is already considered in the Council's own HEDNA, and includes the demographic considerations, the affordable need and the balance of economic growth and housing.	<p>As required by paragraph 61 of the 2023 NPPF the housing requirement has been <i>"informed by a local housing need assessment, conducted using the SM in national planning guidance."</i></p> <p>The initial housing requirement of 140 dwellings per annum (dpa), set out in the Regulation 18 draft of the Pendle Local Plan Fourth Edition, was based on the governments Standard Method (SM) figure when work on the plan commenced in early 2022. It has now been updated to reflect analysis that is based on newly available data.</p> <p>The 2021 Census was carried out during the COVID-19 lockdown and there is significant uncertainty about some of the results. This is particularly true for the demographic data relating to Pendle, which is heavily influenced by international migration. The population growth experienced between the 2011 and 2021 Census is considerably higher than was anticipated by the Sub-National Population Projections (SNPP), yet over the same period household growth is significantly lower than the figure anticipated by the 2014-based Household Projections and actual housing completion rates.</p> <p>The Housing and Economic Development Needs Assessment (HEDNA) (Iceni Projects, 2023) addresses this matter but is unable to reach a clear conclusion given the complexities of the situation. In the absence of alternative evidence. The Council therefore resolved to use the SM figure as the basis for plan-making in the borough.</p> <p>Following the conclusion of the Regulation 18 public consultation, the Council has updated its evidence on local housing need. The Pendle Housing Need Review (Iceni Projects, 2024) reveals that the SM figure for Pendle has now reduced to 124 dpa. Further demographic analysis, not accounted for within the SM calculation, supports an uplift of this baseline figure to 148 dpa, which caters for the full demographic needs of the borough including an adjustment in response to affordability indicators.</p> <p>The report also considers the level of housing required to deliver projected economic growth, concluding that an annual housing requirement of 230 dpa would be needed. The report highlights that economic activity rates in Pendle are significantly lower than the regional average. In response, a sensitivity test based on improving economic activity rates was carried out. This concludes that an annual housing requirement as low as 144 dpa would be appropriate were there to be modest increases in economic activity rates.</p> <p>Improving economic activity rates is a government priority. Programmes supported through the UK Shared Prosperity Fund, and those that are proposed, give the Council</p>	<p>The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.</p> <p>Supporting text to be revised to reflect this update and more recent evidence.</p>

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			<p>confidence that economic activity rates in Pendle will improve during the plan period. In these circumstances an annual housing requirement of 230 dpa would lead to an oversupply within the labour force, failing to achieve the necessary balance between housing and employment growth that is required by the NPPF.</p> <p>Lomeshaye Phase 2, the borough’s strategic employment site and major contributor towards projected economic growth, is unlikely to be progressed in the first five years of the Local Plan. The adoption of the proposed housing requirement is therefore unlikely to constrain economic growth at least in the early part of the plan period.</p> <p>The lead-in time for Lomeshaye Phase 2 provides an opportunity for the impacts of the plan and other policies on economic growth, labour supply, and economic activity rates to be monitored using the indicators set out in Appendix 10 of the Local Plan. The NPPF requires local planning authorities to review their plans every five years. This will require the Council to review the housing requirement in light of monitoring information and ahead of the delivery Lomeshaye Phase 2.</p> <p>The HEDNA and its 2024 update are just one part of the Council’s evidence base. There are environmental and topographical constraints impeding the delivery of future housing growth. Large areas of the borough are subject to NPPF policies that seek to protect areas or assets of particular importance, as listed in footnote 7 to paragraph 11. Approximately 35% of the land in the borough (5,993 ha) is covered by an environmental designation listed in footnote 7.</p> <p>The Council is satisfied that projected economic growth can be achieved and adequately supported by the adoption of the demographic-based annual housing requirement of 148 dpa, which represents a 24 dpa (20%) uplift on the government’s SM baseline figure. Furthermore the flexibility built into the draft Local Plan can support the delivery of up to 162 dpa, confirming that 148 dpa is the minimum figure for housing delivery.</p> <p>Poor viability experienced across the borough means that very little affordable housing comes forward through market-led provision. Instead affordable housing is provided through grant funded schemes. The Council’s returns regarding affordable housing delivery clearly illustrate this position. Given this context, it is concluded that an uplift to the housing requirement in response to affordable housing need would neither be effective nor justified.</p>	
01535 / 012	Policy DM21 (Density)	The flexibility provided by this policy in relation to certain considerations is noted, this will allow developers to react to some site-specific issues. However, further amendments	Comments noted.	No change.

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Homes Builders Federation		<p>could be made to create greater flexibility to allow developers to take account of the evidence in relation to market aspirations, deliverability and viability and accessibility.</p> <p>The Council will also need to consider its approach to density in relation to other policies in the plan. Policies such as open space provision, biodiversity net gain, cycle and bin storage, housing mix, residential space standards, accessible and adaptable dwellings, energy efficiency, street trees, parking provision and EV charging, and any implications of design coding will all impact upon the density which can be delivered upon a site.</p>	The policy highlights that the merits of increased density will be considered on a case-by-case basis. There is no need for further alteration to the policy.	
01535 / 013 Homes Builders Federation	Policy DM21 (Nationally Described Space Standards)	<p>The NDSS as introduced by Government, are intended to be optional and can only be introduced where there is a clear need and they retain development viability. As such they were introduced on a 'need to have' rather than a 'nice to have' basis. PPG identifies the type of evidence required to introduce such a policy. It states that 'where a need for internal space standards is identified, Local Planning authorities should provide justification for requiring internal space policies. Local Planning authorities should take account of the following areas: Need, Viability and Timing. The Council will need robust justifiable evidence to introduce the NDSS, based on the criteria set out above. The HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.</p>	<p>Comments noted.</p> <p>The policy is clear that meeting the standard is the Council's preference, but that it is not mandatory. It acknowledges that there may be specific circumstances where the standard cannot be met owing to feasibility or viability considerations. Evidence has been prepared to justify the implementation of optional standards locally. This evidence will be published alongside the final draft version of the plan.</p> <p>The effects of optional standards on viability are to be tested through a final update to the Local Plan Viability Assessment. The policy will be revised should the viability assessment show that adoption of NDSS is unviable in Pendle.</p>	Consider amendments to policy wording pending the outcome of the updated Local Plan Viability Assessment.
01535 / 014 Homes Builders Federation	Policy DM21 (Accessibility Standards)	<p>The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. However, if the Council wishes to adopt the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so by applying the criteria set out in the PPG. PPG identifies the type of evidence required to introduce such a policy, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. It is incumbent on the Council to provide a local assessment evidencing the specific case for Pendle which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy. If the Council can provide the appropriate evidence and this policy is to be included, then the HBF</p>	<p>Comments noted.</p> <p>Pendle, like much of the UK, has an ageing population. In view of this evidence there is a need to ensure that new stock is responsive to the housing needs of its residents.</p> <p>The HEDNA also indicates that a strong need for housing suitable for disabled people is also likely over the plan period. The mechanism within Policy DM21 for M4(3) standard homes provides a means of addressing this need ensuring compliance with Paragraph 60 of the NPPF.</p> <p>Evidence has been prepared to justify the implementation of optional standards locally. This evidence will be published alongside the final draft version of the plan.</p> <p>The effects of optional standards on viability are to be tested through a final update to the Local Plan Viability Assessment. The policy will be revised should the viability assessment show that adoption of NDSS is unviable in Pendle.</p>	Consider amendments to policy wording pending the outcome of the updated Local Plan Viability Assessment.

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		<p>recommends that an appropriate transition period is included within the policy.</p> <p>The PPG also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, this is not just in relation to the ability to provide step-free access.</p> <p>The Council should also note that the Government response to the raising accessibility standards for new homes states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. M4(3) would continue to apply as now where there is a Local Planning policy in place and where a need has been identified and evidenced.</p> <p>The HBF considers that if the Council has the evidence to introduce this policy, it may want to consider the most appropriate way to deliver the homes they require to meet their needs. The HBF considers that this may not always be in the form of M4(3) homes, and may need further consideration.</p>		
01535 / 015 Homes Builders Federation	Policy DM22 (Housing Mix)	The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. The HBF recommends a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location and market. The HBF is concerned by how much reliance will be placed on Table DM22b, and how frequently this may be updated or superseded and what the process will be for introducing this new data. The HBF would support the Council in adding additional elements to the policy including the consideration of elements such as the current demand.	<p>Comments noted.</p> <p>The suggested approach would render the plan ineffective in addressing the assessed housing needs of the plan area. Table DM22a is to be implemented in broad terms enabling some flexibility. The policy is clear that significant departures from will need to be supported by clear evidence justifying this noting the findings of the HEDNA and absence of evidence indicating otherwise.</p>	No change.
01535 / 016 Homes Builders Federation	Policy DM23 (Affordable Housing Requirements)	The HBF supports the need to address the affordable housing requirements of the borough. The NPPF is, however, clear that the derivation of affordable housing policies must not only take account of need but also viability and deliverability. The Council should be mindful that it is unrealistic to negotiate every site on a one-by-one basis because the base-line aspiration of a policy or combination	<p>Comments noted.</p> <p>The policy is clear in its approach to the delivery of affordable housing. The variations that are applied within the policy towards affordable housing targets are based on viability evidence as published. The policy sets out clear expectations should developers wish to deviate from the policy requirements. The requirements may be revised pending the</p>	Consider amendments to policy wording pending the outcome of the updated Local Plan Viability Assessment.

Responder ID	Policy /Site Ref	Issue	Council Response	Changes to the Local Plan and/or supporting documents
		of policies is set too high as this will jeopardise future housing delivery.	outcome of the final update to the Local Plan Viability Assessment.	
01535 / 017 Homes Builders Federation	Policy DM23 (Affordable Home Ownership)	The NPPF is also clear that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. The HBF is concerned that the proposed policy will not deliver this requirement, if this is to be the case the HBF recommends that the Council provide the appropriate evidence.	Comments noted. The Council acknowledges the requirements of the NPPF in relation to affordable home ownership. However, there is clear reason to reject the implementation of this policy in Pendle owing to the unique conditions of its housing market and economic viability. This is robustly examined in the HEDNA and justified in paragraph 6.68 of the Local Plan. To implement this national requirement would mean that the Local Plan would fail to provide affordable housing of the right tenure in response to local housing needs.	No change.
01535 / 018 Homes Builders Federation	Policy DM23 (First Homes)	The policy suggests that the First Home discount rate should be based on information contained within the HEDNA, the policy suggests that a combined annual income cap of £35,000 should be applied. This is based on the evidence in sections 7.125-7.126 and Table 7.25 of the HEDNA, which is based on specific assumptions around affordability including a 10% deposit and a 3.5 times mortgage multiple. Table 7.24 which the policy suggests provides the information for a discount rate suggests a variety of discounts dependent on the number of bedrooms. However, it is noted that paragraph 7.119 is very clear that it is important that the Council ensure that any discount above 30% does not prejudice the viability of provision of rented forms of affordable housing. Whilst paragraph 7.122 states that it is not recommended to seek a higher [discount] figure unless this can be proven to not impact on overall affordable delivery. Therefore, without further consideration of the viability the HBF is unable to comment on the appropriateness of this policy.	Comments noted. The Council considers there is clear justification for this policy noting local housing market conditions. Applying the standard wage cap would render the policy ineffective in Pendle noting the lower-than-average household incomes.	No change.
01535 / 019 Homes Builders Federation	Policy DM27	The HBF would be keen to understand the evidence to support the need for custom and self-build housing in Pendle, and how it has informed the requirements of Policy DM27. The PPG ¹ sets out how custom and self-build housing needs can be assessed. The HEDNA sets out that there has been a total of 261 registered expressions of interest in a serviced plot of land, at an average of 37 plots per annum. It sets out the most popular locations are Barrowford, Fence and Nelson, with 72% of people looking for a single plot, with 6% wanting to be involved with a community self-build. The HBF does not consider that the Council has appropriate evidence to support the requirement for developers on sites of 50 dwellings or more to provide 5% of all new homes as	Comments noted. The Council has a duty to have regard to the register including in the preparation of Local Plan policies. The Council has asked landowners through its SHLAA questionnaire whether sites could be wholly, or partly, available for self-build. Noting limited site-specific opportunities, the policy takes a multi-faceted approach to securing their delivery. This includes making small scale site allocations, providing support for windfall delivery and the provision of self-build on larger sites. This helps to ensure that the plan is responsive to changes in the demand for self-build plots during the plan period.	No change.

¹ PPG ID: 67-003-20190722

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		<p>service plots for custom or self-build housing. The HBF is concerned that as currently proposed this policy will not assist in boosting the supply of housing and may even limit the deliverability of some sites and homes. The HBF considers that the Council's own evidence show that there is not a demand from custom and self-builders to live on sites within a larger residential development scheme.</p> <p>The PPG² sets out how local authorities can increase the number of planning permissions which are suitable for self and custom build housing. These include supporting neighbourhood planning groups to include sites in their plans, effective joint working, using Council owned land and working with Home England. The HBF considers that alternative policy mechanisms could be used to ensure a reliable and sufficient provision of self and custom build opportunities across the Borough including allocation of small and medium scale sites specifically for self and custom build housing and permitting self and custom build outside but adjacent to settlement boundaries on sustainable sites especially if the proposal would round off the developed form.</p>		
01535 / 020 Homes Builders Federation	Policy DM34	<p>The HBF is concerned that this policy is particularly overly onerous and unnecessary for the majority of applications. The HBF is also concerned at the potential for additional work this may create for statutory bodies and providers, and how this burden may impact on the time taken to determine actual applications. The HBF would strongly recommend that parts 1 and 2 of this policy are deleted.</p>	<p>Comments noted.</p> <p>The policy seeks to enhance the efficiency of the decision-making process. Part 1 seeks to promote discussion prior to the submission of a planning application to help overcome potential issues which might be raised during the determination of a planning application and delay issuing the decision. Part 2 is proportionate and does not apply to all schemes. This is clearly expressed in the policy text. The policy is responsive to requirements for pre-application discussions as set out in the NPPF Paragraphs 40-42.</p>	No change.
01535 / 021 Homes Builders Federation	Policy AL01	<p>The HBF has no comments on the proposed housing allocations in Policy AL01 and these representations are submitted without prejudice to any comments made by other parties. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.</p> <p>The Plan's policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver Pendle's housing requirement. This sufficiency of</p>	<p>Comments noted.</p> <p>The Council is satisfied that the range of sites allocated in Policy AL01, to meet the borough's housing requirement and identified needs is deliverable over the plan period.</p> <p>The plan makes provision for 3083 dwellings. The Local Plan therefore proposes surplus growth to 148 dpa and 124dpa. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.</p> <p>The plan meets the requirement set through the NPPF for at least 10% of planned supply being delivered at sites under 1ha.</p>	No change.

² PPG ID: 57-025-20210508

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		<p>housing land supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS), and achieve Housing Delivery Test (HDT) performance measurements. The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites and to provide flexibility and choice within the market. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible.</p> <p>The Council's overall HLS should include a short and long-term supply of sites by the identification of both strategic and non-strategic allocations for residential development. Housing delivery is optimised where a wide mix of sites is provided, therefore strategic sites should be complimented by smaller non-strategic sites. The widest possible range of sites by both size and market location are required so that small, medium and large housebuilding companies have access to suitable land to offer the widest possible range of products. A diversified portfolio of housing sites offers the widest possible range of products to households to access different types of dwellings to meet their housing needs. Housing delivery is maximised where a wide mix of sites provides choice for consumers, allows places to grow in sustainable ways, creates opportunities to diversify the construction sector, responds to changing circumstances, treats the housing requirement as a minimum rather than a maximum and provides choice / competition in the land market.</p> <p>The Council should identify at least 10% of its housing requirement on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target in line with the NPPF requirements.</p>		
01535 / 022 Homes Builders Federation	Appendix 10 Monitoring	Appendix 10 set out the policy context and relationships, it identifies key sources of evidence and performance indicators. However, the indicators do not have any actions associated with them, so it is not exactly clear how the indicators will be monitored and how it will be determined if any action needs to be taken to address issues with the delivery of the plan or what those actions may be. The HBF recommends that the Council amend the Monitoring Framework to include more details as to how the plan will actually be monitored, and identifies when, why and how actions will be taken to address any issues identified.	Comments noted. The shortcomings of Appendix 10 are acknowledged. Appendix 10 has been modified to set out a clear monitoring framework linked to the evidence base and national planning policy. Clear targets are established related to each policy, and actions identified.	Appendix 10 amended.

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01542 / 001 Canal and River Trust	Policy SP12	Draft paragraph 4.158 identifies that there will be an expectation that developers will address any adverse impacts arising from their development. Significant new developments in the vicinity of the canal network can place extra liabilities and burdens upon the waterway infrastructure and it is therefore essential that appropriate contributions are secured from developers, where necessary, in order to mitigate the impact of new development on the Trust's assets. Examples could include the need for towpath improvements to accommodate the needs of new development to prevent excessive erosion of the path, that could otherwise render it impassable to users. The main text of policy SP12 has carried forward wording from earlier drafts of the Local Plan document, which could help to ensure that risks to our infrastructure are addressed to make development acceptable. We previously raised comments at earlier stages of the Local Plan advising that the use of examples of where contributions could be sought should be included to provide more certainty to developers and decision makers over when this should apply. This is addressed in the latest draft within paragraph 4.176.	Comments noted.	No change.
01542 / 002 Canal and River Trust	Policy DM03	Water from our waterways may be used for heating and cooling new and existing developments. As an example, the Trust calculate that the water flowing through our waterways contains enough thermal energy to produce approximately 640 MW of energy, enough to heat and cool 350,000 homes in the UK for a year. The policy text includes the potential for water source heat pumps, which would help to guide developers and decision makers to this potential source of low carbon energy, which could help make the plan more effective in meeting the overarching aims of encouraging the use of sustainable energy resources.	Comments noted.	No change.
01542 / 003 Canal and River Trust	Policy DM05	Our waterways form part of the wider strategic green (and blue) infrastructure network within Pendle. The Trust encourage efforts to help protect and enhance biodiversity associated with our network. The text of this policy has been revised from the earlier draft of the Local Plan, where this policy was known as ENV13. The revision to the policy wording takes account of the Lancashire Local Nature Recovery Strategy (LNRS), which would help to avoid repetition between policy documents. Part a) of this policy makes reference to 'buffer zones'. It would help if the explanatory text was expanded to provide more certainty to developers over what would constitute a buffer zone, as this is not defined within the Local Plan.	Buffer Zones are not possible to define as they vary in terms of their purpose and extent.	No change.

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		Failure to account for this could mean that the policy might not apply where it should upon developments in proximity to ecological networks where debate exists as to whether the site is in a buffer zone or not. The wording could also be made more effective by including examples of how buffer zones should be protected or enhanced, so that it is clearer to developers and decision makers over what the Policy requires.		
01542 / 004 Canal and River Trust	Policy DM06	Paragraph 5.100 seeks to define Green Infrastructure utilising the definition from the National Planning Policy Framework (NPPF). The wording provided, however, differs from that in the glossary of the NPPF (page 69). To avoid confusion, we request that the wording in the Local Plan is amended to match that in the NPPF. The NPPF definition includes a slightly wider definition, including blue spaces. Cross reference to this would help make the Local Plan more effective in ensuring that decision makers are aware of the full range of Green Infrastructure assets over which Policy DM06 seeks to apply.	Comments noted. The Council recognises that the wording of Paragraph 5.100 does not reflect the full definition of Green Infrastructure as set out in the glossary of the NPPF. The wording will be updated to reflect this.	The definition of Green Infrastructure in paragraph 5.100 (now 5.110) has been altered to reflect the definition set out on in the Glossary of the NPPF: 'A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity'
01542 / 005 Canal and River Trust	Policy DM10	Waterside locations are unique and new development needs to fully reflect their settings in terms of heritage, environmental and infrastructure impacts to ensure that full advantage can be made of such features. Reference is made in part 6 (a) of this policy to watercourses being an aspect of landscape character that should be conserved and enhanced. This wording should help to make the Local Plan more effective in ensuring the decision makers take full account of the impact on waterside locations, including the Leeds and Liverpool Canal.	Support noted.	No change.
01542 / 006 Canal and River Trust	Policy DM13 and Policy DM14	Wording on these policies has been carried forward from earlier iterations of the Local Plan. The Trust remain of the opinion that the wording remains effective and would help to ensure that risks to our network are addressed.	Support noted.	No change.
01542 / 007 Canal and River Trust	Policy DM16	The policy wording has been expanded from earlier iterations of the Local Plan, to provide more guidance on good design practice; such as the location of bin stores etc. This could make the Plan more effective in providing more certainty to developers and decision makers over what is expected. It could also help benefit our network, by ensuring that good design practice is followed as viewed from all public areas, including our network.	Support noted.	No change.
01542 / 008 Canal and River Trust	Policy DM19	The aspirations of this policy should help to ensure that consideration is given towards the design of new development and the creation of new positive spaces. We believe that it is essential that the document provides guidance and certainty to developers and decision makers over how waterfront spaces should be incorporated into	Support the proposed amendment. The canal passes through a wide variety of settings along its route through the borough. The Council wishes to support regeneration at suitable sites close to the canal, whilst maintaining its character and setting.	Amend the wording of paragraph 1 (e) to read: 'Maintaining the greenspace setting of the canal, as appropriate'

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		<p>new development. Waterfront areas feature unique characteristics as a setting for development and form key areas for leisure, recreation and tourism. There are specific needs to ensure that development integrates positively with waterways, ensuring that development is designed to improve access to, along and from the waterway; and ensuring development optimises natural surveillance of the waterway.</p> <p>The general policy wording as proposed would help to address these needs, which would make the plan more effective by ensuring that decision makers and developers are made aware on how waterside spaces should be addressed by new development proposals.</p> <p>The latest drafting of this policy does include wording seeking including a requirement for development to maintain the greenspace character of the canal. Whilst we support the general aspirations of this part of the policy, we request that additional text should be included to say that the greenspace character should be retained “where appropriate”. This would be necessary to ensure that canalside regeneration in urban areas, where opportunities for open space areas next to the canal or additional surveillance are not curtailed by a requirement to retain Brownfield sites that have become overgrown.</p>		
01542 / 009 Canal and River Trust	Policy DM19 Paragraph 5	<p>Under part 5 of the policy, which refers to the need for new marinas/offside moorings to demonstrate the capacity and adequacy of existing infrastructure, we request that this is expanded to include reference to the availability of water resources. This is a key consideration in assessing the principle of new marinas or mooring sites, and reference to this would make the plan more effective in highlighting this key issue to prospective developers and decision makers. Suggested wording is provided below:</p> <p>“In addition, applications for new marinas /offline moorings will be required to address ... (b) The capacity and adequacy of existing infrastructure to accommodate the development, including the availability of sufficient water resources”.</p> <p>Paragraph 5.278 refers to the existing 4 step application process for off-line moorings and marinas, including a hyperlink to our web pages. The hyperlink and reference to the Trust could help provide good assistance to prospective developers. We do request, however, that the wording is amended to remove reference to the 4-step application process. This is to avoid any confusion should the method of our internal assessment change during the period covered by the Local Plan. We suggest that this sentence is</p>	<p>Support the proposed amendments.</p> <p>The Council is keen to future proof the Local Plan as far as possible by avoiding specific references which may not endure through to the end of the plan period.</p>	<p>Amend paragraph 5(b) of the policy to add: ... including the availability of sufficient water resources</p> <p>Paragraph 5.278 (now 5.290) of the supporting text amended to reference ‘the application process’ with link retained.</p>

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		removed, and provision of the hyperlink provided elsewhere in this para.		
01542 / 010 Canal and River Trust	Policy DM32	<p>The Trust's towpath network provides an important walking and cycling route in Pendle, which provides a linear route providing car free access to communities in the district; as well as providing a space for active exercise.</p> <p>The content of this policy has potential to help ensure that development in proximity to our towpath network is designed to promote passive surveillance and improvements to the setting of the existing walking/cycling route. As mentioned in our response to policy SP12, significant new developments in the vicinity of existing walking and cycling routes can place extra liabilities and burdens upon the walking route, and it is therefore essential that appropriate contributions are secured from developers, where necessary, in order to mitigate the impact of new development on these. Examples could include the need for footpath improvements to accommodate the needs of new development to prevent excessive erosion of the path, that could otherwise render it impassable to users. This risk could be effectively addressed by making reference to the need for appropriate and proportionate contributions within the supporting text to ensure that improvements referred to within part 2 of the policy can be effectively undertaken.</p>	<p>Comments noted.</p> <p>Paragraph 6.157 references the role of planning obligations for maintaining footpath and cycling infrastructure.</p>	No change.
01542 / 011 Canal and River Trust	Policy DM45	The wording of part 2 e. of this policy would help to ensure that the canal corridor benefits from additional use, which could help to facilitate both active use of the waterways, encourage physical activity and could help promote economic regeneration taking advantage of existing heritage facilities.	Comments noted.	No change.
01542 / 012 Canal and River Trust	Policy AL01 Site P237	This allocated site lies to the immediate west of the Leeds and Liverpool Canal. The Site Specific Requirements would help to ensure that development responds positively to the canal, which would help to encourage active surveillance and active use of the waterway. This could also help ensure that new users realise the wellbeing benefits of being sited in proximity to our waterway. Compared to earlier iterations of the Local Plan, the latest wording is more robust in encouraging dwellings to positively address the Canal (as described in part 3 of the requirements). This will provide more certainty to developers and decision makers over the expected form of development.	Comments noted.	No change.
01542 / 013 Canal and River Trust	General	The Trust is referred to within the latest draft. However, we do note that we have been referred to as both the Canal and River Trust and the Canal and Rivers Trust (e.g. paragraphs 5.265 and 5.278 respectively). We request that	<p>Support the proposed amendment.</p> <p>The use of an ampersand is usually avoided as it does not comply with accessibility guidelines, particularly for online</p>	All references in the Local Plan and supporting documents amended to read Canal & River Trust.

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		<p>the Trust should be referenced as the Canal & River Trust throughout the document (including use of the ampersand symbol), which is consistent with our registered name. This should help avoid any confusion.</p>	<p>content. However, all references will be amended to read Canal & River Trust, as this is a registered title.</p>	
<p>01565 / 001 WJVM (for Foster Road landowners)</p>	<p>Policy DM20</p>	<p>(a) The Failure to Co-ordinate Economic and Housing Growth</p> <p>§1.21 of the dPLP contains key objectives that include, “Stimulate economic and housing growth.”</p> <p>At page 27, dPLP objectives 5 and 6 are recorded as;</p> <p>“Deliver quality housing that is both appropriate and affordable for current and future residents, contributing to the creation of a balanced housing market. Strengthen the resilience of the local economy by facilitating economic growth, particularly where it supports diversification and regeneration.” Those objectives go hand in hand. A failure to deliver an appropriate level of housing growth (as assessed in the Council’s own evidence base) will, “either stifle local economic growth, which is contrary to the NPPF or result in more people commuting into the borough than before” (§6.111 of the HEDNA).</p> <p>Provision at the level of 140dpa is unsupported by the Council’s own evidence base (the HEDNA recommending an identification of need equating to 270dpa), and according to the HEDNA risks harmful consequences, i.e.;</p> <ul style="list-style-type: none"> • stifling the economy, • resulting in greater levels of in-commuting. <p>Insofar as the dPLP seeks to justify the provision of a level of housing that is not supported by its own evidence (within the HEDNA), that justification is without merit.</p> <p>Not all of the Borough is constrained. Greenfield development opportunities (that are viable) are available in sustainable locations (next to settlements), and may be developed with limited harmful impacts. The dPLP has adopted an approach that largely discounts such opportunities with the real risk of undermining its own economic growth objectives (or alternatively encouraging greater levels of in-commuting). The Objector’s Site is under one ownership and is available for development. It suffers from no constraint in terms of development. It is deliverable. The Objector has taken on board the findings of the inspector in the appeal decision dated 29 April 2022. By reference to changes in the Site’s context (development to the north of the Site), and a reduced level of development (around 57 new dwellings), impact of the Site’s development on the character and appearance of the area is acceptable. The Site’s development causes no harm to any other interest and is not constrained by matters such as</p>	<p>As required by paragraph 61 of the 2023 NPPF the housing requirement has been “informed by a local housing need assessment, conducted using the SM in national planning guidance.”</p> <p>The initial housing requirement of 140 dwellings per annum (dpa), set out in the Regulation 18 draft of the Pendle Local Plan Fourth Edition, was based on the governments Standard Method (SM) figure when work on the plan commenced in early 2022. It has now been updated to reflect analysis that is based on newly available data.</p> <p>The 2021 Census was carried out during the COVID-19 lockdown and there is significant uncertainty about some of the results. This is particularly true for the demographic data relating to Pendle, which is heavily influenced by international migration. The population growth experienced between the 2011 and 2021 Census is considerably higher than was anticipated by the Sub-National Population Projections (SNPP), yet over the same period household growth is significantly lower than the figure anticipated by the 2014-based Household Projections and actual housing completion rates.</p> <p>The Housing and Economic Development Needs Assessment (HEDNA) (Iceni Projects, 2023) addresses this matter but is unable to reach a clear conclusion given the complexities of the situation. In the absence of alternative evidence. The Council therefore resolved to use the SM figure as the basis for plan-making in the borough.</p> <p>Following the conclusion of the Regulation 18 public consultation, the Council has updated its evidence on local housing need. The Pendle Housing Need Review (Iceni Projects, 2024) reveals that the SM figure for Pendle has now reduced to 124 dpa. Further demographic analysis, not accounted for within the SM calculation, supports an uplift of this baseline figure to 148 dpa, which caters for the full demographic needs of the borough including an adjustment in response to affordability indicators.</p> <p>The report also considers the level of housing required to deliver projected economic growth, concluding that an annual housing requirement of 230 dpa would be needed. The report highlights that economic activity rates in Pendle are significantly lower than the regional average. In response, a sensitivity test based on improving economic activity rates was carried out. This concludes that an annual housing</p>	<p>The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.</p> <p>Supporting text to be revised to reflect this update and more recent evidence.</p>

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		<p>Green Belt policy, topography, flood risk or highway capacity. The location provides for a sustainable residential development. The Site is adjacent to the existing settlement east off Foster Road, to the south adjacent to housing off Fernbank Avenue, and north to the extended urban settlement boundary off Brogden Lane. It is suitable for development.</p> <p>As identified by the Council’s own evidence (the HEDNA), provision of housing at the level of 140dpa will risk stifling economic growth. There is no competing evidence on which to reach any different conclusion. The fact that employment land development is currently taking place (as it will be at all times) does not address the imbalance in the dPLP between economic and housing growth. The strategy of the dPLP is for the plan period. Over the plan period, there is a failure to match economic growth with housing growth. The HEDNA takes into account increased economic activity amongst the Borough’s population. Having taken into account that increase, it concludes that provision of 140dpa risks stifling the economy (and recommends a level of provision of 270dpa). There is no evidence at all that a low level of housing provision (around half that recommended by the HEDNA) will reduce levels of out-commuting. On the contrary, the HEDNA considers that housing provision at that level risks an increase in in-commuting (thereby exacerbating greenhouse gas emissions).</p> <p>The dPLP is inconsistent with and fails to reflect the findings of the HEDNA in respect of demographic trends. The dPLP looked at a wide range of demographic data (and not just census results) and concluded that;</p> <p>“...taking everything in the round it is considered that the 5-year trend (MYE) is probably the best of the scenarios in methodological and data terms.”</p> <p>Use of the 5-year trend led to the conclusion in the HEDNA that;</p> <p>“...a reasonable demographic position might arguably be somewhere in the range from the Standard Method and the 315 dwellings per annum...” (at §6.72)</p> <p>The dPLP wholly fails to reflect those conclusions set out within the HEDNA.</p> <p>The HEDNA assessed current levels of need for affordable housing. There is a significant need, “equal to 288 dpa representing 206% of assessed needs (at 140 dpa)” (§6.33 of the dPLP).</p> <p>The Council has chosen not to increase the housing requirement in the Borough (above 140dpa) in order to</p>	<p>requirement as low as 144 dpa would be appropriate were there to be modest increases in economic activity rates.</p> <p>Improving economic activity rates is a government priority. Programmes supported through the UK Shared Prosperity Fund, and those that are proposed, give the Council confidence that economic activity rates in Pendle will improve during the plan period. In these circumstances an annual housing requirement of 230 dpa would lead to an oversupply within the labour force, failing to achieve the necessary balance between housing and employment growth that is required by the NPPF.</p> <p>Lomeshaye Phase 2, the borough’s strategic employment site and major contributor towards projected economic growth, is unlikely to be progressed in the first five years of the Local Plan. The adoption of the proposed housing requirement is therefore unlikely to constrain economic growth at least in the early part of the plan period.</p> <p>The lead-in time for Lomeshaye Phase 2 provides an opportunity for the impacts of the plan and other policies on economic growth, labour supply, and economic activity rates to be monitored using the indicators set out in Appendix 10 of the Local Plan. The NPPF requires local planning authorities to review their plans every five years. This will require the Council to review the housing requirement in light of monitoring information and ahead of the delivery Lomeshaye Phase 2.</p> <p>The HEDNA and its 2024 update are just one part of the Council’s evidence base. There are environmental and topographical constraints impeding the delivery of future housing growth. Large areas of the borough are subject to NPPF policies that seek to protect areas or assets of particular importance, as listed in footnote 7 to paragraph 11. Approximately 35% of the land in the borough (5,993 ha) is covered by an environmental designation listed in footnote 7.</p> <p>The Council is satisfied that projected economic growth can be achieved and adequately supported by the adoption of the demographic-based annual housing requirement of 148 dpa, which represents a 24 dpa (20%) uplift on the government’s SM baseline figure. Furthermore the flexibility built into the draft Local Plan can support the delivery of up to 162 dpa, confirming that 148 dpa is the minimum figure for housing delivery.</p> <p>Poor viability experienced across much of the borough means that very little affordable housing comes forward through market-led provision. Instead affordable housing is provided through grant funded schemes. The Council’s returns regarding affordable housing delivery illustrate this position. Given this context, it is concluded that an uplift to the</p>	

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		<p>help address that substantial need for affordable housing for 2 reasons;</p> <p>The Council does not produce a 'net need' figure below 288dpa, and does not assess how much of the identified need of 288dpa (if any) is already being addressed by existing accommodation, and,</p> <p>For those in urgent need of affordable housing, the provision of a dwelling is critical. The suggestion that low levels only will be provided is no reason to discount that need.</p>	<p>housing requirement in response to affordable housing need would not be effective or justified.</p> <p>Housing delivery in the previous 5-years does not reflect the rate of development that would be anticipated across the full cycle of a plan period. Delivery in recent years has been increased owing to the Council's previous position of not being able to demonstrate a five year supply of housing land. Delivery has been further increased by provision at 100% affordable housing sites which are not subject to market conditions.</p> <p>Comments regarding the omission site P055 Foster Road, Barnoldswick are noted, however the Council's position on the site remains unchanged taking into account the findings of the Inspector at the recent appeal.</p>	
01565 / 002 WJVM (for Foster Road landowners)	Policy AL01	<p>Table 8.1 and Fig 8.1 of the dPLP (pp241/242) demonstrate that:</p> <p>(i) there is no flexibility in the supply of housing made by the dPLP in order to address even the inadequate requirement of 140dpa, and,</p> <p>(ii) that lack of flexibility is demonstrated and compounded by the substantial (almost sole) reliance on windfall sites for the delivery of housing for the last 5 years of plan.</p>	<p>Comments noted.</p> <p>The Council does not agree with this assertion and notes the absence of supporting evidence to challenge the Council's position.</p> <p>The plan makes provision for 3083 dwellings. This is in excess of the adjusted plan requirement of 148 dpa and 722 dwellings in excess of that required to meet the standard method figure of 124dpa. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.</p> <p>There is no requirement in national policy for the Council to identify a specific supply of housing land beyond years 1 to 10 of the plan period (see NPPF, paragraph 68).</p>	No change.
01575 / 001 McCarthy and Stone (The Planning Bureau)	Policy SP06 (Part 1)	<p>The introduction of the embodied carbon element of the policy at point 1 must not be so inflexible that it introduces a financial burden and deems sites unviable. The Council should note that new development will often be far more sustainable in many circumstances including building fabric and by use of modern methods of construction but also extending beyond that, such as sustainability through optimisation of use of a site. The Council also need to verify that embodied carbon figures are available to developers from suppliers through an Environmental Product Declaration as in our experience this is not yet readily available from the majority of suppliers.</p>	<p>The Council agrees that the wording of Part 1 of Policy SP06 as set out is unclear and did not provide added value to Paragraph 4.55.</p>	Part 1 deleted.
01575 / 002	Policy SP06 (Part 2)	<p>It is unclear what the phrase 'premises should meet the highest technically feasible and financially viable standards and minimise their effects on climate change across the</p>	<p>Comments noted.</p> <p>The policy addresses the need for development proposals to respond to, and account for, climate change through the</p>	No change.

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McCarthy and Stone (The Planning Bureau)		<p>whole life cycle of the development’ at Point 2 means. Does the highest technical standard mean in line with the Building Regulations or a greater requirement? This point should be clarified. Any requirement should be ‘stepped’ in line with Government targets and the proposed changes to the Building Regulations. This is more desirable as there is considerable momentum from Government in preparing enhanced sustainability standards and it is clear the energy efficiency requirements for domestic and nondomestic buildings will increase sharply in the coming years. Aligning the Council’s requirement for carbon neutral development with those of Government would therefore be pragmatic and more achievable. Were the Council to seek a higher standard from new development from the point of the Local Plan’s adoption then we would remind the Council to include the uplift in build costs for delivering net zero within any update to the Local Plan viability assessment.</p>	<p>design process. Part 2 (now part 1) of the policy text is closely linked with part 6 (now part 5), which sets out the requirement for applicants to submit an energy statement for major development sites. These requirements support of the ambition of the policy which is to secure the transition towards net zero carbon and reflect the fact that significant progress needs to be made in a relatively short period of time if the UK is to achieve its ambitious commitment to be net zero by 2050, a commitment that is enshrined in law.</p>	
01575 / 003 McCarthy and Stone (The Planning Bureau)	Policy SP06 (Part 5)	<p>The Council should note with respect to requiring HQM Mark and Passivhaus standards para 001 Reference ID: 56-001-20150327 para 002 Reference ID: 56-002-20160519 As such the requirement for HQM and Passivhaus goes beyond the housing optional technical standards and should be deleted or flexibility and / or clarification applied to the policy.</p>	<p>Comments noted</p> <p>The policy is concerned with moving towards zero carbon development. Passivhaus and the BRE Home Quality Mark are two examples of standards that are currently widely recognised as pioneering low-carbon development. Domestic sources account for around one-third of Pende’s annual emissions. Tackling this at source is critical to meeting the Government’s net zero carbon targets. The policy is flexibly worded to recognise that its on-site delivery will not always be viable.</p>	No change.
01575 / 004 McCarthy and Stone (The Planning Bureau)	Policy SP06 (Part 6)	<p>The Council will be aware of the increased emphasis on Local Plan viability testing in Paragraph 58 of the NPPF and that the PPG (Paragraph: 002 Reference ID: 10-002-20190509). The evidence underpinning the Council’s policy requirements should therefore be robust and be used to form deliverable and realistic policies.</p> <p>Policy requirements should not be relying on a viability assessment at the planning application stage and point 6 should be amended to amended to read: ‘Residential and mixed-use developments incorporating ten dwellings or more, or in excess of 1,000m2 gross floorspace, will be required to submit an energy statement. This should show how, the energy hierarchy has been used to make the fullest contribution to reducing greenhouse gas emissions’.</p>	<p>Agree.</p>	<p>Policy SP06 paragraph 6 revised to read: ‘Residential and mixed-use developments incorporating ten dwellings or more, or in excess of 1,000m2 gross floorspace, will be required to submit an energy statement. This should show how, the energy hierarchy has been used to make the fullest contribution to reducing greenhouse gas emissions.’</p>
01575 / 005	Policy DM04	<p>The Council should note that section 7.4 of the Natural England Biodiversity Metric 4.0 user guide (‘the Metric’), March 2023 identifies a spatial risk multiplier that ‘reflects</p>	<p>Comments noted.</p> <p>The policy promotes the provision of compensatory measures at locations close to the development site so that they benefit</p>	<p>Part 4 amended to make clear that ‘applicants are encouraged’</p>

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McCarthy and Stone (The Planning Bureau)		<p>the relationship between the location of on-site biodiversity loss and the location of off-site habitat compensation' (para 7.4.2). Para 7.4.2 confirms that: 'It affects the number of biodiversity units provided to a project by penalising proposals where off-site habitat is located at distance from the impact site'. Table 7.1 of the Metric then identifies the spatial risk score to be used for each habitat group depending on the location of the compensation site in comparison to the development site. For example, within the Local Planning Authority (LPA) Area or National Character Area (NCA) of the impact site the spatial risk score would be 1, if the compensation is outside LPA or NCA of impact site, but in neighbouring LPA or NCA the spatial risk score is 0.75. The Metric therefore already accommodates the distance away from the development site that the off-site BNG is proposed, with more BNG units being required the further away the compensation site is from the development site.</p> <p>Introducing a more onerous sequential test with regard to the locational requirements of off-site BNG, beyond that provided for within the Metric, could add additional unnecessary financial burden that has not been considered within the Viability Assessment. The policy also seems to remove the ability for BNG to be delivered in the NCA or for a developer to be able to use national statutory credits scheme. Until the BNG market is developed it is difficult to know if the sequential approach recommended is feasible. Unless the Council have an active strategy for delivering BNG within the Borough the requirement is unreasonable and contrary to national requirements and legislation. The Council should therefore remove the local sequential approach requirement and conservation credit requirement detailed in point 4 and instead rely on national policy. The Council must also ensure that a realistic cost of BNG is included within any updated Viability Assessment especially given the high cost of statutory credits that have recently been published by the Government. In addition to the above the Council should note that point 6 and 9 of the policy should be deleted as the points either cover information already in legislation or just confirm the legislative timescales.</p>	<p>the community affected and minimise any impacts on the wider ecological network. The Council does not consider that highlighting the Council's preferred approach or dealing with off-site provision is contrary to the regulations covering BNG. The policy text is flexibly worded to enable off-site provision outside the immediate vicinity of the development site. However the wording will be amended to make it clearer that part 4 is a preferred approach and not a requirement.</p> <p>The policy also recognises the role of statutory credits as set out in part 5.</p> <p>Part 6 is acknowledged to be out of date and will be deleted.</p> <p>Former part 9 (now part 8) will be retained to provide clarity to applicants who are not aware of the requirements relating to BNG.</p>	Paragraph 6 deleted.
01575 / 006 McCarthy and Stone (The Planning Bureau)	Policy DM07 (Part 17)	Policy DM07 seeks to avoid the loss of non-protected trees, woodland or hedgerows, and if loss is proposed an assessment of the Tree is required. If loss is unavoidable replacement or compensation is required. Point 17 requires for 'each tree lost, the provision of 2 replacement trees' or a commuted sum. The Council should note however that Para 131 of NPPF with respect to trees states 'that existing trees are retained wherever possible'. The policy therefore	<p>Comments noted.</p> <p>Trees provide benefits in mitigating and tackling climate change, as well as positively contributing towards health and wellbeing, and townscape/landscapes. Pendle has a lower level of woodland coverage than the national average.</p> <p>The policy provides flexibility by making an allowance for off-site contributions where replacement is not feasible on-site.</p>	No change.

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		as currently written goes beyond the NPPF. It will often be impractical to delivery 2 trees for every 1 lost on site and flexibility must be provided within the policy to be consistent with national policy.	The policy confirms that such provision can contribute to the BNG requirements set through Policy DM04.	
01575 / 007 McCarthy and Stone (The Planning Bureau)	Policy DM23 (Viability Assessment)	<p>We note that consultation has been published without an up-to-date viability assessment with the one available being dated December 2019. It is therefore difficult to ascertain if any of the options put forward are realistic or deliverable. We advise that by limiting scrutiny of the Local Plan Viability Assessment the Council is reducing the opportunities for comment on a crucial element of the evidence base that will inform policy and deliverability directly and the Local Plan would be less robust as a consequence.</p> <p>To support the variable affordable target the Council has undertaken a Viability Study entitled Pendle Borough Council, Local Plan Viability Assessment (Lambert Smith Hampton, December 2019) ('Viability Assessment'). Although this is out of date, this representation is drafted based on this 2019 study.</p> <p>As part of the Viability Assessment, we note that older person's housing has been tested and this concludes at para 8.14 that 'Fig. 8.9 demonstrates that based on current values and construction costs, an older persons apartment development on a Brownfield site (35 units) in the M65 Corridor market area is unviable. The sensitivity analysis identified that very significant price growth and/or cost savings will be necessary for such development to become viable'. A similar conclusion is then drawn in a separate geographical area in par 8.33, Fig. 8.26. For each scenario test a negative residual land value has occurred for older persons housing.</p> <p>We would remind the Council of the increased emphasis on Local Plan viability testing in Paragraph 58 of the NPPF and PPG. The Viability Assessment must therefore be updated, once updated / drafted this must be consulted on alongside any affordable housing requirement to be set prior to any submission draft being published. We would also like to remind the Council that the viability of specialist housing for older people is more finely balanced than 'general needs' housing, as shown by the 'Viability Assessment' and we are strongly of the view that these housing typologies should be robustly assessed in the updated Local Plan Viability Assessment in a similar way as it was in the 2019 Assessment. This would accord with the typology approach detailed in Paragraph: 004 (Reference ID: 10-004-20190509) of the PPG.</p>	<p>Comments noted.</p> <p>An update of the Local Plan Viability Assessment will be commissioned and the Local Plan and supporting evidence updated as necessary prior to publication of the final draft.</p>	No direct changes.

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		<p>In undertaking a typology approach to an updated Viability Assessment we would direct the Council towards the Retirement Housing Consortium paper entitled 'A briefing note on viability prepared for Retirement Housing Group by Three Dragons, May 2013 (updated February 2013 ('RHG Briefing Note'))</p> <p>available from https://retirementhousinggroup.com/rhg/wp-content/uploads/2017/01/CIL-viabilityappraisal-issues-RHG-February-2016.pdf. The RHG Briefing Note establishes how sheltered housing and extra care development differs from mainstream housing and looks at the key variables and assumptions that can affect the viability of specialist housing for older people. These key variables include unit size, unit numbers and GIA, non-saleable communal space, empty property costs, external build cost, sales values, build costs, marketing costs and sales periods. It should be noted though that the RHG Practice Note is under active review, and we would hope that a revised version is issued in the next few months.</p>		
01575 / 008 McCarthy and Stone (The Planning Bureau)	Policy DM23 (Part 3)	<p>If the Council still intend to rely on their 2019 Viability Assessment, requiring such sites to deliver affordable housing or requiring a viability study through the application stage is contrary to PPG. The affordable housing requirement should be removed from older person's housing to ensure the Local Plan is in accordance with national policy. Any affordable housing requirement creates an unrealistic over aspirational policy requirement that will undermine deliverability. The plan as written, will not deliver sites for older peoples housing in line with need without further viability assessment and is therefore not justified or effective. In addition, any affordable housing requirement would no doubt result in protracted discussion at the decision making stage which would be contrary to the PPG and hinder the delivery of the Local Plan objectives.</p> <p>Add / amend point 3 to add 'The Viability Assessment concludes that affordable housing is not viable and more challenging for older persons housing. Therefore, given the large need for older person's housing, Policy DM23 does not apply to specialist housing for older people falling into either the C2 or C3 use class.'</p>	<p>Comments noted.</p> <p>The policy reflects local evidence of viability. The policy will be reviewed if necessary pending the completion of the review to the Local Plan Viability Assessment.</p>	No change proposed at this time.
01575 / 009 McCarthy and Stone (The Planning Bureau)	Policy DM28	We support policy DM28 point 3 in its support for older persons housing.	Support noted.	<p>Policy DM28 has been amended to provide for a decision making from for Older Person Housing and Assisted Living.</p> <p>Policy text revised to:</p> <p>3. 'The diverse housing needs of people in the borough will be supported by delivering specific forms of</p>

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				<p>residential accommodation across all tenures. The Council will support proposals where they:</p> <ul style="list-style-type: none"> a) Adapt or extend existing residential properties to meet the needs of older people and those with disabilities. b) Are new developments situations within a defined settlement boundary, in a location that is well-connected to local services, community and support facilities, and shops by walking, cycling and public transport, enabling residents to live independently as part of the community. c) Are compatible with neighbouring land-uses and contribute to a mixed and inclusive locality by meeting an identified local need. d) Provide sufficient off-street parking for staff, visitors and where relevant residents (including suitable pick-up and drop-off facilities close to the principal entrance for taxis, minibuses and ambulances). e) Include areas of open space for the exclusive use of residents and visitors. f) Are on sites allocated in Policy AL01 or an adopted Neighbourhood Plan where this would provide a sustainable development.'
01620 / 001 Barley-with-Wheatley Booth Parish Council	General	Barley with Wheatley Booth Parish Council welcomes and supports the Pendle Local Plan 4th Edition and in particular the policies which strengthen protection of the AONB and the open countryside. The Council also welcomes the confirmation of settlement boundaries remaining largely unchanged as the plan seeks to prevent the coalescence of settlements and maintain the predominantly open and undeveloped character of the open countryside.	Support noted.	No change
01620 / 002 Barley-with-Wheatley Booth Parish Council	Policy DM09	The Council also welcomes Policy DM09 (Open Countryside), particularly Item 4 which states that new development "should not lead to the coalescence of settlements defined in SP02". This should reduce the incidence of development outside of settlement boundaries, hopefully restricting any further developments at the west end of Roughlee which has allowed building to creep towards Whitehough and Barley in recent times.	Support noted.	No change.
01620 / 003 Barley-with-Wheatley Booth Parish Council	Policy DM11	The specific inclusion of the Pendleside village settlements of Barley, Newchurch, Roughlee and Spenbrook within the AONB Policy DM11 will hopefully ensure "great weight will to be given to the conservation and enhancement of landscape character; the natural environment; wildlife; cultural heritage and the historic environment" and protect all the villages from inappropriate and major developments.	Support noted.	No change.

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01620 / 004 Barley-with-Wheatley Booth Parish Council	Policy DM21	The Council are pleased to see that emphasis on good design (DM21) will be sought in all developments and that assessment criteria will go beyond appearance to include the built and natural character and context of their surroundings and that guidance is given regarding the density of dwellings per hectare.	Support noted. Policy DM21 relates to the design quality of new homes. Policy DM16 applies more generally to all types of development.	No change.
01620 / 005 Barley-with-Wheatley Booth Parish Council	Policy DM26	The link to housing in the countryside (DM26) and dwellings of exceptional and innovative design should mean that only developments to a very high standard will be permitted in the open countryside. Requested Amendment The Parish Council notes that there is references to a "local need" within the document and our request would be that Parish Councils are identified as having an input in to deciding what is a local need.	Comments noted. As a statutory consultee, the Parish Council will have the opportunity to comment on proposals submitted within their administrative area as part of the Development Management process which considers applications for planning permission. Policy DM23 is clear on the role that a Parish Survey or Neighbourhood Plan has in demonstrating the need for proposals brought forward outside a designated settlement boundary to provide affordable housing on 'rural exception' sites.	No change.
01644 / 001 Colne Town Council	Paragraph 4.61 / Policy DM03	Colne Town Council also supports green energy but wishes to state that it will not support developments that conflict with any of the Significant Views described within its Neighbourhood Plan. The setting of Colne, which is provided by the upland landscape surrounding the town is a very important element of our townscape.	Comments noted. The Local Plan will only supersede policies in the Colne Neighbourhood Development Plan (CNDP) , where there is a direct conflict relating to strategic matters. Proposals for development submitted within the designated neighbourhood area will continue to be determined in accordance with policies of the CNDP.	No change.
01644 / 002 Colne Town Council	Policy SP09	The Town Council welcomes protection for our historic environment and supports this policy wholeheartedly.	Support noted.	No change.
01644 / 003 Colne Town Council	Policy SP10	The Town Council supports Healthy and Vibrant Communities, especially para 4.131 and it designated 20 Local Green Spaces in its Neighbourhood Plan. We now look to Pendle Council to designate a further three sites via its Local Plan.	Comments noted. See the Local Green Space Assessment for further information about the designated and potential LGS sites in Colne.	No direct changes.
01644 / 004 Colne Town Council	Policy SP11	The Town Council supports this Transport and Connectivity Policy and are especially pleased to see Policy 9 which recognises that topography, rather than distance can make some developments reliant on the car. In para 4.137 we support the re-opening of the Colne-Skipton Railway line, which would transform our town.	Support noted.	No change.
01644 / 005 Colne Town Council	Policy SP12	The Town Council supports this policy and would be especially pleased to see CIL being potentially introduced for viable developments.	Support noted. There are no plans at present to introduce a CIL in Pendle.	No change.
01644 / 006 Colne Town Council	Policy DM01	DM01 We support renewable energy and believe there are potential opportunities for geo-thermal energy in former	Comments noted. Poor economic viability is a significant barrier to the Council imposing optional energy rating systems on new	No change.

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		mine workings in Waterside, as well as limited solar adjoining an industrial area in South Valley. 5.20 Re the encouragement of optional energy rating systems, how can this be made more likely to be adopted? Perhaps by mandating for all developments over 25 houses, where there would be significant economies of scale?	development proposals. To do so would not be consistent with national planning policy as outlined in the NPPF.	
01644 / 007 Colne Town Council	Policy DM04	DM04 Colne Town Council supports these policies on Biodiversity Net Gain.	Support noted.	No change.
01644 / 008 Colne Town Council	Policy DM05	The Council would appreciate a separate ecological network map of Colne, so it can work with Pendle Council on specific sites and on connecting sites (para 5.98).	Comments noted. Ecological networks extend across administrative boundaries and their true value can only be appreciated when viewed in their wider context. The Local Nature Recovery Network will cover the entirety of Lancashire with strong cross boundary linkages with neighbouring areas also taken into account.	No change.
01644 / 009 Colne Town Council	Policy DM06	The Town Council supports the green infrastructure policies in DM06	Support noted.	No change.
01644 / 010 Colne Town Council	Policy DM07	The Town Council supports this policy area on Trees and Hedgerows.	Support noted.	No change.
01644 / 011 Colne Town Council	Policy DM09	The Town Council fully supports policy DM09 on Open Countryside.	Support noted.	No change.
01644 / 012 Colne Town Council	Policy DM10	DM10 on Landscape Character is also fully supported and our Neighbourhood Plan has already identified those important vistas that pertain to Colne.	Support and comments noted.	No change.
01644 / 013 Colne Town Council	Policy DM12	The Town Council has made three applications for Local Green Space under policy DM12. These are sites not designated as Local Green Spaces in the Colne Neighbourhood Plan, though one (the Upper Rough) has been independently examined as part of our Neighbourhood Plan and fulfilled all the criteria of para 102 of the NPPF.	Comments noted. See the Local Green Space Assessment for further information about the designated and potential LGS sites in Colne.	No direct changes.
01644 / 014 Colne Town Council	Policy DM16	The Town Council supports the policies contained within DM16 on Design and Placemaking and considers them very important to Pendle retaining its distinctive identity. To attempt to ensure Colne remains Bonnie, we have formulated a Design Code and Materials Palette for Colne within our Neighbourhood Plan.	Support and comments noted.	No change.

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01644 / 015 Colne Town Council	Policy DM18	Preserving heritage is one of the central tenets of our Neighbourhood Plan, so it is good to see this concern reflected in DM18. As we have developed an extensive list of Non-Designated Heritage Assets, we would wish this document to be included within the list contained within 4c. We are particularly pleased to see the inclusion of policy 6, as neglect or damage should never be used to justify a development proposal.	Comments noted. There is no need for this reference to be included in paragraph 4(c) of the policy. Development proposals that are submitted within the designated neighbourhood area are also subject to the policy requirements set out in the Colne Neighbourhood Development Plan (CNDP). Including such a reference could potentially lead to confusion as the majority of the borough is not subject to the requirements of the CNDP.	No change.
01644 / 016 Colne Town Council	Policy DM20 Paragraph 6.30	Aligns with the beliefs of the Town Council regarding housing numbers. We support this paragraph strongly. In 1911, Colne had a population of 22,000 and today it has an estimated population of around 19,000.	Comments noted.	Policy DM20 housing requirement to be amended to 148dpa to respond to local evidence regarding demographic needs. Supporting text to be amended accordingly.
01644 / 017 Colne Town Council	Policy DM20	Supports adoption of the Government's Standard Method of 140 dwellings per year, which represents sustainable development in the Borough. Para 6.30 states that the accompanying Sustainability Appraisal and the Council's zero greenhouse gas emissions pledge do not support the adoption of a higher figure. 140 dpa supports the regeneration of the Borough's most sustainable settlements, including Colne, while safeguarding the Borough's beautiful, upland landscape and natural environment.	Support noted.	Policy DM20 housing requirement to be amended to 148dpa to respond to local evidence regarding demographic needs. Supporting text to be amended accordingly.
01644 / 018 Colne Town Council	Policy DM21	The Town Council supports the policies laid out in DM21 on the design and quality of new housing.	Support noted.	No change.
01644 / 019 Colne Town Council	Policy DM22	The Town Council is not in full agreement with Pendle Borough Council. Although we strongly support bungalows (point 5) for our growing, older population, we believe larger homes can be delivered not only as detached houses, but also via attached houses, either as semis or terraces. The advantage of this building form within the settlement boundary is lower construction costs, lower utility bills for future residents, smaller building footprints, more traditional layouts for Colne and affording better eco credentials in the face of the Climate Emergency. Attached housing from Bath to Edinburgh can be spacious and aspirational. The Town Council is also strongly in favour of building conversions and town centre living in flats - such developments are welcomed by residents, as they create vibrant, safe town centres. We believe this policy should be revisited and revised.	Comments noted. The policy does not reject the provision of terraced housing. It states that "developments should provide a range of house types and sizes to help meet the housing needs of the community" and that "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 and biodiversity." Our evidence on housing does not justify the provision of purely terraced homes. To do so would ignore market forces and erode market choice.	No change.
01644 / 020 Colne Town Council	Policy DM24	DM24 Colne Town Council supports this policy on Residential Extensions and Alterations. We especially support that no more than half of the land round the	Support noted.	No change.

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		building should be developed and that two storey extensions should be no closer than seven metres to the boundary.		
01644 / 021 Colne Town Council	Policy DM28 and Policy DM21	DM28 on Specialist Housing is fully supported by the Town Council and we also welcome the provisions made for disabled housing in DM21 and in para 6.46.	Support noted.	<p>Policy DM28 has been amended to provide for a decision making from for Older Person Housing and Assisted Living.</p> <p>Policy text revised to:</p> <p>‘The diverse housing needs of people in the borough will be supported by delivering specific forms of residential accommodation across all tenures. The Council will support proposals where they:</p> <ul style="list-style-type: none"> a) Adapt or extend existing residential properties to meet the needs of older people and those with disabilities. b) Are new developments situations within a defined settlement boundary, in a location that is well-connected to local services, community and support facilities, and shops by walking, cycling and public transport, enabling residents to live independently as part of the community. c) Are compatible with neighbouring land-uses and contribute to a mixed and inclusive locality by meeting an identified local need. d) Provide sufficient off-street parking for staff, visitors and where relevant residents (including suitable pick-up and drop-off facilities close to the principal entrance for taxis, minibuses and ambulances). e) Include areas of open space for the exclusive use of residents and visitors f) Are on sites allocated in Policy AL01 or an adopted Neighbourhood Plan where this would provide a sustainable development.’
01644 / 022 Colne Town Council	Policy DM31	The Town Council supports policy DM31 on open space, sport and recreation.	Support noted.	No change.
01644 / 023 Colne Town Council	Policy DM32	The Town Council supports DM32 on walking and cycling but believes there should be provision for secure E-bike recharging within town centre car parks and at major supermarkets.	Agree. References to secure e-bike charging will be included within Policy DM37.	<p>Amend paragraphs 8 and 16 to read:</p> <p>A connection to the power supply capable of being upgraded to at least 7kw per hour for the charging of electric, ultra-low emission and hybrid vehicles (including E-Bikes) should be provided:</p> <p>17. Charging points for electric, ultra-low emission and hybrid vehicles (including E-Bikes) should not harm the significance of a heritage asset (including its setting).</p>
01644 / 024 Colne Town Council	Policy DM33	Colne Town Council is delighted to see DM33 on Hot Food Takeaways and especially supports 2b, which will prevent Takeaways opening near schools and parks and in areas where childhood obesity is prevalent.	Support noted.	No change.

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01644 / 025 Colne Town Council	Policy DM35	The Town Council fully supports DM35 on Community Facilities.	Support noted.	No change.
01644 / 026 Colne Town Council	Policy DM37	DM37 on Parking is welcomed by the Town Council, most especially policies 2, 3, 4, 7 and 8, but we would like to see the addition of some words that, excepting in town centres, protect front gardens, so that entire frontages are not given up to parking provision.	Comments noted. This proposed approach could restrict the potential to extend existing dwellings to meet the needs of their occupants, by making it impossible to meet the increased parking standards. Paragraph 4 provides proportionate protection to ensure that the character of the street scene is maintained by proposals for parking.	No change.
01644 / 027 Colne Town Council	Policy DM41 Paragraph 7.34	Walk Mill, South Valley, Colne appears to be excluded from this list, but it is a big development of employment land.	Comments noted. Policy DM41 is concerned with areas that are the principal focus for existing employment provision. These are designated as Protected Employment Areas (PEA) and are locations where businesses in the B2 (manufacturing), B8 (warehousing) and E(g) (ii) and (iii) (light industrial) use classes are concentrated. Walk Mill was partially demolished some years ago leaving a derelict and cleared site that is partially used for storage. On its own it is not of borough-wide significance. The site is situated in the South Valley of Colne. Once occupied by large textile mills the area is no longer of borough-wide significance in terms of the employment opportunities that it provides and is not designated as a PEA. Any proposal to make active use of the site for employment, including the development of new buildings would generally be considered positively due its location within the settlement boundary of Colne, use of previously developed land, and likely compatibility with surrounding land uses, provided that policy requirements relating to flooding and drainage, ground conditions and pollution were satisfied. It should be noted that Policy SP02 adopts a presumption in favour of sustainable development for proposals relating to development sites located within defined settlement boundaries.	No change.
01644 / 028 Colne Town Council	Policy DM43	The Town Council supports DM43 on Mixed Use Development, most especially the sentiments expressed in paras 7.63 and 7.64.	Support noted.	No change.
01644 / 029 Colne Town Council	Policy DM45	Paras 7.78 and 7.80 are both supported, but reference should be made to the increasing numbers of AirBnB properties in certain neighbourhoods. Perhaps there should be density limits, similar to those for HMOs?	Comments noted. Airbnb is not a formally recognised land use and cannot be controlled through planning policy. The classification of properties used to provide overnight accommodation and the implications this has for planning relates to the nature of this	Policy DM45 policy text amends: Part 1: 'Proposals relating to tourism activities, accommodation (including short term lets as relevant) and facilities will be supported where they:'

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			<p>use – i.e. is the property primarily a dwelling or tourist accommodation?</p> <p>Recognising the increasing significance of Airbnb style accommodation in the tourism sector, it would be useful for the Supporting Text to address this matter in order to provide further guidance and clarity.</p>	<p>New Part 3: ‘Where there is evidence that holiday lets are restricting access to rented and affordable housing, the Council will consider the need to introduce an Article 4 direction to remove permitted development rights for such development. Where an Article 4 direction is in place proposals for existing homes to be used as a short-term let will require planning permission’</p> <p>New Paragraph 7.94 – 7.96:</p> <p>‘The use of existing dwellings as short-term holiday lets provide an increasingly popular and affordable alternative to traditional overnight accommodation. Products such as Airbnb play an important role in helping to increase the number of overnight stays benefitting the local tourism industry and wider economy. However, the benefits of this form of accommodation have to be balanced against the potential for adverse effects caused on the amenity of neighbours, parking and highway safety.</p> <p>If the property in question is your main residence, there is normally no need to apply for planning permission for a short-term let. If the property is not your main residence you may need to apply for planning permission to let all, or part, of your property on a short-term basis.</p> <p>The requirement for planning permission is assessed on a scale of ‘fact and degree’ dependent on the intensity, frequency and nature of the short-term use. For instance, the planning regulations require an application for planning permission where a property is to be let for more than 90 nights per year. Proposals requiring planning permission will be determined in accordance with criteria set out in Policy DM45 as relevant.</p> <p>The use of dwellings on short-term holiday lets also has the potential to have a detrimental impact on the availability and affordability of housing stock. Traditional renters are finding it harder to find affordable long-term accommodation. There is limited evidence of this occurring within Pendle. The Council will closely monitor this situation over the plan period, and may, in consultation with local communities, introduce Article 4 Directions in specific locations to remove permitted development rights and require an application for planning permission to be submitted.’</p>
01644 / 030 Colne Town Council	Policy AL01	Supports mainly Brownfield housing allocations made in the draft plan.	Support noted.	No change.

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01727 / 001 Pilkington (Judith Douglas Town Planning Ltd)	Policy DM27 Paragraph 2 (a) iii.	We wish to support this policy in particular 2(a) iii (the site) is 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. This provides scope for local people to develop self-build schemes at a modest scale.	Support noted.	No change.
01783 / 001 Environment Agency	Vision/Objectives	<p>We are pleased to see the highlight on the carbon neutral goal by 2040 and we fully support the spatial vision, which has considered key environmental issues of climate change, flood risk management and green infrastructure. However, we note that paragraph 3.4 refers to carbon neutrality by 2030 – are there differences between the spatial vision and the Council’s carbon neutrality ambition?</p> <p>We also support the high profile given by the spatial vision of green spaces, reflecting its significance in enhancing biodiversity networks, mitigating climate change, reducing flood risk, and stimulating community vitality. Meanwhile, we would suggest the plan to consider green infrastructure and green spaces from a holistic view to avoid fragmentation in future development.</p> <p>Biodiversity net gain is missing from the vision. We strongly recommend it be included in the vision and / or as part of an appropriate local plan objective to contribute to delivering the Government’s 25-year Environment Plan. For instance, we would suggest that Objective 10 be updated to emphasise adopting biodiversity net gain as a key strategic approach for future development.</p>	<p>Comments noted.</p> <p>Pendle Council set a target of 2030 for achieving carbon neutral operations. The vision acknowledges that this ambition will have been achieved by the end of the plan period (i.e. 2040). The 2030 target represents an important step in the countries transition to a net zero economy by 2050.</p> <p>The evidence base for the Local Plan includes the Green Infrastructure Strategy (2019), which was informed by the Pendle Open Space Audit (2019) to ensure that the assessment took a holistic view. The emerging Local Nature Recovery Strategy (LNRS) will help to identify where actions should be focussed to help establish a more robust ecological network. As a result the fragmentation of green infrastructure assets and natural habitats should be avoided.</p> <p>The vision and objectives set a high-level strategy to guide the more detailed policy responses that follow. Biodiversity Net Gain is a key action in the conservation and enhancement of our natural environment and the subject of Policy DM04. The link between Strategic Objective 10, Strategic Policy SP05 and Policy DM04 is made clear in Appendix 10.</p>	No change.
01738 / 002 Environment Agency	Policy SP01	Support the principles of this strategy but suggest rephrasing ‘...which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area’ to ‘...which mean that sustainable proposals that improve the economic, social and environmental conditions in the area can be approved wherever possible’.	<p>Support noted.</p> <p>The Council considers that the current wording of the policy is responsive to paragraphs 7 and 11 of the NPPF.</p>	No change.
01738 / 003 Environment Agency	Policy SP02	We agree with the strategy and support the emphasis on sustainable development. In terms of urban renewal and development of brownfields listed under the second bullet of paragraph 4.17, where previously developed sites present contamination risks, for instance, former factories and mills, we would expect the development proposals to be considered in accordance with DM14 – Contaminated and unstable land.	<p>Support noted.</p> <p>As noted on page 15 the plan should be read as a whole and policies applied to development proposals as relevant.</p>	No change.

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01738 / 004 Environment Agency	Policy SP03	We support the proposed distribution of new development to address the house requirements challenge identified in the first part of the local plan and the Housing Needs Assessment (HNA). However, in M65 Corridor area, there are extensive areas of Flood Zone 2 & 3 alongside Pendle Water, and any development in these areas should be carried out strictly to comply with DM02 – Flood Risk.	Supported noted. As noted on page 15 the plan should be read as a whole and policies applied to development proposals as relevant. All sites proposed for allocation at the Regulation 18 stage, together with any other sites included in the revised Regulation 19 version of the Local Plan will also have been subject to a detailed Phase 2 Strategic Flood Risk Assessment (SFRA).	No change.
01738 / 005 Environment Agency	Policy SP05	We note that the potential for the green belt to contribute to preventing flood risk has been listed in 4.34. We support this policy and its justification text whilst recommending amendments in point 5 of this policy to strengthen the need for biodiversity net gain. But we would suggest that the explanatory text could link to other relevant policies with ecological networks (DM05), green infrastructure (DM06) and local green space (DM12).	As noted on page 15 the plan should be read as a whole and policies applied to development proposals as relevant. The need for new development to provide a minimum of 10% BNG is a national policy requirement and not directly relevant to Green Belt policy. It is correctly dealt with in Policy DM04. The link between Strategic Objective 10, Strategic Policy SP05 and Policy DM04 is made clear in Appendix 10.	No change.
01738 / 006 Environment Agency	Policy SP06	We strongly support this strategy and the Net Zero target by 2050 and principle of promoting renewable and low carbon energy. We would recommend confirming the Pendle target in the supporting text, as it differs from the national target. We would also suggest links to be made between this policy and the following strategies: <ul style="list-style-type: none"> - SP07 Water Management: to cutting embedded carbon for energy use in water supply and treatment and; - SP11 Transport and connectivity: to reduce the dependence on vehicles and promote sustainable transportation. Phased targets on reducing greenhouse gas emissions will also be welcomed to assist the long-term goal of carbon reduction.	The Pendle target for achieving Net Zero Carbon status is the same as that of the government. In response to the Council's declaration of a climate emergency it has set a target for carbon neutrality in its operations by 2030. The references in the plan and its supporting evidence base will be amended as necessary to make this distinction clear. Appendix 10 highlights the close linkages between Policy SP06 and Policies SP07 and SP11. Policy SP11 is focussed on promoting sustainable travel modes. The issue of embodied (embedded) carbon in the supply and treatment of water is a detailed matter and not an issue that is best addressed through a strategic planning policy.	Appendix 10 revised to clarify links between policies and objectives and set clear performance targets.
01738 / 007 Environment Agency	Policy SP07 Water Quality	There is insufficient information regarding wastewater treatment capacity. We have noted that the Waste Water Treatment Works in Colne, Foulridge and Earby were evaluated as 'operating close to capacity', as identified in the Infrastructure Strategy in 2014. We understand the result could be out of date and might have improved. Yet, as required under the Water Framework Directive, we strongly recommend sewage capacity to be included as a key criterion for major development locations. We would suggest a requirement for development plans and proposals to demonstrate that they have considered the opportunities for integrated infrastructure within major development locations.	An updated Infrastructure Delivery Strategy will be made available alongside the publication version of the Local Plan. This will be informed by detailed discussions with those responsible for the supply of water and waste water treatment.	Position confirmed with updated Infrastructure Delivery Strategy.

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01738 / 008 Environment Agency	Policy SP07 Flood Risk	What is meant by '(c) Supports the replacement of existing buildings and infrastructure at risk of flooding' should the opportunity to avoid the areas at risk not be primary? Relocation may be preferable to replacement in some instances. It would be nice if this section also stated that it is not increase risk elsewhere, though we note the link to Policy DM02.	Agree The wording of paragraph 8 (c) was intended to convey support for new development in Flood Zone 1, which allowed premises in Flood Zones 2 or 3 to be vacated and demolished, or to be occupied by uses less susceptible to flooding. It is accepted that as worded this was not clear. The proposed amendments to point c will hopefully address this matter. Whilst it is not desirable to repeat policy this is an important point that is worth repeating here.	Amend the policy text as follows: b) Does not increase flood risk elsewhere. c) Seeks to locate or relocate critical infrastructure and high vulnerable uses in areas that are not a significant risk of flooding.
01738 / 009 Environment Agency	Policy SP08	It is very positive to see that net gain is referred to and DM04 is inter-linked to secure the protection and enhancement of the natural environment. It is worth mentioning the significant ecological value of peat bogs in carbon sequestration, which could make an essential contribution to tackling the climate crisis.	Comments noted. The role and value of peat bogs and the need for their protection is acknowledged in Policies SP08, DM01 and DM15.	No change.
01738 / 010 Environment Agency	Policy SP12	This section can be linked to SP07 in terms of water treatment infrastructure as previously mentioned.	Agree The suggested addition will help to improve the clarity of the policy.	Amend paragraph 2 (a) of the policy text to read: Secure new or improved services, facilities and infrastructure provision including but not limited to, open space, sports, education, transport or utilities.
01738 / 011 Environment Agency	Policy DM01	Broadly support policy, especially last two parts under point 4 in regard to flood management. However, we consider the wording of point 2 of 'location of development' may lead to ambiguity associated with development in flood zone 3b. We would therefore expect a stronger interpretation or a separate bullet under 'location of development' to ensure inappropriate development is not permitted in areas with flood risk. This is to provide further certainty for developers from the earliest stage of their planning application. This should also be linked with DM02 – flood risk.	Agree in part. As noted on page 15 the plan should be read as a whole and policies applied to development proposals as relevant. It is neither appropriate nor desirable to address every possible eventuality at certain points in the document. Here the point being made is for all development to help retain natural features, wherever possible. It is the role of Policy DM02 to make clear that development will not normally be allowed in Flood Zone 3b. Its is acknowledged that a clearer reference to Policy DM02 would help to reinforce this. This is also true for other items in the list.	Amend paragraph 2 of the policy text to read: 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
01738 / 012 Environment Agency	Policy DM02 – Point 1	The text addresses the application of the Sequential Test and the Exception Test. We consider this part can be improved with an explanation of 'lowest probability of flooding' and 'vulnerability of the type of development proposed'; Table 2: Flood risk vulnerability and flood zone 'incompatibility' of the National Planning Practice Guidance has set out the situations where the sequential test or	Agree in part. There is no need to repeat definitions from the planning practice guidance in the Local Plan, but a reference to Table 2 would help readers to better understand the rationale used in applying the Sequential and Exception Tests to assess flood risk.	Amend the policy text to read: 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 from all possible sources ³⁶ (see also Policy DM02(b), taking into account: (a) The vulnerability of the type of development proposed.

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		exception test is required. We trust the inclusion of this supplementary content can help the readers better understand the rationale used in applying the Sequential / Exception tests to assess flood risk.		(b) Its contribution to creating sustainable communities. (c) Achieving the sustainability objectives of the Local Plan ³⁶ See NPPF Annex 3: Flood risk vulnerability classification
01738 / 013 Environment Agency	Policy DM02 – Point 8	Consider the wording of ‘natural storage’ could be ambiguous as it does not clarify if this is referring to a flood storage or surface water storage. As a result, it is not clear what would be required in terms of ‘equivalent means of storage’. Give further consideration to the intention. We suggest revising the wording to avoid ambiguity and use clear terminology. E.g. fluvial flood storage, surface water floor storage, and clarify what equivalent means would be. It would also be helpful if the policy could specify the available legislative controls to ‘retain’ the features referred to.	The Council consider the wording clearly relates to both flood risk and surface water drainage; ‘existing features which contribute to the natural prevention of flooding and/or slow the flow of water.’	No change.
01738 / 014 Environment Agency	Policy DM02 – Point 9	Please note that slowing the flow and natural flood management schemes can result in co-coinciding flood peaks, which can prolong or worsen flood events in particular locations. Failure of NFM measures can result in sudden flooding. We suggest amending the text to: ‘NFM schemes will be supported where there is sufficient supporting evidence (including flood modelling) to demonstrate that they are safe and will help slow the flow of storm water from upper catchment, where these do not undermine natural ecosystems, or conservation objectives.’	The need to ensure that development does not increase flood risk in off-site locations must be recognised and reflected within the plan. The Council consider this to be a strategic matter and as such has amended Policy SP07 to reflect this. Policy DM02 will also be amended to ensure that NFM schemes are effective and they that are safe.	Policy SP07 Part 10 (now 11) amended new part b inserted ‘does not increase the possibility of flood risk elsewhere’. Policy DM02(a) Part 9 (now 8) amended to ‘NFM schemes will be supported where there is evidence to show that they are safe and will help slow the flow of storm water from upper catchment and that they do not undermine natural ecosystems or conservation objectives.’
01738 / 015 Environment Agency	Policy DM02 – Point 10	Culvert crossings are detrimental to flood risk and Water Framework Directive (WFD) objectives. We suggest additional text be included to promote clear span bridges rather than culvert crossings.	Concerns noted. Part 10 to be amended to address this issue.	Part 10 (c) (now 9) amended to ‘resist proposals to culvert a watercourse, unless it can e demonstrated that there is no feasible alternative’
01738 / 016 Environment Agency	Policy DM02 Points 11-13	Reference should be made to the latest PPG guidance on producing flood risk assessments to reduce the number of technical objections submitted on planning applications. The policy should note that the Environment Agency would be expected to object to the approval of planning permission of inappropriate development proposed in flood zone 3b (functional floodplain).	Agree. The need to make reference to PPG when preparing a flood risk assessment is more appropriately made within the supporting text. It is not for the Local Plan to pre-judge how the EA will respond to individual planning applications.	Amend paragraph 5.27 to read: ‘It is recommended that applicants consult government and LLFA guidance on producing floor risk assessments where required to support a planning application’
01738 / 017 Environment Agency	Policy DM02 Point 18	It appears that there is a typographical error within the policy. ‘including and allowance for climate change’	Agree. This is a typographical error.	Paragraph 18 amended to read: Including an allowance for climate change.
01738 / 018 Environment Agency	Policy DM04	We are pleased to see Biodiversity Net Gain has been set out as a separate policy in the emerging Local Plan to provide a robust and measurable contribution to the borough’s target for environmental enhancements.	Part 6 of the policy ensures that developments do not break up and adversely effect established wildlife corridors. The Council agrees there is merit in linking the policy with DM05 and DM06. Policy DM12 is slightly different as it will depend	Paragraph 5.80 (now 5.90) amended to add ‘New habitat provision responding to BNG requirements should ideally be provided in coordination with Policies DM05 and DM06, and where applicable, Policy DM12.’

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		<p>When providing net gain, where applicable, we would suggest it be applied in coordination with DM05 ecological networks, DM06 Green Infrastructure and DM12 Local Green Space to emphasise the imperative for development plans and proposals to consider opportunities for improving the connectivity of natural assets and preventing habitat fragmentation.</p> <p>Given the fact that the BNG requirements will become mandatory in the near future, it would be useful if a reference to stakeholder collaboration on delivery could be included in the policy.</p>	<p>on the character of the site as to whether BNG provision at or close to these sites would be suitable.</p>	
01738 / 019 Environment Agency	Policy DM05	<p>We fully support this policy and the subsequent reference to the LNRS and emerging Lancashire LNRN. We noted that the intrinsic value of ecological networks as natural capital assets has been identified in paragraph 5.96. In a broad sense, this policy has the potential to support economic growth and improve economic resilience. We also welcome further clarification on natural features to be regulated under this policy as distinct ones included in DM06 Green Infrastructure, DM07 Trees and Hedgerows and DM12 Local Green Spaces, to avoid any unnecessary overlap.</p>	<p>Support noted.</p>	<p>No change.</p>
01738 / 020 Environment Agency	Policy DM06	<p>We are pleased to see the intention to provide connections between Green Infrastructure. However, we consider the conservation and enhancement of water features is likely to be under-valued in the development plan. A high-quality water environment supports wildlife, provides quality of life benefits, and supports local economies, including boosting land and property values, agriculture, tourism and recreation. As acknowledged in paragraph 5.103, rivers, lakes and canals will form an integral part of the green infrastructure network. We would like to see more detailed information to be added to (g) on maintaining and strengthening water quality, for instance, initiatives that promote the de-culverting of watercourses or removal or weirs. We would also welcome recognition of the need for further collaboration in securing the quality of rivers and riparian corridors.</p>	<p>Comments noted.</p> <p>As noted on page 15 the plan should be read as a whole and policies applied to development proposals as relevant.</p> <p>We do not believe that the plan ‘undervalues’ the conservation and enhancement of water features.</p> <ul style="list-style-type: none"> • Policy SP07 addresses water quality ensuring that development proposals do not have an adverse effect on water resources. • Policy DM01 requires developers to safeguard, and where possible restore, natural features – water courses, flood plains, peatland and wetland etc. – where this helps to mitigate the effects of climate change. • Policy DM02 seeks to support restoration of water environments, and resists proposals to culvert them. <p>The Council is satisfied that the plan provides a proportionate response to the need to the conservation and enhancement of water features.</p>	<p>No change.</p>
01738 / 021 Environment Agency	Policy DM13	<p>We are pleased to note the Paragraph 5.188 reference to River Basin Management Plans (RBMPs) and Water Framework Directive (WFD) to prevent pollution of surface and groundwater bodies. However, detailed guidance is absent from the policy directions. We would therefore encourage the policy to consider our groundwater protection hierarchy and require developers to avoid high risk development proposals and potential dewatering</p>	<p>Comments noted.</p> <p>Policy SP07 makes clear that Groundwater Source Protection Zones will be protected from development that could compromise their integrity.</p> <p>A further reference will be added to Policy SP07 to ensure that development is consistent with the latest guidance relation to groundwater protection.</p>	<p>No change to Policy DM13.</p> <p>Part 3 of Policy SP07 amended to add: Development proposals are expected to comply with the latest national guidance on groundwater protection.</p>

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		activities being located in the most sensitive locations (areas that overlies Source Protection Zones) from a groundwater protection viewpoint.		
01738 / 022 Environment Agency	Policy DM14	We support this policy which identifies and promotes a strategic approach to development plans and proposals to follow in tackling contamination. However, we would recommend this policy consider the adverse impact of land contamination on groundwater and surface water because the risk of contamination could be mobilised during construction to pollute them. Remediating land contamination can help contribute to achieving the objectives of the Water Framework Directive so cross-reference with DM13 would be favourable.	The Council agrees that proposals must not contaminate water supply either by way of its construction or operation. This matter is principally dealt with through Policy SP07, however wording will be inserted into the policy to direct attention to this issue in relation to contamination.	New part 6 inserted: 'Development must not result in groundwater pollution. Where the release of contaminants into the soil during the construction or operational phases of a development, is possible, applicants must address the relevant requirements of Policy SP07.'
01738 / 023 Environment Agency	Policy DM15	We generally support this policy. We suggest adding the waste hierarchy in the last point (7) to encourage sustainable waste management from a more comprehensive perspective.	Agree Although the waste hierarchy is referenced in the Joint Lancashire Minerals and Waste Plan a further reference would be useful	Revise title following part 4 to read: Minerals Add new title after part 7 to read: Waste Add new part 8 to read as follows: 8. Waste management options should be informed by the waste hierarchy. This seeks to prevent waste in the first place. Where waste is created, to protect the environment and reduce resource and energy consumption, priority should be given to preparing it for re-use, then recycling, then recovery, and lastly disposal (e.g. landfill).
01738 / 024 Environment Agency	Policy DM20	We support the approach of allocating strategic housing sites to safeguard delivery of housing requirements. However, several sites in site allocations are constrained by fluvial flood risk or land contamination.	Comments noted.	Site specific responses are set out below.
01738 / 025 Environment Agency	Policy AL01 – P026	Level 2 SFRA required to identify any flood risk mitigation measures necessary to make the site safe without increasing flood risk elsewhere. Potential for contamination. Condition 20 of the planning permission deals with this. Walverden Water is a designated statutory main river and passes through the site part open, part culverted. EA right of access will need to be retained. An 8m wide development free buffer will be required either side of the watercourse.	Comments noted. Level 2 SFRA to be prepared and made available alongside the publication version of the Local Plan. The findings of the Level 2 SFRA will inform the final portfolio of site allocations and any associated policy requirements.	reference to the 8m offset has been inserted into Part 6 of the policy text for site P026.
01738 / 026 Environment Agency	Policy AL01 – P052	Objection Level 2 SFRA required. To address concerns either: a) The proposed boundary is revised to ensure no part of the site falls with FZ2. b) A Level 2 SFRA required to justify allocations to ensure that the site satisfies the requirements of	Objection noted. Level 2 SFRA to be prepared and made available alongside the publication version of the Local Plan. The findings of the Level 2 SFRA will inform the final portfolio of site allocations and any associated policy requirements. Policy makes reference to 8m easement (Part 6).	TBC

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		<p>the Sequential Test and, where necessary, Exception Test.</p> <p>Flood Map for planning indicated overland exceedance flow route FZ2/future FZ3. Should the site be developed this flow route will need to be maintained or flood risk will be transferred elsewhere.</p> <p>Sefton Street watercourse is a Main River and passes through the site in a culvert. Although LA maintained, the EA has a statutory right of access, which will need to be retained for maintenance and improvement. An 8m wide development free buffer will be required either side of the water course.</p>	<p>The site is identified for housing within the adopted Brierfield Railway Street SPD. The principal of developing the site for housing has long been established. The justification to the policy makes specific reference to the watercourse and the need to ensure that this is maintained.</p>	
01738 / 027 Environment Agency	Policy AL01 – P060	<p>No objection.</p> <p>The watercourse in the culvert that runs through the site is a statutory main river. Apart from measures outlined in point 4, we would recommend any future development taking place or within 8 metres of the culvert should obtain a flood risk activities environments permits before the commencement of any work.</p>	<p>Comments noted.</p> <p>The policy has been amended to make specific reference to the 8m easement.</p>	<p>Part 4 text amended to 'An 8m easement either side of the culvert flowing through the site will need to be kept free from housing development. Alternatively the culvert could be restored to an open channel'</p>
01738 / 028 Environment Agency	Policy AL01 – P064	<p>Detailed comments regarding the site's potential flood risk. The objection was submitted by the EA before application was determined.</p>	<p>Disagree.</p> <p>The planning permission has been approved. The site now forms part of the Council's existing commitments. It is assumed that any EA concerns have been overcome and addressed by condition(s).</p>	<p>No change.</p>
01738 / 029 Environment Agency	Policy AL01 – P067	<p>There is a live application for this site under 22/0453/FUL. The site-specific FRA is supported by a hydraulic model produced by a third party. We have reviewed the model and consider it acceptable. However, we are maintaining our objection pending a revised FRA to confirm that the proposed development will not increase flood risk elsewhere. Until our concerns are resolved, we object to this allocation.</p> <p>A level 2 SFRA is still required for the site to identify any flood risk mitigation measures necessary to make the allocation safe without increasing flood risk. In the absence of a Level 2 SFRA, the LPA does not have the evidence to demonstrate the allocation can be safely developed without increasing flood risk elsewhere. Once the revised site-specific FRA for 22/0453/FUL is submitted and approved, we would recommend using the FRA to inform the Level 2 SFRA.</p> <p>If a level 2 SFRA identified the site to contain areas of flood risk, and still remains sequentially preferable to other sites, we would recommend a sequential approach is followed onsite to avoid development within flood risk areas.</p>	<p>Comments noted.</p> <p>Level 2 SFRA to be prepared and made available alongside the publication version of the Local Plan. The findings of the Level 2 SFRA will inform the final portfolio of site allocations and any associated policy requirements.</p> <p>It should be noted that the site now benefits from planning permission.</p>	<p>No change.</p>

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		<p>Please note that PPG has been updated since the SFRA was written. As such we expect the Level 2 SFRA to account for the PPG update and a sequential approach applied on site amending boundaries to remove parts of the allocation site from areas of functional floodplain and restricting development to lower risk areas.</p> <p>Colne Water is a designated statutory main river located on the northern boundary of the allocated site. Natural ground is located on the left bank offering unknown level of flood protection. EA has a statutory right of access, which will need to be retained for maintenance and improvement. An 8m wide development free buffer will be required either side of the water course.</p>		
01738 / 030 Environment Agency	Policy AL01 - P237	<p>The site is adjacent to a Local Wildlife Site, as shown on the proposed map and subsequent redevelopment of the site should ensure that this is not lost or fragmented.</p> <p>The site is adjacent to a landfill known as Rain Hall Rock (K1/13/006). We request that prior the construction of any new buildings, a site-specific remediation strategy to deal with the risks associated with contamination of the site in respect of the development be submitted to and approved by the local authority.</p>	<p>Comments noted.</p> <p>Proximity for the site to the landfill acknowledged. The Council also acknowledge that part of the site is previously developed and may be contaminated. The issue of contamination is addressed in Part 5 of the policy.</p> <p>It should be noted that the site now benefits from planning permission.</p>	No change.
01738 / 031 Environment Agency	Policy AL01 – P257	<p>Incorrect site reference on Page 251.</p> <p>A Level 2 SFRA is required to identify any flood risk mitigation measures necessary to make the allocation safe without increasing risk elsewhere.</p> <p>Flood Map for planning indicates flooding from Walverden Water and backing up/exceedance flow route, from the culverted watercourse affecting the site with 40% of the site in Flood Zone 3 and Flood Zone 2/future Flood Zone 3. Careful design required to avoid flood risk being transferred elsewhere. Volumetric compensatory flood storage unlikely to be acceptable to mitigate flood risk issues.</p> <p>Hendon Brook Confluence with Walverden Water is a designated statutory main river and runs in culvert under the public highway on Throstle Street. The asset is maintained by the Local Authority. AS the site does not include the Main River, then the development of the site is unlikely to give rise to any Flood Risk Activity Permitted (FRAP) issues.</p>	<p>Comments noted.</p> <p>Level 2 SFRA to be prepared and made available alongside the publication version of the Local Plan. The findings of the Level 2 SFRA will inform the final portfolio of site allocations and any associated policy requirements.</p>	No change.
01738 / 032 Environment Agency	Policy AL02 – P013	<p>Note that Level 1 SFRA (2021) refers to use of the 2018 Earby Beck Model Outlines. A new model is now available for Earby Beck which informs our current flood map and is considered our best information at this time.</p> <p>A proportion of the site is subject to flood risk, including the modelled 3.3%, 1% and 1% plus 30% climate change flood</p>	<p>Comments noted.</p> <p>Level 2 SFRA to be prepared and made available alongside the publication version of the Local Plan. The findings of the Level 2 SFRA will inform the final portfolio of site allocations and any associated policy requirements.</p>	<p>New requirement inserted into policy text:</p> <p>‘Prior to construction comprehensive and safe remediation of the site is required. This should be informed by a detailed site investigation submitted to and approved by the Council. A Construction Method Statement will be required confirming</p>

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		<p>events. A part of the site is within FZ2/3, with parts FZ3b. As this site contains fluvial risk a level 2 SFRA is required prior to its allocation and consideration given to measures to improve floor risk and mitigate the risk to the site.</p> <p>Noting findings of the Level 1 SFRA a Level 2 SFRA is required. If the level 2 SFRA identifies the site to contain areas of flood risk, and still remains sequentially preferable to other sites, we would recommend a sequential approach is followed onsite to avoid development within flood risk areas. We would expect that allocation site boundaries are amended to avoid areas of Functional Floodplain.</p> <p>Where development is unavoidable within areas of flood risk , and considered appropriate, we would recommend that consideration be made to the likely mitigation requirements and/or opportunities to reduce flood risk area included within the site-specific requirements section of the allocation. Including linking into the Earby FAS Scheme that is currently underway.</p> <p>We expect future revisions of the SFRA/Level 2 SFRA to account for updates to PPG and resultant approach to be applied on site.</p> <p>The site overlies and is adjacent to two significant landfilled areas that could generate contamination problems. The sites are known as Thornton Hill Quarry (K1/13/057, K1/13/029) and Earby Beck (WR/K1/13/060). We request that prior to the construction of any new buildings, a site-specific remediation strategy to deal with the risks associated with contamination of the site is submitted to and approved by the local planning authority.</p>	<p>Agree. The site's location at the former landfill site is acknowledged. Ensuring that contamination is dealt with comprehensively is especially important noting the proximity of sensitive receptors to the site including Earby Beck.</p>	<p>how contaminated and waste materials will be stored and removed from the site.'</p> <p>New justification text:</p> <p>'Part of the site is known to have been historically used as the Thornton Hall Quarry Tip. The site is also adjacent to the former tip at Earby Beck. There is potential for ground contamination at the site and a risk of pollution arising from the site's development if not effectively addressed through the construction process. The policy therefore requires a thorough assessment of ground conditions before construction can commence. Development of the site must not result in pollution of Earby Beck or adjacent wildlife site. The policy therefore ensures that contamination is dealt with through the construction process to minimise the potential for harm for the environment, wildlife and residents.'</p>
01738 / 033 Environment Agency	Policy AL – P309	<p>The site is located upon a historic landfill site known as Ouzledale Foundry (K1/13/017). We request that prior to the construction of any new buildings, a site-specific remediation strategy to deal with the risks associated with contamination of the site is submitted to approved by the local planning authority.</p>	<p>Agree. The site's location at the former landfill site is acknowledged. Ensuring that contamination is dealt with comprehensively is especially important noting the proximity of sensitive receptors to the site including the Leeds and Liverpool Canal and existing residential dwellings.</p>	<p>New requirement inserted into policy text:</p> <p>'Prior to construction comprehensive and safe remediation of the site is required. This should be informed by a 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.'</p> <p>New justification text:</p> <p>'The site is known to have been historically used as Ouzledale Foundry Tip. There is potential for ground contamination at the site and a risk of pollution arising from the site's development if not effectively addressed through the construction process. The policy therefore requires a thorough assessment of ground conditions before construction can commence. Development of the site must not result in pollution of existing watercourses, or nearby dwellings. The policy therefore ensures that contamination is</p>

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				dealt with through the construction process to minimise the potential for harm for the environment, wildlife and residents.'
01793 / 001 North Yorkshire Council	General	The eastern border of Pendle BC is shared with North Yorkshire Council. The Council generally supports the draft Pendle Local Plan 4 th Edition, including the inclusion of new policies relating to health and wellbeing in order to reduce health inequalities, and also new policies relating to Biodiversity Net Gain (BNG) and net zero carbon, which are in response to Pendle BCs legal duty to ensure that local plan policies contribute to the mitigation of, and adaptation to, climate change.	Support noted.	No change.
01793 / 002 North Yorkshire Council	Policy SP02	North Yorkshire Council also supports the settlement hierarchy included in Policy SP02, which identifies Barnoldswick as a main town and Earby as a Local Service Centre. These two settlements are located close to the border of North Yorkshire Council and have important relationships with the western part of North Yorkshire, and their inclusion in the settlement hierarchy is consistent with the level of services they provide.	Support noted.	No change.
01793 / 003 North Yorkshire Council	Policy SP03	The distribution of development as proposed by Policy SP03 is supported, which focusses development on the larger and more sustainable settlements of Pendle and maintains a pattern of development with approximately 70% proposed in the M65 Corridor Urban Area, approximately 20% in the West Craven Sub Area and approximately 10% in the M65 Corridor Rural Area.	Support noted.	No change.
01793 / 004 North Yorkshire Council	Policy SP11	Support is given to Policy SP11: Transport and Connectivity, which support the following strategic transport links and schemes that link Lancashire with North Yorkshire: a. The identification as a key strategic priority to improve strategic road connectivity with Yorkshire including increasing highway capacity in the A56 and A6068 corridors beyond Colne. b. Reinstatement and protection of the former Colne to Skipton railway line. This element of the draft Pendle Local Plan is consistent with adopted Craven Local Plan policy SP2: Economic Activity and Business Growth which supports enhanced transport connectivity with the wider Leeds City Region, North Yorkshire, Lancashire, Cumbria and Greater	Support and comments noted. The Local Plan supports measures to enhance the A56 and A6068 corridors which link Pendle and North Yorkshire. The policy protects the former route of the Colne to Skipton Railway line for future transports use but is not prescriptive of the form this should take. The Local Plan has been modified in response to another representation (Barnoldswick Town Council 00034/006). This makes specific mention of the aspiration in the emerging Lancashire Cycling and Walking Implementation Plan (LCWIP) to establish the Pendle Greenway, a dedicated cycle route into North Yorkshire, provided that its delivery does not prejudice the developments identified in Paragraph 1 (a) and (b).	Changes detailed under Barnoldswick Town Council 00034/006.

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		<p>Manchester, including the protection of the original double track route of the Skipton to Colne railway for future rail transport use.</p> <p>North Yorkshire Council would welcome additional support in the Pendle Local Plan for the provision of greater east – west transport links, both in terms of rail and road, which would also be consistent with the approach included in the supporting text to Craven Local Plan policy SP2.</p>		
01793 / 005 North Yorkshire Council	Policy DM20	<p>The housing figure of 270dpa, as evidenced in the HEDNA is significantly higher than the standard housing method figure of 140dpa and whilst the draft Pendle Local Plan sets out that its employment land requirements are met by existing commitments, there is some concern as to whether 140dpa will meet the housing needs of Pendle.</p> <p>Paragraph 6.37 of the justification to Policy DM20 explains that this policy sets out the measures to be undertaken by the Council to rectify any arising shortfall in housing land provision. However, this raises the question of whether the proposed housing allocations in the local plan are sufficient to meet the evidenced housing need and there is a risk that housing supply will be driven by housebuilders through the submission of ad-hoc planning applications which may not reflect the spatial strategy. There is also the issue of how far the proposed housing growth meets the identified affordable housing need within the borough.</p> <p>There is concern that the proposed approach to housing growth in the Pendle Local Plan may result in pressure for neighbouring authorities to meet any unmet housing need in their emerging local plans.</p>	<p>Comments noted.</p> <p>The Council has sought further evidence on housing need following the conclusion of the consultation on the draft Local Plan. This evidence shows that the standard method figure for Pendle has now reduced to 124 dpa but patterns of local demography not accounted for within the standard method support the need for 148 dpa. This evidence also suggests that the economic led figure has reduced to 230 dpa, although increasing economic activity rates partially towards the national average would mean only 144 dpa is needed to support economic growth.</p> <p>The Council anticipates that all of the sites allocated for housing in the Local Plan will come forward and deliver in full by the end of the plan period.</p> <p>The measures set out in the policy and paragraph 6.37 of the supporting text, seek to clarify the Council's approach to securing sufficient housing delivery should the anticipated level of supply not be maintained during the plan period. It also seeks to maintain a sustainable pattern of development that is responsive to the spatial strategy should this occur.</p> <p>The plan makes provision for over 3073 dwellings. This is 266 dwellings in excess of the adjusted plan requirement of 148 dpa and 722 dwellings in excess of that required to meet the standard method figure of 124dpa. A 10% allowance for slippage of commitments has also been applied. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.</p>	<p>The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.</p> <p>Supporting text to be revised to reflect this update and more recent evidence.</p>
01796 / 001 Historic England	Spatial Interventions	We are pleased to see that protecting and enhancing the built and natural environment is a primary focus for the local plan.	Support noted.	No change.
01796 / 002 Historic England	Spatial Vision	We are pleased to see the conservation and enhancement of the historic environment within the vision and agree this should be a focus for regeneration within Pendle. We would also agree that Pendle does need new open spaces which	Support noted.	No change.

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		can provide a positive setting for heritage assets, and the way they are experienced. We are also pleased to see the rural areas being promoted as important assets to the local visitor economy.		
01796 / 003 Historic England	Objectives	We are in support of the objectives of the local plan, in particular objective 10 which is specifically concerned with the conservation and enhancement of the historic environment.	Support noted.	No change.
01796 / 004 Historic England	Spatial Strategy	We are pleased to see that the spatial strategy has been directed by the UN Sustainable Development Goals.	Support noted.	No change.
01796 / 005 Historic England	Policy SP09	The draft policy for the historic environment is clear and, in our opinion, sets a positive strategy for the conservation and enjoyment of the historic environment in accordance with paragraph 190 of the NPPF. We are pleased to see that features that help to establish the Borough's identity have been included within the draft policy.	Support noted.	No change.
01796 / 006 Historic England	Paragraph 4.116	Alongside the requirements of the NPPF as identified, we also suggest setting a positive strategy for the conservation and enjoyment of the historic environment is a critical component of effective local plans.	No objection to proposed alteration to supporting text.	New bullet point inserts in paragraph 4.116 'Setting a positive strategy for the conservation and enjoyment of the historic environment (Paragraph 190)'
01796 / 007 Historic England	Paragraph 4.121	We strongly support the two objectives identified as being particularly important in respect to the historic environment of Pendle.	Support noted.	No change.
01796 / 008 Historic England	Paragraph 4.122	We are pleased to see inclusion of this paragraph and hope that as the plan progresses we may reach conclusion of the Design Code so that this paragraph can be updated.	Comments noted.	No change.
01796 / 009 Historic England	Policy DM03	We are in general support of this policy which provides for protection of the historic environment whilst seeking to plan for suitable renewable and low carbon energy.	Support noted.	No change.
01796 / 010 Historic England	Policy DM06	GI should not only be considered in the context of the natural environment and health and wellbeing but also the role it can play in conserving and enhancing the historic environment. It can be used to conserve and enhance heritage assets; improve the setting of heritage assets; improve access to heritage assets; create a sense of place and tangible link with local historic; and create linkages between heritage assets and other GI. Natural England's GI principles recognise its benefit in responding to local character. The Green Infrastructure Planning and Design Guide 2023 published by Natural England also contains important guidance on how to plan for GI in the context of the historic environment.	Agree. The Green Infrastructure plays an important supporting role in conserving and enhancing the historic environment. The policy is principally concerned with the environmental and health benefits of GI and the need to secure and enhance this provision. To ensure that the policy remains focused, a reference to GI and the historic environment has been made within the supporting text.	Amend paragraph 5.105 (now 5.116) by adding: '...Making a significant contribution to the conservation and enhancement the historic environment (Policies SP08 and DM18).'

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01796 / 011 Historic England	Policy DM08	The current wording of criteria point 1 is somewhat confusing and needs to be set out that it only applies to land within the South Pennine Moors.	The policy is solely concerned with the South Pennine Moors, but it is accepted that if read in isolation the proposed wording of the policy could be misinterpreted. The wording will be revised to remove this possibility.	Amend part 1 of the policy text to read: 'Within Pendle the boundary of the South Pennine Moors Site if Special Scientific Interest (SSSI), Special Area of Conservation (SAC) and Special Protection Area (SPA) are coincidental. Within the SSSI boundary development not associated with the management of the SSSI, SAC, or SPA will not be permitted'
01796/ 012 Historic England	Policy DM09	Criteria point 3(d) – a better use here might be heritage asset instead of 'historically interesting building' here as it is a more recognised term encompassing both designated and non-designated heritage asset.	Agree. The proposed wording assists with the interpretation and clarity of the policy.	Amend part 3(d) to read: Secures the future of a heritage asset that is substantially intact.
01796 / 013 Historic England	Policy DM10	We are pleased to see the wording of this policy refers to the importance of understanding historic landscape character when developing proposals for new development. In an area such as Pendle with outstanding landscape quality this is highly relevant. Reference within the supporting text on Lancashire Historic Landscape Characterisation would be useful here.	Agree. Consider most appropriate place in text for reference.	New paragraph inserted (paragraph 5.160): 'The Lancashire Historic Landscape Characterisation (2017) characterises the distinctive, historic dimension of today's urban and rural environment in Lancashire. It identifies a range of attributes within the landscape (such as fields, boundaries, current and historic land-use) and groups them into historic landscape types of common and recognisable character. Many of the applications for the historic landscape characterisation are based within the overall framework of the Lancashire Landscape Strategy (2000).'
01796 / 014 Historic England	Policy DM18	We are supportive of this policy which provides clarity on how decisions should be made where proposals may impact a heritage asset.	Support noted.	No change.
01796 / 015 Historic England	Policy DM21	Criteria 1(c) – this should read conserve and where possible enhance the historic environment in accordance with legislation, specifically S66 of the Planning and Listed Buildings Act 1990	The wording reflects legislation, and the specific reference is not needed here.	No change.
01796 / 016 Historic England	Paragraph 7.77	We support the references here to what makes the historic environment and cultural heritage of Pendle so distinctive. Whilst understanding there is a separate policy on the Leeds and Liverpool Canal, mention of its relevant to the tourism economy may also be beneficial here.	Insert reference to the Leeds and Liverpool Canal into paragraph.	Amended Paragraph 7.77 to read 'The Leeds and Liverpool Canal and our associations with the industrial revolution attract visitors into our historic towns and villages...'
01796 / 017 Historic England	Policy DM45	Criteria (f) the use of historic and natural environment would be better here.	Agree. The proposed wording is more widely recognised.	Amend paragraph 1(f) to read: Conserve and where possible enhance the natural, historic and built environment.
01796 / 018 Historic England	Glossary	Non-designated heritage assets – we suggest additions to the definition of non-designated heritage asset, adding that these assets do not meet the criteria for designated heritage assets.	Agree. The description of a non-designated heritage asset will be refined to better describe the nature of these assets.	Amend the Glossary entry for a Heritage Asset to read: '(b) Non-designated heritage assets – heritage assets not meeting the criteria of designation, normally identified by the local planning authority (non-designation heritage assets) including those in a local list.'

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01796 / 019 Historic England	Glossary	Local Lists – we suggest amendments to the definition of local lists as all heritage assets whether identified as non-designated heritage assets locally or those which have been formally designated will also have significance.	Agree. The wording will be amended to more precisely define the heritage assets included on a Local List.	Amend the Glossary entry for a Local List to read: 'A list of buildings, structures, or features identified locally as being of particular local interest because of their architectural, archaeological or historic significance and the contribution that they make to local distinctiveness.'
01796 / 020 Historic England	Appendix 10	It may be useful to have aspirations for some of the monitoring indicators. We also suggest the National Heritage List for England is an important source of evidence as it the Heritage at Risk Register.	Agree. A monitoring table is to be inserted into the publication version of the Local Plan. The text in Appendix 10 will be modified to make reference to the two additional evidence base documents.	Amend the text in Appendix 10, for Policies SP09 and DM18 to add references to the following documents: <ul style="list-style-type: none"> National Heritage List for England Heritage at Risk Register
01796 / 021 Historic England	Policy AL01 – P064	Requirement for a Heritage Impact Assessment to consider the impact on the wider historic environment.	Disagree. The planning permission has been approved (22/0577/FUL). The site now forms part of the Council's existing commitments. It is assumed that any EA concerns have been overcome and addressed by condition(s). Condition 29, attached to the planning approval required an Archaeological Recording.	No change.
01805 / 001 Peel L&P (Pinnacle Planning)	Policy SP02	Supports the adoption of a presumption in favour of sustainable development within settlement boundaries and agrees with the identification of Barrowford as a second tier settlement. Supports proposed change to settlement boundary between Nelson and Barrowford. The amendments will bring Barrowford within the joint settlement boundary for all towns in the M65 corridor as well as bring the strategic housing site at Trough Laithe within the settlement boundary. Peel L&P support this proposed amendment and consider it effective and justified to ensure the continued delivery of new houses.	Support noted.	No change.
01805 / 002 Peel L&P (Pinnacle Planning)	Policy DM20	Policy numbering is muddled starting at 4. Peel L&P welcome the acknowledgement of Trough Laithe Strategic Housing Site within the policy and the reliance on the site to delivery the houses needed in the borough. Peel L&P also support 'work with developers to identify, address and overcome any barriers to the delivery of housing' This proactive approach to the delivery of housing is critical to the success of Local Plan policies and overall monitoring of the adopted policies.	Agree. This is a typographical error.	Policy numbering has been amended.
01805 / 003 Peel L&P (Pinnacle Planning)	Policy DM28	Peel L&P recognises need identified for specialist housing in the evidence base and considers it possible to strengthen the wording of the policy to ensure it is effective and positively prepared. An additional sentence should be added to the Older Persons Housing section of the Policy which expressly supports the provision of older persons	Agree. These represent sustainable locations and there is merit of permitting developments for the elderly at allocated sites.	Insert new part f) 'Are on sites allocated in policy AL01 or an adopted Neighbourhood Plan where this would provide a sustainable development'

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		housing on allocated sites, where there is market interest. This would assist the plan making process in helping to meet the identified future housing needs of PBC.												
01805 / 004 Peel L&P (Pinnacle Planning)	Policy AL01	Confirm the deliverability of Trough Laithe in full by the end of the plan period.	Comments noted.	No change.										
01805 / 005 Peel L&P (Pinnacle Planning)	Trough Laithe (Policy AL01)	<p>Peel L&P is of the opinion that a strategic site which is to be relied on throughout the plan period and which represents such as significant proportion of the planned supply, requires a site specific policy to ensure its timely delivery. As set out in Paragraph 3.14 of the Local Development Scheme (2022), it is intended that the PLP will replace the Core Strategy and Replacement Pendle Local Plan 2006 in full, including adopted Core Strategy Policy LIV2: Strategic Housing Site, Trough Laithe. The removal of the allocation is therefore premature given that the site isn't fully developed, and further detailed applications are required.</p> <p>Core Strategy Policy LIV2 identified six criteria which are required to be met for development at the site to be supported. Peel L&P consider it necessary for a similarly worded policy to be included in the emerging Local Plan, and agree that the following criteria, as listed in Policy LIV2 remain acceptable:</p> <ul style="list-style-type: none"> - The site is adequately connected to the road and motorway network and is accessible by public transport, walking and cycling; - Early engagement between the applicant and infrastructure providers is carried out to address any capacity issues and ensure the relevant physical and social infrastructure (e.g. utilities, open space, education etc) is provided; - A high-quality landscaping scheme is developed, incorporating and enhancing natural and environmental features, as appropriate, but particularly where they relate to wider landscape character or ecological considerations; - The development addresses any potential environmental impacts; - The development will provide up to 20% affordable housing on-site unless an up-to-date viability assessment indicates that this cannot be delivered; - The development delivers high quality housing of the types and sizes and densities needed. <p>The inclusion of a site specific policy for a strategic housing site will ensure there remains support for the site's</p>	<p>The Council agree with the case put forward for a policy relating to the development of Trough Laithe to be inserted into the plan. The site is significant to the implementation of the spatial strategy and delivery of housing targets. A policy will provide the necessary certainty needed to develop and deliver Trough Laithe in a sustainable manner and provide for transport and effective decision making were proposals relating to the site to come forward during the plan period. Policy LIV2 of the Pendle Core Strategy has been found sound by an independent inspector and forms part of the statutory development plan for Pendle. The Council therefore agree that much of the policy wording and requirements of this policy should form the basis for the requirements to be set out in Policy AL01. The policy text has been updated as necessary to ensure it is consistent with national planning policy and wider policies of the emerging Local Plan.</p>	<p>Policy AL01 (Part 1) revised – ‘In addition to the strategic housing site at Trough Laithe (Keld), between Nelson and Barrowford (Table AL01a), to help meet the housing requirement set out in Policy DM20 the sites listed in Table AL01b are allocated for housing.</p> <p>New ‘Table AL01a Strategic Housing Site’ inserted</p> <table border="1"> <thead> <tr> <th>Ref</th> <th>Site name and location</th> <th>Typology</th> <th>Area (ha)</th> <th>Units</th> </tr> </thead> <tbody> <tr> <td>BD065</td> <td>Trough Laithe, Nelson/Barrowford¹²</td> <td>Greenfield</td> <td></td> <td>500</td> </tr> </tbody> </table> <p>Notes: ¹Site originally allocated in the Pendle Core Strategy (2015) ²63 dwellings completed on site BD065 by 1 April 2023.’</p> <p>New box inserted into site specific policy requirements: ‘BD065 Trough Laithe, Nelson/Barrowford</p> <p>Site specific requirements:</p> <ol style="list-style-type: none"> 1. The site is adequately connected to the highway network and is accessible by public transport, walking and cycling (Policy SP11). 2. Early engagement between the applicant and infrastructure providers is carried out to address any capacity issues and ensure the relevant physical and social infrastructure (e.g. utilities, open space, education etc) is provided (Policy SP12). 3. Integrates surface water management measures into the design and layout of the scheme in consultation with the relevant statutory bodies (Policy DM02(b)). 4. A high-quality landscaping scheme is developed, incorporating and enhancing natural and environmental features, as appropriate, but particularly where they relate to wider landscape character or ecological considerations. 	Ref	Site name and location	Typology	Area (ha)	Units	BD065	Trough Laithe, Nelson/Barrowford ¹²	Greenfield		500
Ref	Site name and location	Typology	Area (ha)	Units										
BD065	Trough Laithe, Nelson/Barrowford ¹²	Greenfield		500										

Responder ID	Policy /Site Ref	Issue	Council Response	Changes to the Local Plan and/or supporting documents
		<p>development and provides a policy framework for future approvals.</p> <p>Despite the progress made in regard to delivery, the site remains largely undeveloped and is the subject of a time constrained planning permission. Retention as an allocation would provide flexibility for the landowner and Pendle Borough Council during uncertain times economically and politically, at a national level.</p> <p>Without the inclusion of a site specific policy for Trough Laithe, Peel L&P do not consider Policy AL01 to be effective or positively prepared. There is a risk that without a Policy similar to Core Strategy Policy LIV2, later phases of development at the strategic site could be jeopardised and thus significantly impact the delivery of new homes in PBC.</p>		<ol style="list-style-type: none"> 5. The development addresses any potential environmental impacts, including the need for Biodiversity Net Gain (Policy DM04). 6. The development will provide up to 20% affordable housing on-site unless an up-to-date viability assessment indicates that this cannot be delivered. 7. The development delivers high quality housing of the types, sizes and densities needed (Policy DM21 and Policy DM22) <p>New justification text inserted:</p> <p>'This strategic housing site was allocated in the Pendle Core Strategy (2015). Policy LIV2 from that plan is carried forward with minor amendments to reflect the current policy position. The site has planning permission, and the first dwellings were completed in 2021.'</p>

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<p>01823 / 001 Mr & Mrs Ivers</p>	<p>General Comments</p>	<p>We support any future development plans which focus on developing brownfield sites throughout the borough and no preserving the Pendle countryside.</p> <p>They should aim to provide a range of housing, including quality affordable housing for the elderly, whilst also protecting the rural communities which are the jewels in Pendle's crown.</p> <p>People are drawn to live and visit the area because of its rurality and future development should not be detrimental to that. At the moment all planning documentation seems pro development, no matter where sites are proposed, which cannot be a healthy prospect for the future.</p> <p>The documents available online should be in an easier to access and read format.</p>	<p>Comments noted.</p> <p>The spatial strategy focuses growth towards the urban areas. This approach makes the best and most effective use of existing infrastructure. It also promotes travel by sustainable transport modes (walking and cycling) by placing new homes close to existing retail, service, and employment opportunities. This reduces the pressure to develop in Pendle's countryside whilst facilitating proportionate levels of growth in the borough's smaller rural settlements (see Policies SP02 and SP03).</p> <p>The plan seeks to protect Pendle's most important and sensitive landscapes from development. This helps to protect wildlife and ecosystems, increase the borough's resilience to the effects of climate change, promote access to the countryside, helping to improve health and wellbeing; and protect the borough's most valuable natural resources so they can be enjoyed by future generations (see Policies SP05, SP08, DM05, DM06, DM07, DM08, DM09, DM11, DM12 and DM19).</p> <p>The plan also seeks to support the development of a wider range of housing to better meet the needs of our community. There is an identified need for more affordable homes and for the provision of adaptable housing (i.e. M4(2) compliant) and specialist housing to meet the needs of an aging population (see policies DM22, DM23, and DM28).</p> <p>Policies are written positively to reflect requirements of the national planning policy and to promote the delivery of sustainable development.</p> <p>All documents are, as far as possible, written in plain English. Elements of the Local Plan and its supporting evidence are complex given the technical nature of the issues that are addressed and the need to ensure that policies conform with national planning policy. In these circumstances we endeavour to provide explanatory text within the document, or an Executive Summary. All documents are formatted so that they meet appropriate accessibility standards (e.g. for web content).</p>	<p>No change.</p>

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01824 / 001 Mr A Fortuna	Climate Change Policy	Wales has their 'One Planet Development' policy, now Cornwall has one too which can be read here: https://www.cornwall.gov.uk/media/uxgjk4jn/climate-emergency-dpd.pdf Pendle has a chance now to do something similar, but it doesn't have to be anywhere near that big of a policy.	<p>Comments noted.</p> <p>One Planet Development seeks to ensure that we only use our fair share of the earth's resources, by reducing our ecological footprint to the global average availability of resources. Although there are no proposals to formally adopt this approach in Pendle, the Local Plan and wider Council policy make a number of responses that contribute to reducing our use of finite resources.</p> <p>The Council declared a climate emergency in July 2019 and has committed to becoming carbon neutral in terms of its operations by 2030. A number of Local Plan policies support the achievement of this target, which is an important milestone in contributing to the UK government's commitment to achieving a Net Zero economy by 2050. Those policies that respond directly to addressing climate change include Policy SP06 (Net Zero), Policy DM01 (Climate Resilience) and Policy DM03 (Renewables).</p> <p>As a cross cutting theme climate change is also addressed elsewhere in the plan. The over-arching spatial strategy seeks to locate new development in accessible locations, reducing the need for people to make short journeys by car, thereby reducing greenhouse gas emissions. Policy DM15 Soils, Minerals and Waste promotes recycling and the re-use of building materials, whilst several policies support the re-occupation and re-use of buildings, as opposed to demolition and replacement.</p> <p>The contribution that each policy makes to climate change objectives is measured in the accompanying Sustainability Appraisal.</p>	No change.
01824 / 002 Mr A Fortuna	Climate Change - Biodiversity	There is a lot of talk in the plan about things to reduce carbon emissions and a climate emergency but there isn't much point in reducing carbon emissions if we're going to let the insects go extinct, which we require for our survival, especially pollinator species. If we plant the right things, insects will come and repopulate. For example I planted a buddleia and counted 15 butterflies feeding off it, more than I saw in the rest of the year combined. Actually I do see some talk about biodiversity in the plan which is good but these little things that new developments do won't be enough for what's needed. Like when trees are required to be planted, they end up being left to die or someone cuts them down. There are people like myself who are willing to put in a lot of time to restore the environment but it's not viable when you can't live on or nearby the land you're trying to restore.	<p>Comments noted.</p> <p>The Local Plan seeks to protect, restore and enhance the borough's biodiversity through a number of policies. The borough's ecological and green infrastructure networks are safeguarded the borough's most sensitive rural environments.</p> <p>Policy DM04 implements the mandatory requirement for a biodiversity net gain of at least 10% from new development and requires this new habitat provision to be maintained for at least 30-years. Maintenance is funded and organised by a developer secured by legal obligation.</p> <p>The spatial strategy directs future growth to our urban areas, which protects natural habitats in the open countryside.</p>	No change.

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01824 / 003 Mr A Fortuna	Policy DM26	I have a suggestion which would be only a minor change but could have much use, on page 169 of the Local Plan there is DM26: Housing in the countryside there is section 6 for "Agricultural and Forestry Worker's Dwellings" but there could be a section 7 for "Environmental Workers" which could do something like grant temporary permission for someone to live in the open countryside (it could be in a temporary structure (might also need to edit the green belt policy)) by showing that they have been spending a reasonable amount of time (something like 500 hours a year) doing environmental work such as creating an annual report (like the Welsh policy does) documenting all the environmental projects that have been started and maintained in that year.	<p>Comments noted.</p> <p>Policy DM26 supports the sustainable growth of rural communities helping them to maintain the services that are so important to their continued vitality. This supports the spatial strategy set out in Policy SP02.</p> <p>Proposals looking to provide accommodation for environmental workers will be considered on a case-by-case basis assessing the merits of the proposal against the need for, and broader benefits of, development.</p> <p>There are few remote rural locations in Pendle. Large areas of the countryside are easy to access from our towns and villages and represent desirable places to live.</p> <p>Our two most sensitive landscapes are protected in their own policies. Policy DM08 addresses visitor management in the South Pennines SSSI and only supports development that is required to help with the management of this remote moorland landscape, an internationally important habitat for upland birds. Policy DM11 addresses the Forest of Bowland Area National Landscape. It is less restrictive, but requires development to be sympathetic to the characteristic features of this distinctive area of outstanding natural beauty.</p>	No change.
01825 / 001 Mr D McCulloch	Brierfield (General comments)	Within the documents there is a sentence explaining "The proposed change to the local shopping centre boundary in Brierfield has been withdrawn." This, in itself, is notable because it appears that Brierfield has been forgotten. It seems that the only vision for Brierfield is to cram in more housing and let the centre continue to go to ruin. We appear to live in a forgotten township, which is a friendly and pleasant community, without any supporting vision from Pendle Council.	<p>Comments noted</p> <p>The plan does not ignore Brierfield. The town is an integral part of the M65 Corridor urban conurbation and included in the second tier of the settlement hierarchy (Policy SP02)</p> <p>The town has not been 'crammed with housing'. Recent developments have rejuvenated the sites of former textile mills off Clitheroe Road (e.g. Lob Lane Mill and Brierfield Mill). These are sustainable locations close to the railway station and the town centre. The three housing site allocations in the Local Plan are relatively small and seek to regenerate two vacant brownfield sites off Taylor Street (former Mansfield School) and Halifax Road (former LCC Depot) with the former railway sidings being a longer-term proposal. The development of these sites is proportionate growth for a 2nd tier settlement and will continue the regeneration of the town and help to maintain local service provision and reduce town centre vacancy rates.</p>	No change.
01825 / 002 Mr D McCulloch	Brierfield (Traffic)	Speeding cameras, and ideally average speed cameras, both on Railway Street / Clitheroe Road and the main road (A682) through Brierfield. Entry and exit to and from Quakers View and Berkeley Street. Example: if leaving Quakers View, visibility is severely restricted on both sides under different conditions. Looking left, vans sometimes park next to the junction (within 10 metres – against the highway code) Double yellow lines to be painted for 10	<p>Comments noted.</p> <p>Policy DM37 relates to parking provision and seeks to minimise pressures for on-street parking which affect highway capacity and safety. Planning conditions are applied to ensure that development proposals do not have an adverse effect on highway safety. Developments found to have an adverse effect on highway safety will likely be</p>	No change.

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		metres adjacent to both junctions (on both sides.) Looking right from the Quakers View exit, the parking bay extends virtually to the junction, making visibility extremely difficult and dangerous. The parking bay should be removed.	refused. Speed cameras and double yellow lines are not planning matters.	
01825 / 003 Mr D McCulloch	Brierfield (Leisure)	As residents, we escape from Brierfield for relaxation and social interaction. Where are the pubs, restaurants or social meeting areas – particularly in the evening? Play area and park (in cooperation with canal and rivers trust) Why not use a portion of the land behind Quakers View for a play and small country park in conjunction with the canal and rivers trust scheme (already approved by Blackburn)? Perhaps some government Levelling Down money can be obtained.	<p>Comments noted.</p> <p>The town centre policies in the plan seek to promote their vitality and viability. They do so by supporting a mix of land uses to help promote increased footfall and provide active uses throughout the day.</p> <p>Northlight, the new name for the former Brierfield Mills site has had a transformational effect on the area. Although still incomplete it has introduced a wide range of new land uses to the area.</p> <p>There is a range of community facilities within Brierfield town centre and numerous opportunities for leisure pursuits either within the town (e.g. Heyhead Park, Leisure Box) or within a short distance (e.g. Prairie Sports Village in Burnley). There are also well-equipped and popular playgrounds (e.g. Chatburn Park Drive and Sackville Street).</p> <p>The Reedley Hallows Greenway provides an off-road network of footpaths in the ‘new’ residential areas in the west of the town. The Leeds and Liverpool Canal towpath is part of the national Sustrans cycle network and connects with a number of public footpaths and bridleways leading out into the open countryside.</p>	No change.
01825 / 004 Mr D McCulloch	General comment: Homes in Multiple Occupation	Why is planning permission being granted for single rooms for rent as terraced houses are converted? (Especially on the main road where parking is hazardous) Surely there are larger empty buildings that can be converted into flats	<p>Comments noted.</p> <p>Homes in Multiple Occupation (HMO) do not require planning permission below the threshold set out in planning regulations. The Council has powers to establish Article 4 Directions in specific areas where the use of permitted development rights has created a problem.</p> <p>Blackburn with Darwen Council has recently removed permitted development rights across large parts of its urban area to address this issue and Burnley Borough Council are currently going through this process. This is a matter that Pendle Council could consider if there is sufficient evidence to justify its implementation.</p>	<p>No change.</p> <p>The use of Article 4 Directions to remove permitted development rights associated with HMOs could be considered in the future.</p>
01825 / 005 Mr D McCulloch	General comment: Vacancy	Filling empty shops. Grants, rent- and rate-free periods as an incentive to fill them. Otherwise repossess them and convert them to proper flats, with the council taking the rent.	<p>Comments noted.</p> <p>The Council’s Economic Development Unit has offered town centre improvement grants to help support local businesses to support their needs where specific criteria can be met.</p> <p>Rate relief was granted during the COVID-19 pandemic but has to be balanced against the reduced level of funding available to support other Council services. The conversion of shops to residential dwellings is permitted development, and</p>	No change.

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			does not require planning approval. Compulsory Purchase is a long and costly process and is only pursued as a matter of last resort.	
01825 / 006 Mr D McCulloch	General comment: Road condition	When is this (the improvement of local road surfaces) going to happen? The Tories promised to sort this on their council election ticket.	Comments noted. The condition of local roads is a matter for Lancashire County Council to address, in their role as the Local Highway Authority.	No change.
01826 / 001 Mr E Clouston	Policy AL01 – P237	Land at Former Barnsey Shed, Long Ing Lane, Barnoldswick The work on the old industrial area has been derelict for some time and regeneration of this is welcome. But the inclusion of the green field site next to this should be avoided.	Comments noted. The site has previously benefited from planning permission, so the principle of housing development has already been established. The site offers a logical and sustainable location to meet the development needs of the town. Development of the full site would enable a previously developed site to be brought back into use and the poor site conditions to be addressed. It provides the opportunity to enhance the setting of both the Leeds and Liverpool Canal and town of Barnoldswick. Should the site be removed from the list of housing site allocations an alternative site will need to be identified either in Barnoldswick, or failing that, the wider West Craven area. The Council's SHLAA shows a limited supply of deliverable sites (i.e. sites that are suitable, available and achievable) in Barnoldswick. Much of the previously developed (brownfield) land that appears to be vacant is currently unavailable pending long-term business decisions (e.g. the former Fernbank Mill site), or unsuitable for housing development. This means that an alternative housing site allocation is likely to be on a greenfield site. It should be noted that the site now benefits from planning permission.	No change.
01826 / 002 Mr E Clouston	Policy AL02 – P013	West Craven Business Park Extension, Earby is generally ok, but the protection of the old railway bed should be protected. During the last election both the Conservatives and Labour campaigned to reopen this Northern link and any industrial extension should not be allowed to impact on this.	Comments noted. The route of the former Colne to Skipton railway line is protected for future transport use in Policy SP11. This is acknowledged within Policy AL01 and the associated guidance for the site.	No change.

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01827 / 001 Ms S Godfrey	General – Climate Change	I would just like to pass my view that in our times of living in an on-going climate breakdown, that the Council strongly considers the effects of this in all its planning and actions – in order to reduce its effects as much as possible on the town, and area and planet. It is the greatest consideration and concern for all of us and our futures.	Comments noted. In July 2019 the Council declared a climate emergency and committed the Council to carbon neutrality for its operations by 2030. The Local Plan has been developed to support the delivery of this target and to support the transition to a net zero economy to meet the UK target of 2050. Policies directly responsive to this include Policy SP06 (Net Zero), Policy DM01 (Climate Resilience) and Policy DM03 (renewables). However the issue of climate change has influenced policy decisions (such as the proposed spatial strategy – Policies SP02 and SP03) made throughout the plan with policy options tested against it.	No change
01828 / 001 Ms C Firman	Settlement Boundary Amendment	On the plan below it can be seen that the lane down to Laund from Wheatley Lane Road has a kink in it. Your Settlement Boundary plan available online does not reflect this. Please amend/clarify that the boundary line is not a straight line but does reflect the shape of the lane, and which side of the lane the proposed settlement boundary is on. Secondly, the red edge I have drawn near Higher Parrock (the squiggly lines are not intentional and reflect my draughting skills) approximates to Policy PO66 in your plan being land available for 38 dwellings and the red edge site of an approved planning application for two houses. A very large house is being built on part of this land at the moment (i.e within field 103) with a second smaller dwelling having the benefit of planning permission. When the application was approved at Planning Committee we asked the Planning Officer, Kathryn Hughes, whether the consent would give field number 106 on the enclosed plan residential use status. The answer was “No” because the planning application did not reflect this intention. Clearly policy PO66 for 38 dwellings cannot be met under these circumstances. My question / comment is whether field number 106 should be excluded from the red settlement boundary. It is a field currently bounded by a PROW and a natural gulley/stream on it’s boundary with the Northstone development site.	Agree. The scale of the pdf map used in the Regulation 18 consultation was not large enough to show the ‘kink’ in the road. The ability to zoom in on the online Policies Map will reveal the ‘kink’ in the road at the larger scales. The settlement boundary is to be re-aligned to coincide with the site boundary of the Trough Laithe strategic housing site.	Amend the settlement boundary to bring the Trough Laithe strategic housing site within the settlement boundary.

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01830 / 001 Little Cloud Limited (Maddox Planning)	Policy SP02	<p>Little Cloud is supportive of the policy in that for Colne it is clear that it should provide a focus for future growth and alongside other main towns will accommodate the majority of new development. It is correct in this sense that the local service centres, such as Barrowford and Brierfield, should provide a supporting, subordinate role.</p> <p>4.2 Looking specifically at the delivery of new housing in the urban arc that includes Barrowford, Brierfield Colne and Nelson, it is consistent with the principles of sustainable development in seeking to direct the greatest proportion of new housing to the largest settlements that have the broadest economic base. Housing distribution should be proportionate and reflective of the settlement hierarchy to ensure that future needs are met in full and in a sustainable way, and in the context of seeking to maximise access to employment opportunities and services, amenities and facilities. Point 4 should be clearer that proposed development outside of but adjoining or close to a settlement boundary is acceptable where it is consistent with the principle of sustainable development and development plan policy overall.</p>	<p>Disagree.</p> <p>Part 4 only allows development in the open countryside, on sites adjoining or close to a settlement boundary (i.e. sustainable locations) to address the exceptions set out in Policy DM09, DM26 and DM27. A presumption in favour of sustainable development is applied to decision making through Policy SP02 for proposals located within defined settlement boundaries.</p>	No change.
01830 / 002 Little Cloud Limited (Maddox Planning)	Policy SP03	<p>Little Cloud is of the view that the proposed housing land supply and distribution needs to be reviewed, consistent with the advice provided to the Council on new housing that should be provided over the plan period to properly fulfil the needs of the Borough. A note from Pendle Council dated 16 March 2023 and submitted to the Independent Examiner for the Colne Neighbourhood Development Plan seeks to address the proportion of the new homes requirement across Pendle that are expected to be delivered in Colne. It refers to a 2016 Scoping and Methodology report, which confirms that 35% of the housing requirement in the M65 corridor spatial area should be met within Colne. Draft policy SP03 <i>Distribution of development</i> states that new development will be focussed on the larger and more sustainable settlements of Pendle, and that in support of this approach approximately 70% of net delivery should be in the M65 corridor urban area. Applying this to the 2,660 net dwellings over the plan period establishes a figure of 1,862 new homes to be delivered in the M65 corridor over the period to 2040. Of these, 652 units are to be delivered in Colne on the basis that 35% of the housing requirement in the M65 corridor is to be met within the town. This means that of a Colne housing requirement over the plan period of 652 units, only just over 20% currently has planning permission. Over 75%</p>	<p>Comments noted.</p> <p>The Local Plan is a strategic planning document and does not seek to establish settlement specific requirements for development. In part, this reflects the absence of detailed data and evidence below ward level to confirm where development is needed. The broader approach applied acknowledges that there are close economic and social ties and key infrastructure linkages between many of the borough's settlements. Given the numerous constraints on development and growth in Pendle (e.g. topography, flood risk, designated sites etc.) the spatial approach applied ensures that the sites which are best placed to respond to the vision and objectives of the Local Plan, and are broadly aligned with the spatial strategy set out in Policies SP02 and SP03, to be allocated to meet our housing and employment needs in full.</p> <p>The Scoping Report and Methodology (2016) referenced in the representation was part of the evidence base for the Pendle Local Plan Part 2. It is not relied upon by the Pendle Local Plan Fourth Edition, so its findings are no longer relevant. A reference to this report was made in the context of the preparation of the Colne Neighbourhood Plan (2023). This document, prepared by Colne Town Council, was in general conformity with the strategic policies set out in the</p>	No change.

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		of news homes in Colne over the plan period to 2040 will be delivered on sites yet to be granted planning permission.	Pendle Core Strategy (2015), which will be replaced by the Pendle Local Plan Fourth Edition.	
01830 / 003 Little Cloud Limited (Maddox Planning)	Policy DM04	In broad terms Little Cloud is supportive of the proposed policy. However, it is of the view that the policy needs to allow for flexibility. Little Cloud considers that, as something which places an unavoidable additional financial burden on development, the plan should recognise the impact that this burden will have on the viability of development and include suitable flexibility to allow that burden to be taken into account when assessing levels of financial contribution across the plan's policies.	Comments noted. BNG is a mandatory requirement for qualifying development as implemented through the Environment Act 2021. The Council expects developers to apply the mitigation hierarchy when designing their proposals to avoid habitats on site and reduce the burdens faced. On-site mitigation measures are preferred ahead of off-site provision. Statutory Credits are seen as a last resort.	No change.
01830 / 004 Little Cloud Limited (Maddox Planning)	Policy DM05	The policy should reflect what is advised at Paragraph 179 of the Framework. A draft policies map is yet to be produced by Pendle Council. It is unclear at this stage where the ecological networks are proposed to be located. These should be included on the proposed policy map ahead of the next stage of consultation, as the proposals in this regard are central to representations that might be made on emerging ecology and biodiversity policy. We reserve the right to comment on this policy further at regulation 19 once the policies map has been produced.	Comments noted. The policy links to the Local Nature Recovery Strategy (LNRS) being prepared by Lancashire County Council. The document will be a vital component in establishing a baseline for biodiversity in the county but is not currently available.	No change.
01830 / 005 Little Cloud Limited (Maddox Planning)	Policy DM06	It is considered that the emerging development plan policy and policies map should be precise on what are defined as ' <i>Pendle's green infrastructure assets</i> ' and on what basis the inclusion of these <i>assets</i> is justified. There should be a degree of flexibility within the policy that allows for compensatory off-site provision in circumstances where the local planning authority considers that a proposed development is consistent with the development plan overall, provided that green infrastructure is maintained or enhanced through on-site and off-site interventions. A draft policies map is yet to be produced by Pendle Council. It is expected that the extent of the Pendle green infrastructure network will be included on the policies map. We reserve the right to comment on this further at regulation 19 once the policies map has been produced.	Comments noted. The borough's network of green infrastructure is mapped and assessed in the Pendle Green Infrastructure Strategy (2019), which is available on the Council's website. The GI Strategy is referenced within the policy text. The individual components of the green infrastructure network will not be included on the Policies Map as this would compromise its legibility and purpose. Development proposals will be expected to have a positive response to the GI network. To provide flexibility the policy is not prescriptive about the nature of the response to be made but notes that provision should ideally be made on-site to prevent fragmentation of the GI network.	No change.
01830 / 006 Little Cloud Limited (Maddox Planning)	Policy DM09	Little Cloud Limited is of the view that policy DM09 should recognise that development which is demonstrably sustainable and consistent with development plan policy overall can be supported outside of a defined settlement framework. This policy position on sustainable development in the Open Countryside, would bring policy DM09 in line with the most up-to-date iteration of the National Planning Policy Framework, and specifically that a presumption in favour of sustainable development should be applied for development which is consistent with an up-to-date development plan. While point (f) is rightly included as it	Disagree. The Council believes this is a misinterpretation of national planning policy. Paragraph 11 only applies where proposals are consistent with the policies in an up-to-date development plan, for the reasons that are outlined. Policy SP02 however applies the presumption in favour of sustainable development to all proposals located within defined settlement boundaries.	No change.

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		refers to development that can supported on balance despite failing to accord with relevant planning policy, it does not cover a scenario where a proposed development is consistent overall with development plan policy. The policy requires an additional criterion a its point (3) to provide clarity over how policy DM09 applies to proposed development outside of a settlement framework which is consistent with the development plan overall. Revised wording '(g) It can be demonstrated that a proposed development outside of but adjoining or close to a settlement boundary is consistent with the principles of sustainable development and development plan policy overall.'	<p>On adoption, the Pendle Local Plan Fourth Edition will represent an up-to-date development plan document that is in general conformity with the NPPF.</p> <p>The NPPF does not require a permissive approach to development proposals outside the designated settlement boundaries. To go beyond the exceptions set out in Policies DM09, DM26 and DM45 would undermine the spatial strategy, result in an unsustainable pattern of development, and put undue pressure on Pendle's natural resources and infrastructure.</p> <p>The Sustainability Appraisal demonstrates that this proposed approach does not represent a sustainable strategy for meeting the development needs of the borough. It would introduce uncertainty for communities, decision makers, developers and infrastructure providers and could undermine the implementation of the plan as a whole.</p>	
01830 / 007 Little Cloud Limited (Maddox Planning)	Policy DM10	Little Cloud is of the view that amendments are required to the wording of policy DM10. in respect of point 6 of the draft policy, because judgements over landscape character and quality are inherently subjective, policy DM10 should be clear that consideration of landscape impact should be part of a wider planning balance consideration and the accordance of a proposed development with the development plan overall. This will allow judgements over landscape quality to have the objectivity of being in the context of the development needs of the Borough and balancing planning sustainably for the future of residents whilst seeking to maintain or enhance the integrity of the natural environment. As a draft policies map is yet to be produced by Pendle Council, it is unclear whether there are to be any site or area specific designations that directly reference policy DM10. It is likely that Little Cloud would wish to make commentary on any such designations. We reserve the right to comment on this matter further at regulation 19 stage once a draft policies map is produced. Amend 5c 'any negative impacts should be mitigated by incorporating appropriate design solutions such as appropriate landscaping measures'	<p>Disagree.</p> <p>The policy provides guidance on the design solutions that could be employed to enable a development to proceed.</p> <p>Much of Pendle is covered by attractive but sensitive landscapes. The upland moors are visible in long distance views from many vantage points across the borough. The policy reflects this and highlights the importance of safeguarding these landscapes in maintaining the unique character and qualities of Pendle.</p> <p>Landscape character areas will not be depicted on the Local Plan Policies Map as this would compromise its legibility. It is for applicants to address key viewpoints through their planning applications as necessary.</p>	No change.
01830 / 008 Little Cloud Limited (Maddox Planning)	Policy DM12	Little Cloud has an ownership interest in a site in Colne, to the east of Windermere Avenue which is part of an area known locally as the Upper Rough. This site was proposed as Local Green Space as part of the then emerging Colne Neighbourhood Plan, and then removed ahead of it being put to referendum on 20 July 2023. The plan had its examination in March 2023, where Local Green Space and specifically, the proposed Upper Rough area of local greenspace was discussed in detail. A key outcome from the	<p>Comments noted.</p> <p>Also refer to the entry for the Upper Rough in the Local Green Space Assessment.</p>	No direct changes.

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		subsequent Examiner report was the recommendation that the proposed LGS4 (The Upper Rough) designation is to be deleted from the local green space policy.		
01830 / 009 Little Cloud Limited (Maddox Planning)	Policy DM20 – Housing/Employment Link	<p>At paragraph 1.47, the report strongly advocates a job forecast rather than a standard method approach.</p> <p>This housing evidence by Iceni is clear that the dpa required is significantly greater than that generated by the Standard Method. Little Cloud is of the view that this should be seen as the minimum housing requirement given the justified case set out in the Iceni advice.</p> <p>In addition to the demographic data, the Iceni report analyses at page 93, the ‘...forecast changes to economic, commuting patterns, the proportions of people with more than one job and the impact of COVID-19 on unemployment.’ A jobs forecast approach is the basis of the 270 dpa figure. The Iceni report, at page 94, alludes that if the 270 dpa requirement is not delivered, then the outcome could limit local economic growth which would be contrary to, paragraph 81 of the Framework (2021) which is clear that ‘significant weight should be placed on the need to support economic growth and productivity...’ Iceni is of the view that a lower dpa than 270 could result in a higher number of people commuting into the borough resulting in unsustainable transport modes. It would also likely result in population out-migration, with the potential for significant harm to the economic prosperity of the borough.</p>	<p>As required by paragraph 61 of the 2023 NPPF the housing requirement has been “informed by a local housing need assessment, conducted using the SM in national planning guidance.”</p> <p>The initial housing requirement of 140 dwellings per annum (dpa), set out in the Regulation 18 draft of the Pendle Local Plan Fourth Edition, was based on the governments Standard Method (SM) figure when work on the plan commenced in early 2022. It has now been updated to reflect analysis that is based on newly available data.</p> <p>The 2021 Census was carried out during the COVID-19 lockdown and there is significant uncertainty about some of the results. This is particularly true for the demographic data relating to Pendle, which is heavily influenced by international migration. The population growth experienced between the 2011 and 2021 Census is considerably higher than was anticipated by the Sub-National Population Projections (SNPP), yet over the same period household growth is significantly lower than the figure anticipated by the 2014-based Household Projections and actual housing completion rates.</p> <p>The Housing and Economic Development Needs Assessment (HEDNA) (Iceni Projects, 2023) addresses this matter but is unable to reach a clear conclusion given the complexities of the situation. In the absence of alternative evidence. The Council therefore resolved to use the SM figure as the basis for plan-making in the borough.</p> <p>Following the conclusion of the Regulation 18 public consultation, the Council has updated its evidence on local housing need. The Pendle Housing Need Review (Iceni Projects, 2024) reveals that the SM figure for Pendle has now reduced to 124 dpa. Further demographic analysis, not accounted for within the SM calculation, supports an uplift of this baseline figure to 148 dpa, which caters for the full demographic needs of the borough including an adjustment in response to affordability indicators.</p> <p>The report also considers the level of housing required to deliver projected economic growth, concluding that an annual housing requirement of 230 dpa would be needed. The report highlights that economic activity rates in Pendle are significantly lower than the regional average. In response, a sensitivity test based on improving economic activity rates was carried out. This concludes that an annual housing</p>	Housing requirement amended to 148dpa. Justification with reference to supporting evidence to be updated.

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			<p>requirement as low as 144 dpa would be appropriate were there to be modest increases in economic activity rates.</p> <p>Improving economic activity rates is a government priority. Programmes supported through the UK Shared Prosperity Fund, and those that are proposed, give the Council confidence that economic activity rates in Pendle will improve during the plan period. In these circumstances an annual housing requirement of 230 dpa would lead to an oversupply within the labour force, failing to achieve the necessary balance between housing and employment growth that is required by the NPPF.</p> <p>Lomeshaye Phase 2, the borough’s strategic employment site and major contributor towards projected economic growth, is unlikely to be progressed in the first five years of the Local Plan. The adoption of the proposed housing requirement is therefore unlikely to constrain economic growth at least in the early part of the plan period.</p> <p>The lead-in time for Lomeshaye Phase 2 provides an opportunity for the impacts of the plan and other policies on economic growth, labour supply, and economic activity rates to be monitored using the indicators set out in Appendix 10 of the Local Plan. The NPPF requires local planning authorities to review their plans every five years. This will require the Council to review the housing requirement in light of monitoring information and ahead of the delivery Lomeshaye Phase 2.</p> <p>The HEDNA and its 2024 update are just one part of the Council’s evidence base. There are environmental and topographical constraints impeding the delivery of future housing growth. Large areas of the borough are subject to NPPF policies that seek to protect areas or assets of particular importance, as listed in footnote 7 to paragraph 11. Approximately 35% of the land in the borough (5,993 ha) is covered by an environmental designation listed in footnote 7.</p> <p>The Council is satisfied that projected economic growth can be achieved and adequately supported by the adoption of the demographic-based annual housing requirement of 148 dpa, which represents a 24 dpa (20%) uplift on the government’s SM baseline figure. Furthermore the flexibility built into the draft Local Plan can support the delivery of up to 162 dpa, confirming that 148 dpa is the minimum figure for housing delivery.</p>	
01830 / 010 Little Cloud Limited (Maddox Planning)	Policy DM20 – Policy Justification Census 2021	The draft local plan then goes on to say that the census is not without its <i>‘flaws and its results raise a number of questions that do not yet have answers...’</i> (at page 149). If there are not yet answers, then options need to be	<p>Comments noted.</p> <p>The Council maintains the view, as set out by the ONS, that the 2021 Census results should be considered with extreme caution. The Census survey took place during the COVID-19</p>	Policy DM20 policy justification to be updated to reference Housing Needs Review Report conducted by Icen Projects in relation to the updated housing requirement of 148dpa.

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		<p>kept open and flexibility should be applied. Little Cloud is of the view that the below questions included within the local plan do not disregard the fact that the 2021 Census data shows a population increase of 7.1% compared to the 2011 Census.</p> <p>Little Cloud is of the view that the household growth does not directly correlate with the build rate achieved between 2011 and 2021 as it can be due to multiple individuals living within one residence. It is in itself an indication of a greater need for new homes, to address the lack of correlation between population growth and formation of new households.</p> <p>The census results suggests that growth within the borough across the 20-30 year age group is down to net immigration; that does not mean an absence of out-migration from Pendle in this age group. If there is out-migration in this young adult age group, then this provides further justification for the Council to adopt a higher rate of housebuilding to provide the homes that are needed alongside supporting the economy of the borough. On outmigration specifically, as migration data may well reflect shorter-term trend, when compared with the census data charting change over a 10-year period, this could explain the difference between the two datasets. Little Cloud is of the view that this point has a variety of reasonings for the population growth of young people not being translated into a strong demand for school places. Firstly, the usual school ages for young people are 5-18 years this is a narrower age range than that captured by the census data. Furthermore, there are many potential circumstances as to why young people may not be attending school within the borough such as home-schooling and travelling outside of the borough for education.</p>	<p>lockdown, so the results may not reflect the true demographic position (i.e. people working from home rather than commuting; students living at home rather than away from home etc.).</p> <p>Iceni Projects has concluded in the HEDNA that it is unable to conclude what the actual level of demographic growth for Pendle is likely to be. The Council has sought further evidence on housing need following the conclusion of the consultation on the draft Local Plan. This evidence shows that the standard method figure for Pendle has now reduced to 124 dpa but patterns of local demography not accounted for within the standard method support the need for 148 dpa. This evidence also suggests that the economic led figure has reduced to 230 dpa, although increasing economic activity rates partially towards the national average would mean only 144 dpa is needed to support economic growth.</p>	
01830 / 011 Little Cloud Limited (Maddox Planning)	Policy DM20 – Provision of sufficient homes to support jobs.	Little Cloud is of the view that if the Council is in agreement with the Iceni job growth figure, then over the plan period the Council should also be planning for the delivery of new housing at a rate of 270 dpa, as the two go hand-in-hand. If the Council does not plan for the higher jobs growth figure of 270 dpa over the plan period then the borough will be faced with an undersupply of homes not able to match the predicted growth in employment, which would likely lead to out migration and a stagnation of economic development. In this regard, based on the	<p>Comments noted.</p> <p>The Council has sought further evidence on housing need following the conclusion of the consultation on the draft Local Plan. This evidence shows that the standard method figure for Pendle has now reduced to 124 dpa but patterns of local demography not accounted for within the standard method support the need for 148 dpa. This evidence also suggests that the economic led figure has reduced to 230 dpa, although increasing economic activity rates partially towards the national average would mean only 144 dpa is needed to support economic growth.</p>	Policy DM20 policy justification to be updated to reference Housing Needs Review Report conducted by Iceni Projects in relation to the updated housing requirement of 148dpa.

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		<p>evidence from Icen, the local plan will not meet its own spatial vision. Little Cloud is of the view that the Icen report does include adequate justification for the uplift in housing need and concludes that to <i>'meet the economic forecasts, housing delivery in the range of about 255 and 274 dwellings per annum would be required.'</i> Icen clearly sets out a figure of 270 dpa.</p>		
<p>01830 / 012 Little Cloud Limited (Maddox Planning)</p>	<p>Policy DM20 – Justification for lower housing requirement.</p>	<p>At paragraph 6.29 of the draft Local Plan, the Council states that it is adopting a lower housing requirement due to <i>'assessed environmental effects of accommodating a minimum 270 dwelling per annum.'</i> It uses the SHLAA to support this stating that the report shows limited evidence of deliverability on sites within settlement boundaries and that <i>'full delivery of 270 dwellings per annum would require a substantial reliance on greenfield sites for this requirement to be met in full.'</i> It is not clear what these assessed environmental effects are, or indeed how they were assessed or what weight should be afforded to them in the context of the economic and social impacts of not providing sufficient housing locally. The Council continues this view at paragraph 6.30, that using the standard method, is also supported by its sustainability appraisal. The 270 dpa figure is considered by the Council to be unsustainable especially in accordance with the council's pledge for zero greenhouse gas emissions, whereas the 140 dpa is consistent with this policy, <i>'allowing growth to be accommodated within the boroughs most sustainable settlement, supporting their regenerations and safeguarding the borough's high-quality landscape and natural environment.'</i> Little Cloud is not aware of any evidence to support the position of the Council that delivery of the higher 270 dpa figure would be unsustainable. The sustainability of developments is dependent upon site-by-site circumstances, requiring the allocation in development plans of the most sustainable sites and requiring that developers and housebuilders adopt an approach that achieves economic, environmental and social sustainability. An under-provision of housing to support the anticipated 2,100 job growth over the plan period is also unsustainable and would likely result in net migration out of Pendle as there would be an insufficient</p>	<p>Comments noted.</p> <p>The Council does not accept that a considerable amount new housing is necessary to support the projected levels of economic growth that are being planned for.</p> <p>The Council has sought further evidence on housing need following the conclusion of the consultation on the draft Local Plan. This evidence shows that the standard method figure for Pendle has now reduced to 124 dpa but patterns of local demography not accounted for within the standard method support the need for 148 dpa. This evidence also suggests that the economic led figure has reduced to 230 dpa, although increasing economic activity rates partially towards the national average would mean only 144 dpa is needed to support economic growth.</p>	<p>The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.</p> <p>Supporting text to be revised to reflect this update and more recent evidence.</p>

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		<p>number of new homes necessary to meet housing needs locally. That would then result in either longer travel to work patterns into the borough, which is clearly contrary to environmental sustainability options, or a decline in economic activity in the borough to the detriment of economic and social sustainability. By not delivering enough houses for people to live near work, consequences are out-migration and economic contraction, which is contrary to the objectives of economic and social sustainability. Little Cloud is of the view that more focus should be on settlement areas to ensure that those communities have the capacity to thrive, through the offering the right level of new homes and support for economic growth.</p> <p>The Council is also of the view that the borough has <i>'lower average rates of employment and economic activity'</i> determining that suppressed housebuilding rates in the borough have the capacity to meet economic growth needs and that this is justification for using the standard method. This is contrary to the Iceni report findings and is in fact signalling support for a perpetuation of underperformance economically, which is contrary to the objectives of national planning policy and guidance to achieve economic prosperity and positive social change.</p>		
01830 / 013 Little Cloud Limited (Maddox Planning)	Policy DM20 – SHLAA	<p>Based on the 270 dpa as advised by Iceni, the supply of 1,286 dwellings is significantly short of what is required, and additional sites need to be considered. The SHLAA acknowledges the advice from Iceni but takes the view that the 270 dwellings per annum is the upper limit and therefore the range is between 140 to 270 dpa. Little Cloud disagrees with this approach in the way that 270 dpa should be a minimum requirement of the economic and social needs of the borough are to be met with an appropriate provision of new housing.</p>	<p>Comments noted.</p> <p>The Strategic Housing Land Availability Assessment (SHLAA) is not a policy making document but forms part of the wider evidence base to the local plan.</p> <p>The commentary in the SHLAA reflects the findings of the HEDNA (Iceni Projects, 2023).</p>	No change.
01830 / 014 Little Cloud Limited (Maddox Planning)	Policy DM20 – SHLAA – Link to Policy SP03	<p>Little Cloud is of the view that this is not fully addressing the potential housing need in Pendle. The housing distribution strategy needs to fully consider how to deliver housing in appropriate locations. Further appropriate and selective sustainable greenfield sites would allow for the necessary supply of housing sites to ensure that a range of provision, reflective of local housing need can be delivered. Further greenfield sites would enable increased housing delivery. The current planned housing supply and expected delivery</p>	<p>Comments noted.</p> <p>The proposed approach could risk the delivery of sustainable development by increasing the pressure on levels of service provision in the predominantly rural area of West Craven. It would also increase the strain on the existing transport infrastructure as people commute to and from jobs in the M65 Corridor. In particular the North Valley in Colne has the borough's only Air Quality Management Area (AQMA) in Pendle on Windsor Street.</p>	No change.

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		<p>will not satisfy the assessed local requirements as advised by Icen.</p> <p>Paragraph 4.5 of the SHLAA report states that most of the land assessed through the SHLAA is located within the M65 Urban Area (60%), with lesser amounts identified in West Craven (32%) and the M65 Rural Area (8%). This distribution departs somewhat from the proposed spatial strategy with a larger proportion of sites located in West Craven. West Craven is a generally more affluent part of the borough, and a higher proportion of new housing in this part of the borough will not meet the economic and social needs of the principal urban areas across the Barrowford, Brierfield, Colne and Nelson arc.</p>	<p>An approach looking at higher provision within West Craven has been tested through the Sustainability Appraisal and found to have significant adverse effects on the environmental objectives of the plan. A spatial strategy based on higher levels of growth in West Craven has therefore been rejected.</p>	
01830 / 015 Little Cloud Limited (Maddox Planning)	Policy DM21	<p>Little Cloud is of the view that housing density should be indicative and pay regard to site specific circumstances, and other considerations such as heritage and landscape impact. Development will need to respect natural environment landscape features which are set out in Policy DM10: Landscape Character.</p>	<p>Disagree.</p> <p>The policy wording clearly identifies that the densities that are referred to in the policy are a guideline and that the appropriate housing density will be considered on a site-by-site basis taking into account material considerations.</p>	No change.
01830 / 016 Little Cloud Limited (Maddox Planning)	Policy DM22	<p>Little Cloud does not make comment on the policy wording at this Regulation 18 stage but raises that meeting the housing mix need of the borough will be dependent upon a sufficient supply of housing land in sustainable locations, near larger settlements, where there is access to services and amenities. The housing distribution strategy needs to fully consider how to plan for the delivery these types of housing in appropriate locations. Further appropriate and selective sustainable greenfield sites would allow for the necessary supply of housing sites to ensure that a range of provision, reflective of local housing need can be delivered. Further greenfield sites would enable increased housing delivery. The current planned housing supply and expected delivery will not satisfy the assessed local requirements as advised by Icen. This approach would allow for a more adaptable land supply to come forward, allowing for an appropriate range of house types and densities. Housing mix will be site specific, dependent upon site conditions and particular needs locally. As such, the housing mix in DM22 should be a guide.</p>	<p>Disagree.</p> <p>No evidence has been submitted to support the comments that are made.</p> <p>The housing trajectory reflects delivery on a diverse range of sites.</p> <p>In terms of size the Local Plan supports delivery on strategic housing sites (500+ dwellings) to small sites (1 or two properties).</p> <p>The typologies represented in the site allocations include greenfield land and previously developed (brownfield) sites. The Brownfield Register promotes the recycling of vacant sites, whilst change of use proposals are supported for residential conversions and mixed-use schemes in town centres and other accessible locations.</p> <p>Support for specialist housing includes site allocations for self and custom-build housing, rural exception sites for affordable housing and the expansion of existing dwellings.</p> <p>The housing mix required through Policy DM22 reflects the findings of the HEDNA and ensures that a wide range of homes can be provided throughout the plan period in response to identified housing needs. Despite the large number of smaller terraced properties, to help address the ageing demographic profile of the borough, there is policy support for the provision of smaller – preferably M4(2) compliant – homes to facilitate downsizing and release larger family homes onto the market.</p>	No change.

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			The proposed amendments would dilute the objectives of the policy and restrict the flexibility of new provision to meet changing local housing needs over the plan period.	
01830 / 017 Little Cloud Limited (Maddox Planning)	Policy DM26	Little Cloud is of the view that there should be reference to sustainable development and that in some circumstances, in line with the most up-to-date Framework, the presumption in favour of sustainable development should be applied. This will make the policy clear in the context of the Framework and allow for a degree of flexibility to allow for a continual supply of development. Similar to draft policy DM09, the policy requires an additional section to provide clarity over how policy DM26 applies to proposed development outside of a settlement framework which is consistent with the development plan overall. Amendment: <i>'Sustainable development adjoining or close to a settlement boundary In line with the requirements of most-up-to-date Framework, the presumption in favour of sustainable development will apply if it can be demonstrated that a proposed development outside of but adjoining or close to a settlement boundary is consistent with the principles of sustainable development and development plan policy overall.'</i>	Disagree. See response to comment on Policy DM09 for the justification.	No change.
01830 / 018 Little Cloud Limited (Maddox Planning)	Policy AL01 – Omission Site P005	Little Cloud is of the view that Policy AL01 needs to be revisited and subsequently amended to reflect the comments relating the strategic housing supply and distribution as set out in the commentary set out in DM20: Housing Requirement and Delivery. Little Cloud has an ownership interest in land at Colne. Maddox Planning has previously prepared and submitted representations on Local Plan (Fourth Edition) regulation 18 and call for sites regulation 18 and call for sites consultations on 5 August 2022, putting forward a 9.4 ha site at Land east of Windermere Avenue, Colne, BB8 7AE. The previous representations are attached at Appendix 2 and 3. As part of these submissions, the site is submitted for inclusion as a housing allocation for up to 150 units (Appendix 1). The site is suitable, available and deliverable which can significantly boost housing supply for Colne and the wider borough of Pendle over the plan period. The site was subject to a recent decision in respect of planning application ref: 22/0790/OUT. The evidence submitted by Little Cloud concluded there is no justification to resist planning permission on landscape or ecology grounds. Landscape and ecology technical submissions that accompanied the application can be found at Appendix 4 and 5. The Iceni report is clear that <i>'meet the economic forecasts, housing delivery in the range of about 255 and 274 dwellings per annum would be required.'</i> Iceni adopts	Disagree. Evidence prepared and submitted as part of the Regulation 18 public consultation, in support of omission site P005, will also be considered and balanced against the existing evidence used in the site assessment process. Updates to the site assessment will be made as necessary, including any implications arising from the Council's decision to refuse planning permission for application 22/0790/OUT. The Council does not accept the case put forward for the adoption of a higher housing requirement, for the reasons set out in response to the matters raised in relation to Policy DM20. The Council also rejects the arguments relating to Policy SP03 and the proposed distribution of development at a settlement specific level, which rely on the findings of the Scoping and Methodology Report published in 2016, which are no longer relevant, for the reasons set out in response to comments made on Policy SP03. On this basis the Council does not agree that there is a 'shortfall' in housing provision in Colne arising from the plan proposals or the assertion that further housing sites need to be identified through the Local Plan.	No change.

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		<p>balance figure in the region of 270 dpa. The standard method requirement which is the current approach the Council has adopted is significantly lower at 140 dpa, nearly less than half the assessed requirement on a jobs growth calculation.</p> <p>Draft policy SP03 Distribution of development states that new development will be focussed on the larger and more sustainable settlements of Pendle, and that in support of this approach approximately 70% of net delivery should be in the M65 corridor urban area. Applying this to the 2,660 net dwellings over the plan period established a figure of 1,862 new homes to be delivered in the M65 corridor over the period to 2040. Of these, 652 units would be delivered in Colne if 35% of the housing requirement in the M65 corridor spatial area is met within the town. This means that of a Colne housing requirement over the plan period of 652 units, only just over 20% has planning permission. Over 75% of news homes in Colne over the plan period to 2040 will be delivered on sites yet to be granted planning permission. The SHLAA includes the Windermere Avenue sites in its delivery trajectory, with 150 units being delivered from 2027/2028.</p> <p>It seems highly likely that the Windermere Avenue site will be required to deliver enough new homes in Colne over the plan period. Draft <i>policy AL01: Housing site allocations</i> include one local plan housing allocation (P067 Cotton Tree Lane – 50 units) and four neighbourhood plan housing allocations (CNDP6/1 Buck Street – 10 units; CNDP6/2 Shaw Street – 18 units; CNDP6/3 Thomas Street – 8 units; CNDP6/4 Bankfield Street – 34 units). Even if all allocations were to come forward (120 units), there is still a shortfall of 385 units. It is hard to see how the Council can get anywhere near its assessed housing delivery for Colne without the Windermere Avenue site, and even with Windermere Avenue delivery is still over 200 units behind requirements over the plan period.</p>		

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01835 / 001 Mr E Thorley	Policies Map / Omission sites P083 and P111	Barrowford Road Playing Fields (P083 and P111). This is designated as Open Space, Sports and Recreation, DM31 on page 184. This is correct, however on the Policies Map it is designated as Open Space, Policy 33 (not Policy 31). DM33 is hot food takeaways. This may need administration to tidy up the Policies Map reference. The Barrowford Road Playing Fields have seen a major increase in use during the last twelve months since the owners were obligated to maintain the facilities in accordance with the long standing S106. It should therefore remain as open space.	<p>Comments noted.</p> <p>The Proposals (Policies) Map on the Pendle Council website shows those policies that are currently part of the statutory development plan for Pendle. Policy 33 is the open space policy in the Replacement Pendle Local Plan (2006).</p> <p>When adopted, the policies in the Pendle Local Plan Fourth Edition will supersede those in the Replacement Pendle Local Plan (2006), the Bradley Area Action Plan (2011) and the Pendle Core Strategy (2015). A new Policies Map will be published alongside the Pendle Local Plan Fourth Edition for the Regulation 19 public consultation, prior to its submission to the Secretary of State for independent examination.</p> <p>There are no proposals to alter the designation of sites P083 and P111 through the new Local Plan.</p>	A new Policies Map depicting the spatial expression of the planning policies of the Pendle Local Plan Fourth Edition will be published in due course.
01835 / 002 Mr E Thorley	Omission site P083 designation coverage.	<p>There is a Spinney in the south west corner of the playing fields. I believe the Spinney should also be designated as Open Space for the following reasons:</p> <ol style="list-style-type: none"> 1. Mature trees, many having Tree Preservation Orders. Paragraph 10 of DM07 advises loss of mature trees should be avoided. 2. A lot of wildlife, including barn owls use the Spinney whilst hunting in the adjacent Green Belt fields. 3. It is abutted by a public footpath on two sides and a designated Sports and Recreation Facility on another side ensuring easy access. 4. DM07 paragraph 2 (c) supports these mature trees should be retained and supplemented thus further supporting the Spinney's designation as a Green Space. 	<p>Agree</p> <p>The Spinney is protected by TPO/NO8/2008 as are the line of mature trees separating the playing field from the M65 motorway. The Spinney is not classified as woodland in the Open Space Audit (2019). This will be reviewed in a future update.</p>	<p>No change to the Local Plan.</p> <p>The designation of the Spinney as woodland in the Open Space Audit will be considered as part of the next update of this important evidence base document.</p> <p>The site will be identified on the Policies Map for the Local Plan if the area covered is above the 0.2 hectare threshold.</p>
01835 / 003 Mr E Thorley	General	Further to my previous submission, I would like to offer my whole hearted support to the submission provided by L&B Charity.	<p>Comments noted.</p> <p>Please see the responses of the Council to representation ID 00294.</p>	No direct changes.

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01836 / 001 Ms S Thorley	Policies Map / Omission sites P083 and P111	Barrowford Road Playing Fields (P083 and P111). This is designated as Open Space, Sports and Recreation, DM31 on page 184. This is correct, however on the Policies Map it is designated as Open Space, Policy 33 (not Policy 31). DM33 is hot food takeaways. This may need administration to tidy up the Policies Map reference. The Barrowford Road Playing Fields have seen a major increase in use during the last twelve months since the owners were obligated to maintain the facilities in accordance with the long standing S106. It should therefore remain as open space.	Comments noted. The Proposals (Policies) Map that on the Pendle Council website shows those policies that are currently part of the statutory development plan for Pendle. Policy 33 is the open space policy in the Replacement Pendle Local Plan (2006). When adopted, the policies in the Pendle Local Plan Fourth Edition will supersede those in the Replacement Pendle Local Plan (2006), the Bradley Area Action Plan (2011) and the Pendle Core Strategy (2015). A new Policies Map will be published alongside the Pendle Local Plan Fourth Edition for the Regulation 19 public consultation, prior to its submission to the Secretary of State for independent examination. There are no proposals to alter the current status of sites P083 and P111 in the new Local Plan.	A new Policies Map depicting the spatial expression of the planning policies of the Pendle Local Plan Fourth Edition will be published in due course.
01836 / 002 Ms S Thorley	Omission site P083 designation coverage.	There is a Spinney in the south west corner of the playing fields. I believe the Spinney should also be designated as Open Space for the following reasons: <ol style="list-style-type: none"> 1. Mature trees, many having Tree Preservation Orders. Paragraph 10 of DM07 advises loss of mature trees should be avoided. 2. A lot of wildlife, including barn owls use the Spinney whilst hunting in the adjacent Green Belt fields. 3. It is abutted by a public footpath on two sides and a designated Sports and Recreation Facility on another side ensuring easy access. 4. DM07 paragraph 2 (c) supports these mature trees should be retained and supplemented thus further supporting the Spinney's designation as a Green Space. 	Agree The Spinney is protected by TPO/NO8/2008 as are the line of mature trees separating the playing field from the M65 motorway. The Spinney is not classified as woodland in the Open Space Audit (2019). This will be reviewed in a future update.	No change to the Local Plan. The designation of the Spinney as woodland in the Open Space Audit will be considered as part of the next update of this important evidence base document. The site will be identified on the Policies Map for the Local Plan if the area covered is above the 0.2 hectare threshold.
01836 / 003 Ms S Thorley	General	Further to my previous submission, I would like to offer my whole hearted support to the submission provided by L&B Charity.	Comments noted. Please see the responses of the Council to representation ID 00294 .	No direct changes.

Responder ID	Policy /Site Ref	Issue	Council Response	Changes to the Local Plan and/or supporting documents
01837 / 001 Cllr M Iqbal	Policy DM16 / DM24 – General Comments	I wish to request the council amends its policy on dormer extension applications across pendle. I would add the following to Policy DM16 and DM24- that dormers represent an affordable solution for achieving house extension in parts of pendle. I would also object to the current design principles in respect of dormers as set out in the SPD. There are areas across pendle where overcrowding is a major issue in households. Due to financial, family restrictions people have no choice but to extend their home by way of dormers. Many terraced areas in Nelson and Brierfield do not have space for single/double storey extension plans thus the council need to address this by approving dormer applications in such cases. The council has a duty to address overcrowding and the current planning policies fail to do so.	<p>Comments noted.</p> <p>The prevalence of terraced housing within the inner urban neighbourhoods of Pendle’s towns, and the housing needs of local residents are addressed in the Pendle Housing and Economic Development Needs Assessment (HEDNA) published by Icen Projects in May 2023.</p> <p>It is acknowledged that dormers offer a solution for families looking to meet their housing needs without the need to relocate, which may not be a practical option.</p> <p>Policy DM24 supports residential extensions and alterations subject to meeting the stipulated criteria. House extensions come in many shapes and sizes, so the policy text is not prescriptive about what types are regarded as acceptable. Paragraph 6.85 of the supporting text makes clear that dormers are acknowledged as one possible type of extension.</p> <p>Policy DM22 sets the housing mix required at new developments to help meet projected housing need.</p> <p>The design of house extensions (including dormers) is addressed in the Design Principles SPD, adopted in December 2009. This is likely to be replaced by a borough-wide Design Code to accord with the requirements of the Levelling Up and Regeneration Act, 2023.</p> <p>The matter of what constitutes and acceptable design for dormers (e.g. allowed on front elevation, full width, flat roof etc.) we will be revisited when this document is prepared.</p>	<p>No change.</p> <p>Issue of the acceptable design of dormer extensions to be considered through the preparation of a borough-wide Design Code for Pendle.</p>
01838 / 001 Ms V Hollingsworth	Omission Sites P083 and P111	please find my support of the Pendle local plan up for consultation with regards to the Barrowford Playing Field and The Spinney. The playing fields have seen a huge increase in their use now they are being appropriately maintained by their owners- making them fit for purpose. Word has obviously spread about these pitches and different groups/teams now use them. They also come into their own when the Bullholme pitches get made into cricket pitches in the summer months with teams still wanting to train. It is a well used, much needed sports and recreational facility and therefore should be an open space.	Comments noted.	No change.
01838 / 002 Ms V Hollingsworth	Omission site P083 designation coverage.	<p>There is an area in the corner of the playing fields called the spinney this should also be a designated open space for the following reasons-</p> <p>Mature trees- many having preservation orders.</p> <p>Wildlife- owls, deer birds.</p> <p>It has a designated footpath and sports ground next to it.</p>	<p>Agree</p> <p>The Spinney is protected by TPO/NO8/2008 as are the line of mature trees separating the playing field from the M65 motorway. The Spinney is not classified as woodland in the Open Space Audit (2019), this position will be reviewed in a future update.</p>	<p>No change to the Local Plan.</p> <p>The designation of the Spinney as woodland in the Open Space Audit will be considered as part of the next update of this important evidence base document.</p> <p>The site will be identified on the Policies Map for the Local Plan if the area covered is above the 0.2 hectare threshold.</p>

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01840 / 001 Ms S Pursglove	General - Brierfield	I wish to add my approval of the sites chosen for future development within Brierfield. Brierfield has little green public accessible space left so it is very encouraging to see the council attempt to protect the fringes/outskirts from future development.	Support noted.	No change.
01841 / 001 Colne BID	Policy SP01	The BID is very supportive of town centre living, as it increases footfall and makes Colne safer and more vibrant. We therefore support this policy, as there is nowhere more sustainable than the town centre.	Support noted.	No change.
01841 / 002 Colne BID	Policy SP02	The BID welcomes Colne's inclusion as a Main Town in SP02, Spatial Strategy. We wholeheartedly support para 4.17.	Support noted.	No change.
01841 / 003 Colne BID	Policies SP03 / SP04	We also support SP03 on the Distribution of Development and SP04 on the Retail and Town Centre Hierarchy. Colne was runner up in a recent national Great British High Street competition and has, we believe the best independent shops and eateries in the Borough. We aim to make Colne a regional destination via marketing, using budget from our Promote aim.	Support noted.	No change.
01841 / 004 Colne BID	Policy SP09	Much of our BID Area is taken up by two Conservation Areas, Albert Road and Primet. The BID believes that Colne's heritage is a big attraction to visitors and shoppers and so we support SP09 on the Historic Environment. We supported the Colne Neighbourhood Plan which has listed many Non Designated Heritage Assets within the BID area. We strongly support: policies 4, 5a, 5b, 5c, 5d, 5e, 5f and 5h. We support paras 4.119 and 4.121.	Support noted.	No change.
01841 / 005 Colne BID	Policy SP11	Para 4.137 aligns with the BID's views in reducing gridlock on our High Street and along the North Valley, while improving strategic links with other areas. The re-opening of the Colne to Skipton Railway would provide a tremendous economic boost to Colne. We welcome continued focus on the AQMA on the A6068.	Support noted.	No change.
01841 / 006 Colne BID	Policy DM06	The lower section of Albert Road is blessed with a plethora of street trees and the BID would like to see this network of street trees extended through the Town Centre, along Craddock Road, Skipton Road, Market Street and along the North Valley. This would improve the Green Infrastructure of Colne laid out in DM06. We would appreciate developer contributions to be set aside for this purpose, both planting and maintenance.	Comments noted. Developer contributions need to meet the obligations tests set out in Paragraph 57 of the NPPF or they cannot be sought by the local planning authority. These are: 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.	No change.
01841 / 007 Colne BID	Policy DM07	Naturally, such planting needs to appropriate for its location, so we support DM07 Policy 14 and para 5.127.	Support noted.	No change.

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01841 / 008 Colne BID	Policy DM10	Colne is built on a ridge and so the landscape setting of the town is important within the Town Centre, as glimpses of landscape can be seen throughout the town centre. Policies DM10 6d, 6e and 6f are especially supported for this reason.	Support noted.	No change.
01841 / 009 Colne BID	Policy DM16	We support DM16 on Design and Placemaking, though Colne also has a segmented Design Code via the Neighbourhood Plan.	Support noted. The Design Code accompanying the Colne Neighbourhood Development Plan will continue to be used in the determination of planning applications, submitted within the designated neighbourhood area.	No change.
01841 / 010 Colne BID	Policy DM17	The BID strongly supports DM17 on Advertising and Commercial Signage, for although we are a business organisation, insensitive signage and adverts can mar the environment in which we are seeking to improve business, most especially within our Conservation Areas.	Support noted.	No change.
01841 / 011 Colne BID	Policy DM18	Having already stated the importance of Heritage Assets to Colne's central business district, we support DM18.	Support noted.	No change.
01841 / 012 Colne BID	Policy DM22	DM22 deals with Housing Mix. Colne is blessed with 11 Town Centre car parks, which is an oversupply for current demand. The Colne BID would like to encourage more town centre living above shops and other commercial premises and believe this gentle densification will improve our already vibrant town. Such housing is both affordable and sustainable. We feel that DM22 does not reflect this desire. Town Centre dwelling is ideal for small households of both young adults and the elderly, and the BID believes DM22 should be rewritten to encourage this.	Comments noted. Policy DM22 does not place any restrictions on town centre living. It is concerned with setting out the housing mix we expect to see in new housing developments. The policy responds to the evidence set out in the Housing and Economic Development Needs Assessment (HEDNA), which shows an ageing population in Pendle over the plan period. To help improve the vitality and viability of our town and local shopping centres, Policy DM43 Mixed-use Development (paragraph 7.62) supports residential use on the upper floors of premises within the borough's town centres. In addition, Policy DM25 Residential Conversions allows for the conversion of vacant premises for residential use within a designated settlement boundary which, where appropriate, could include premises within a town centre. Policy DM37 Parking and Appendix 6 identifies the borough's busiest car parks and offers them protection from inappropriate development. Those that are owned by Pendle Council have not been declared surplus to requirements and are not currently available for development. The representation from Colne BID has not identified which, if any, of the car parks identified in Appendix 6 should no longer be protected from development, or provided evidence of low usage to support the assertion that they could be made available for residential development. The parking standards set out in Appendix 5 take a flexible approach within the borough's town centres (Zone 1) and	No change.

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			local shopping centres (Zone 2), recognising the proximity of services, shops and employment opportunities. This reduces the need to make short journeys by car which reduces the number of car parking spaces required to support a development and helps to reduce greenhouse gas emissions.	
01841 / 013 Colne BID	Policy DM24	DM24 - Colne BID supports this policy on Residential Extensions and Alterations. Many residents already live within the town centre and it is necessary for extensions to be appropriate.	Support noted.	No change.
01841 / 014 Colne BID	Policy DM25	DM25 deals with Residential Conversions, and we support this policy, as there are many opportunities for residential conversions that remain unexploited within our town centre.	<p>Comments noted.</p> <p>Policy SP02 makes clear that there is a presumption in favour of sustainable development within a designated settlement boundary.</p> <p>Where planning permission is required Policy DM25 supports the conversion of vacant premises to residential use outside a Primary Shopping Area (see Policy DM42). And recent relaxations to permitted development rights also support residential conversions.</p> <p>The Local Plan cannot allocate buildings for conversion as these opportunities typically arise on an ad hoc basis. The Local Plan makes a 'windfall' allowance of 40 dwellings per annum (see Policy AL01 Table 8.1), which reflects the past delivery of new homes through change of use applications.</p>	No change.
01841 / 015 Colne BID	Policy DM33	Colne BID supports DM33 on Hot Food Takeaways.	Support noted.	No change.
01841 / 016 Colne BID	Policy DM37	Colne BID supports the provision of Fast EV Charging Units within the town's public car parks but believes provision should be higher than two per car park, plus an additional one where there are more than 50 spaces. We believe this policy should be rewritten, as the Local Plan is expected to last until 2040, yet exclusively petrol engine car sales are to be banned from 2030. Provision of fast recharging will therefore have to be <i>significantly</i> greater than this, especially in a town where 61% of all housing is terraced housing and many residents live in the town centre.	<p>Comments noted.</p> <p>The policy promotes the provision of EV charging points in a way that is both proportionate and consistent with the planning obligation tests set out in see Paragraph 57 of the NPPF. The policy takes a balanced position by ensuring the provision of EV infrastructure where this does not compromise development viability.</p> <p>The Council would welcome the receipt of evidence to support the assertion that more Fast EV Charging Units than currently required by Policy DM37 is both desirable and can be secured without having an adverse impact on development viability.</p> <p>On 20 September 2023 the Government announced that it had pushed back the ban on petrol and diesel cars from 2030 to 2035.</p>	No change.
01841 / 017 Colne BID	Policy DM38	Colne BID supports para 6.223 on Taxi Booking Offices, as the town centre currently has some neglected and redundant taxi booking offices.	Support noted.	No change.

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01841 / 018 Colne BID	Policy DM39	DM39 is an important policy for Colne BID. Modern business depends on a reliable, high speed internet connection, but the provision of this must not be allowed to spoil Bonnie Colne and so we offer strong support for policies 4d and 4e.	Support noted.	No change.
01841 / 019 Colne BID	Policy DM42	DM42 Vibrant Town Centres is the key policy in the Local Plan for the Colne BID. We support these policies as laid out, but wonder whether more could be done in the planning system to foster Vibrant Town Centres? As para 7.52 states : "In Colne, eating out and experiences have driven a revitalisation of the High Street in recent years" – this is true, but it did not come about by accident. Effort by organisations and volunteers working together to stage a wide diversity events has maintained visitor numbers and kept Colne in the newspapers, both locally and nationally. Keeping Colne "Colney" or "Colnier" has been key to this attraction and the Colne BID has run a successful campaign called Characterful Colne. Our website, Come to Colne, even features translations of Colne dialect. Differentiation from other places and celebration of the town's uniqueness goes beyond mere marketing and retail offers. We especially support paras 7.54 and 7.55.	<p>Comments noted.</p> <p>Planning policy is concerned with land use and must conform with national planning policy and guidance.</p> <p>The Council's ability to influence land use within town centres was reduced following the introduction of significant changes to the Use Classes Order in September 2020. These introduced Class E development which permits changes of use without the need to apply for planning permission.</p> <p>Class E has rendered many of the planning controls used to restrict non-shopping uses in primary and secondary shopping frontages redundant. As a result the Council has far less influence over what uses can, or cannot, take place within our Town Centres.</p> <p>Further changes to permitted development rights, increasing the scope for residential use of ground floor shops, represent a further threat to the vitality of the High Street.</p> <p>Policy DM42 complies with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).</p> <p>Positive policy interventions are limited to the Primary Shopping Area, where retail activity is focussed. An area-based approach is less effective than one that is frontage based, as there is greater potential for the clustering of premises without an active shopping frontage (e.g. betting shops and bookmakers) where footfall is much reduced.</p> <p>Elsewhere within the town centre boundary relaxations to the Use Classes Order make it easier for businesses that are considered to complement the retail offer (e.g. fitness suites) to occupy former shop premises. The intention is to help increase footfall and improve the vitality and viability of our Town Centres and High Streets, but once again the potential for 'dead zones' to develop, through the clustering of premises without an active shopping frontage, is increased.</p>	No change.
01841 / 020 Colne BID	Policy DM43	Colne BID supports DM43 on Mixed Used Development, most especially the sentiments expressed in paras 7.63 and 7.64 which should help to underpin town centre vibrancy.	Support noted.	No change.
01841 / 021 Colne BID	Policy DM44	The policies laid out in DM44 Out-of-Centre Retail and Commercial Development are also supported by the BID.	Support noted.	No change.
01841 / 022 Colne BID	Policy DM45	The text on page 227 supports tourism in the Borough. This is a trend that is increasing in Colne and the greater number of places to stay underpins this. The BID would like to see	Support and comments noted.	No change.

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		more hotels and BnBs in the town, as events such as The Blues highlight the scarcity of tourist accommodation. The text on page 227 supports tourism in the Borough. This is a trend that is increasing in Colne and the greater number of places to stay underpins this. The BID would like to see more hotels and BnBs in the town, as events such as The Blues highlight the scarcity of tourist accommodation.	The policy supports the provision of new tourist accommodation in sustainable locations.	
01842 / 001 Mr H Lawrence	Policy DM03	Renewable heat and energy, DM03; paras 5.48 et seq. Commercial generation of renewable energy 4.64 '...little or no potential for commercial scale renewable energy in Pendle at this time'. Replacing fossil fuels is obviously key. The plan repeats Pendle's wish to be carbon neutral by 2030. It cites constraints against commercial production of renewables. The plan notes developing technology. Given the scale of the climate emergency, could the assumption that it can't be done on a commercial scale be challenged anew? As to local renewable sources, could these be encouraged, indeed enforced, further than the plan presently does? (How good would it be if water power that drove some of the industrial revolution could be used to mitigate the consequences?).	Agree. The plan's approach towards renewables should be positively prepared. Where necessary the language in this, and other sections of the Local Plan will be amended to reflect this national policy requirement. Paragraph 4.64 reflects the findings of the Council's evidence base, which finds that those areas of the borough which may be viable for commercial wind farms are in highly sensitive areas valued for their ecology (South Pennine Moors, White Moor and Weets Hill BHS, Kelbrook Moor/Roger Moor BHS) or landscape quality (Forest of Bowland National Landscape). As such these locations have been removed from consideration.	Policy and supporting text amended to provide for a more positive approach to commercial energy schemes where this aligns with supporting evidence and national planning policy.
01842 / 002 Mr H Lawrence	General Comments – Housing	2) Building better homes DM 20, 21, 22, 23. Para 6.54 page 157 notes Pendle's industrial heritage includes lots of poor quality terraced houses. The plan also seeks to protect historic townscapes. Is this one of numerous conundrums facing Pendle? Old leaky gas-heated houses are obviously the problem. Retrofitting is expensive. Knocking buildings down and starting again isn't carbon efficient even if it was feasible (is it?). I think there have been radical suggestions such as cladding homes outside. Is there any better solution than big Government-backed best-possible insulation and action to help the switch away from fossil fuels for heating and cooking? This is a frank appeal to planners and others who know about trying to solve it. It also suggests pressure on the Government by elected councillors. It's a fact, not a criticism, that I don't understand the combination of housing need and the concluded tiny number of new houses, and therefore the minuscule number of 'affordable' ones. Is there, as often suggested, a crying need for social - in fact council - housing?	Comments noted. The condition of the housing stock is a significant challenge for Pendle. And the planning system is just a small part of the solution to this problem. The Council continues to lobby the Government for further funding, as it will not be possible to reach a net zero position without further interventions. These will focus on addressing the poor thermal qualities of the borough's older housing stock, which together with other inefficiencies also have a direct impact on levels of social deprivation. Where planning has significant influence, is over the quality of new housing. But policy requirements must not render development unviable. Addressing the quality of new housing can only have a limited effect in a borough where late 19 th century and early 20 th century terraced housing accounts for 60% of the housing stock. The increased delivery of affordable housing via an increase in the borough's housing requirement, and an associated uplift in the provision of market housing, is not viable across much of the borough. To date, in Pendle, affordable housing has primarily been delivered by a registered provider with the benefit of grant funding.	No change.
01842 / 003 Mr H Lawrence	Policy SP11 and General	3) Transport SP11, and paras 4.13 et seq. Cars cause climate change emissions and air pollution. Attacking car use is difficult. I want to say there is support for measures such as low traffic neighbourhoods; for other planning methods	Comments noted. The plan seeks to encourage sustainable patterns of travel by directing development and growth towards the borough's	No change.

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	Comments: Transport	giving priority to people on foot and on bicycles and to children playing; not assuming that cars must be everywhere encouraged by automatically providing car parks and by thinking new roads solve drivers' problems; and for not building house estates where households can say they have to have several cars each. Meanwhile cars parked in unbroken lines on both sides of terrace streets cause danger. E.cars don't solve it all. Having lots of cars will still cause particulate pollution and congestion. How will there be enough electricity generation and charge points? The retort is that there must be better bus and train services before anything can change. Of course. The worsening (in some respects) of the bus service through Pendle between Burnley and Skipton, for example, is regrettable. Some places are poorly connected. Moreover magnet beauty spots are at risk of nuisance from visitors' cars (the hideous plight of Dales villages is a warning). Yet it has occurred to me that promoting the fact that there are good, well used bus services - between Colne, Nelson and Burnley? - would be useful. Just letting us go on about buses being terrible provides an excuse to use cars. Government support for £2 fares seems to me a surprisingly good, surprisingly unsung thing. Then, after all and any support from Government and local authorities for buses, it's necessary for people to use them. There's backing for solutions that discourage cars. Are there incentives as well? Wider forms of venue or shopping discounts to people with a bus ticket? Entertainers at bus stations enlivening perceptions? A reinforced campaign (the Government says it's doing it, but I didn't know) to encourage elderly bus pass users? The last would also counter what threatens to be growing car use for longer by generations schooled to car dependence and who might go on driving beyond their capability. Can public transport be promoted as a better and freeing way to travel compared with the hassle, damage and dangers of driving?	<p>most sustainable settlements. The intention is to encourage people to get out of their cars by ensuring that essential services and everyday needs – employment opportunities, schools and colleges, shops and public services - are accessible on foot, by cycling or taking public transport.</p> <p>The Local Plan offers further support through the promotion of active design principles (Policies SP10 and DM16), which require new developments to be designed so that they prioritise movements on foot or by bicycle over other modes of transport.</p> <p>The Local Plan also supports EV usage, requiring charging infrastructure to be provided for electric cars and bikes at each new dwelling, and in communal car parks. Travel Plans must be provided alongside planning applications for large developments. These often include within them incentives for occupants to use public transport or walking or biking (e.g. voucher schemes), which are subject to monitoring to help ensure that targets are met.</p>	
01842 / 004 Mr H Lawrence	General comments: Child obesity	The plan highlights childhood obesity (4.127 and elsewhere). It recognises links between mental and physical health, and between those and poverty. I've been told by one who works widely with people that child mental health - ie as well as obesity - is a big problem.	<p>Comments noted.</p> <p>The Local Plan seeks to embed wider health and wellbeing objectives within the planning system. This is principally achieved through Policy SP10 Healthy and Vibrant Communities, which has links to a wide range of other non-strategic planning policies which encourage active lifestyles, through such measures as the protection and enhancement of green spaces; promoting active travel and reducing car usage, by locating new homes close to essential facilities and services; and by restricting the sale of unhealthy foods in the vicinity of facilities frequented by young people.</p>	No change.

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01842 / 005 Mr H Lawrence	General comments: Biodiversity and Climate Change	The plan touches on needs such as biodiversity networks and on the dangers of unravelling ecosystems (5.67). Possibly action might include restoring nature in the countryside as well as in towns if landscapes are ecologically barren. The plan recognises the threat of climate disaster. Then again, 5.49 says 'Pendle must contribute its fair share towards meeting national and international targets, whilst protecting valued rural landscapes and historic townscapes'. This might be a statement of the binds that confront Pendle. It might also look like a response that's feeble compared with the scale of the challenge. Instead Pendle might lead the way in tackling the contradictions facing similar places.	Comments noted. National planning policy requires the Local Plan to address climate change and promote development that is resilient to the effects of climate change. It plays a key role in supporting the UK Government's policies and proposals, which target decarbonising all sectors of the UK economy and becoming net zero by 2050	No change.
01842 / 006 Mr H Lawrence	Policy AL01 – P237	The site includes a field that is a water meadow or wetland, posing problems if houses are built there but acting now as upstream storage and a wildlife habitat. Houses shouldn't be built on that part and the plan's assertion that 'It is anticipated that an acceptable solution exists to address this matter', ie flooding, looks extraordinarily speculative.	Comments noted. The Council must ensure that the housing requirement (Policy DM20) can be met in full before the end of the plan period. This requires the supply of housing land identified in the Local Plan (Policy AL01) to meet the deliverability tests set out in the National Planning Policy Framework (NPPF) – i.e. sites must be available, suitable, and achievable. If the Council fails to maintain a sufficient supply of deliverable sites for housing, the NPPF makes clear that the presumption in favour of sustainable development will be invoked. This could result in development occurring on Greenfield sites that have not been allocated in the Local Plan. The Council's approach has been to prioritise development on Brownfield sites, but it has also had to balance this against concerns about deliverability. Achievability is the main concern in Pendle. The Development Viability Study shows that it is not economically viable to deliver housing on many types of Brownfield site in Pendle, but particularly within the M65 Corridor. The allocation of some Greenfield land has been necessary to ensure that the Local Plan can deliver sufficient new homes to meet the identified housing need by 2040. Our evidence shows that site P237 is deliverable. It includes extensive Brownfield elements, helping to minimise the loss of Greenfield land. If all, or part, of this proposed site allocation is removed from the Local Plan, it may be necessary to identify an alternative site(s). It should be noted that this site now has planning permission.	Justification text amended to change its emphasis, outlining 'an acceptable solution to this matter will need to be agreed' in recognition that planning permission will not be granted without this.

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01845 / 001 Tum Hill Residents Group	General Comment	Please find attached information relating to the nine designated heritage assets relating to Castercliffe Enclosure Complex on Tum Hill Colne. This document is intended to assist and inform the decision making process. It is hoped that it can help in the development of appropriate policy regarding the protection of the cultural, social and archaeological assets of the Tum Hill Area.	<p>The submission of additional information is welcomed.</p> <p>The Council will review the information supplied and confirm its accuracy with specialist organisations, as necessary. Where appropriate the Council will use this information to update its evidence base and adjust relevant policies in the Local Plan .</p> <p>The Castercliffe Hillfort is within the open countryside and the land surrounding it is largely undeveloped. Development proposals would be subject to the requirements of Policy SP02. The site itself is already protected through its designation as a Scheduled Ancient Monument. This protection will be carried forward in Policies SP09 and DM18 of the new Local Plan.</p>	No change.

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<p>01848 / 001 Mr J Nolan (for M Wade & C Soso)</p>	<p>General Comments – Omission Site P071</p>	<p>As the representative of the owners of the site (P071) I wish to object to the decision not to allocate the plot as a potential residential development site in the centre of the village. The decision contradicts several major government and local policies and, in our opinion, does not benefit the local community and the residents of Pendle at large.</p> <p>The decision is in direct contradiction to ‘POLICY SP03’ specifically “Insufficient development in villages”</p> <p>The decision is contradictory to ‘POLICY DM20’ specifically “Housing is too low to meet housing needs”</p> <p>It is also contradictory to ‘POLICY AL01’ “The need to allocate land in Fence”</p> <p>We are aware that an issue has been raised concerning the width of the road in front of the plot and access to the plot. These concerns can be more than adequately addressed by using the front of the plot itself to widen the road and also provide a much safer bus stop facility, which is currently a legitimate safety issue, as many residents will testify. I would also like to draw your attention to the fact that there are ‘already’ two well-established properties in the southwest corner of the plot and the plot is also surrounded by existing residential and commercial properties and is therefore highly suitable as an infill opportunity without significantly altering the look or feel of the village in the way that sprawling ribbon development at it’s extremities would.</p> <p>In conclusion the site, P071, is ready for development now and can help to fulfil all the planning policy statements above, as well as improve the safety of the highway and the bus stop and this is why we object.</p> <p>The decision to exclude the site flies in the face of these policies which begs the question ‘why were these policies accepted and adopted in the first place’, if they are going to be ignored?’</p>	<p>Comments noted.</p> <p>The Council does not consider that local housing need in Fence is sufficient to represent the ‘exceptional circumstances’ necessary to release of land from the Green Belt.</p> <p>The Strategic Housing Land Availability Assessment (SHLAA) shows that there is sufficient capacity on land outside the Green Belt to meet the identified housing requirement in full.</p> <p>The Council through the Duty to Cooperate has not been made aware of any requirement for it to meet the housing needs of a neighbouring authority. It has similarly made no approach to a neighbouring authority seeking help in meeting its identified housing need up to 2040.</p> <p>The approach that is being advocated does not represent a sound planning strategy and would fail to align with the proposed spatial strategy as set out in Policies SP02 and SP03.</p>	<p>No change.</p>

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01858 / 001 Applethwaite Ltd (Smith & Love)	General Comment – Housing Needs	Applethwaite is disappointed that despite endorsing the benefits of providing a better choice of accommodation that responds to the changing needs of older people, and despite setting out the <i>'type and size of homes 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 tothe elderly'</i> (paragraph 6.3), the draft Plan fails to make satisfactory provision to meet the full range of retired and older people's diverse housing needs to suit their health and lifestyles. The failure of the draft Plan to facilitate greater, easier and faster provision of the type of age-restricted specialist bungalows which Applethwaite provides is a key omission, and the draft Plan contains no specific proposals to help meet the housing needs of those older people wanting high-quality bungalow accommodation - and of which there are many - as evidenced by the continually over-subscribed interest and waiting lists for Applethwaite developments.	<p>Comments noted.</p> <p>The plan adopts a multi-faceted approach to the provision of homes for the elderly.</p> <p>Policy DM21 seeks to secure homes delivered at M4(2) building standards in response to evidence of need set out within the Housing and Employment Development Needs Assessment (HEDNA).</p> <p>Policy DM22 adopts housing mix requirements for the plan period reflecting the evidence set out within the HEDNA. The HEDNA concludes that Pendle experiences an ageing population and as such smaller homes, including bungalows, are sought from housing development proposals.</p> <p>Policy DM28 adopts a positive approach towards specialist schemes for accommodation for the elderly and assisted living.</p> <p>The Council anticipates a range of house types and sizes to come forward at sites allocated in Policy AL01 as well as those sites allocated within neighbourhood plans. The sites are sustainably located, and benefitting from mixed characteristics which would provide for a diverse range of housing stock, including stock benefiting the elderly population.</p>	No change.
01858 / 002 Applethwaite Ltd (Smith & Love)	Policy DM21: M4(2)	Applethwaite recognises that financial viability is a significant issue and constraint for new housing development in many parts of Pendle but it is nevertheless concerned that these limited and discretionary / recommended policy provisions are insufficient and inadequate as the only means of boosting the supply and delivery, and widening the choice, of specialist housing to meet the diverse needs of retired and older people in the draft Plan. The proposed policy mechanisms, which simply encourage house builders to provide some plots to meet Part M4(2) Accessible and Adaptable Homes building regulation standards where possible, and some bungalows in major developments, and support proposals for communal living schemes for older people, as and when they come forward, are too crude, too easy to circumvent and fail to understand the complexity and subtlety of retired and older people's circumstances, motives and requirements when they are considering a move, down-sizing (and rightsizing) from a family home to specialist housing, and especially bungalows, which suit their health and lifestyle needs. It is also the case that a two-story house adapted (or capable of being adapted) to Lifetime Home / Part M4(2) building regulation standards, by installing a stair lift etc, does not (and cannot) match the advantages and benefits of single-level accommodation provided by a	<p>Comments noted.</p> <p>Policy DM21 represents one response to the borough's need for accommodation suitable for the elderly as set out above.</p> <p>The wording of Policy DM21 is to be reviewed to consider how the policy's approach can be strengthened to a suitable degree taking into account the need to ensure that the policy is proportionate and its implementation viable.</p>	Part 3 of Policy DM21 revised to: 'New homes must be well designed and should be capable of being readily adapted to meet the needs of their occupiers...'

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		<p>purpose-built specialist bungalow in terms of ease, comfort and convenience as a living environment; personal safety and reduced risk of falls and critical accidents; easier maintenance and cleaning; and, reduced stress, worry, illness and depression. And because an adapted two storey house will still be attractive to the wider market and suitable for occupation by other households (unlike age-restricted bungalows), they are often released for general market sale if they are not bought by older people within an initial period after becoming available.</p>		
<p>01858 / 003 Applethwaite Ltd (Smith & Love)</p>	<p>Policy DM22 - Bungalows</p>	<p>When mainstream general needs housebuilders are required, as a result of a housing mix policy, to provide bungalows within their developments it is invariably the case, that to minimise cost:</p> <ul style="list-style-type: none"> • only the required minimum number of bungalows will be provided; • only the required minimum type, size and specification of bungalow will be provided; and, • only a minimum number of bungalows will made be available for private sale with the majority counting towards the affordable housing provision within a development scheme. <p>It is also often the case that only pairs or small numbers of bungalows will be clustered together and bungalow plots will be spread ('pepper potted') in isolated locations, without retired or older immediate neighbours, within a large housing estate scheme aimed at families, on the flawed basis that this is good practice which should be encouraged.</p> <p>Bungalows provided on this basis do not meet the majority of retired and older people's needs and requirements; compare poorly to the type, size, specification and private-sale tenure of bungalows built by Applethwaite for its customers; and, are consequently not attractive to all older households. Whereas mainstream house builders do not provide bungalows out of choice, as they are less profitable to build than two storey dwellings within a solely housing scheme, Applethwaite does, and does so with the objectives of providing quality and high-standards in mind, which retired and older people greatly value when down-sizing (right-sizing) from a family home to a bungalow.</p> <p>A bungalow must be attractive to the market to be fit for purpose and meet needs. If a bungalow, or the choice and availability of specialist accommodation in an area is sub-optimal, retired and older</p>	<p>Comments noted.</p> <p>The Council has been successful in securing the provision of bungalows within Pendle and continues to view bungalows as a suitable option for meeting the housing needs of the community. As set out above, the Council is not reliant on a single approach to meet the housing needs of an ageing population and recognises that the needs and requirements of the elderly are diverse.</p> <p>The housing mix sought through Policy DM22 reflects the findings of the Housing and Economic Development Needs Assessment (HEDNA) and the need to plan for an ageing population. This is why the plan promotes the provision of M4(2) compliant smaller homes as well as bungalows on new housing developments to help encourage downsizing and reduce under occupation of the borough's housing stock.</p> <p>The Council expects a wide range of house types and sizes will come forward on the sites allocated in Policy AL01 of the Local Plan and those allocated in the four neighbourhood plans that have been adopted in Pendle. This will help to increase the options available to the older members of our community.</p> <p>These sites are in sustainable locations within or close to the heart of their communities and benefit from good access to a wide range of services.</p>	<p>No change.</p>

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		<p>people will be deterred from moving and their needs will be concealed, and they will continue living in over-sized, under-occupied and increasingly unsuitable two storey houses which could be unlocked and recycled for new family accommodation. Two factors are important in their decision:</p> <p>1. Firstly, the benefits of age-exclusive housing for retired and older people’s mental health and social well-being are well documented. Living in high-quality adapted and accessible bungalows in well designed, secure and inclusively-grouped clusters with retired and older neighbours, and without compromising on their quality of life, privacy and amenities, provides older people with the peace of mind they need at their stage in their life, and can thereby avoid problems such as chronic and acute illness, social isolation, loneliness, anxiety and depression.</p> <p>2. Secondly, whilst retirement living apartments overcome problems of social isolation and loneliness by providing a communal setting, the needs of retired and older people (the ‘active elderly’) in 2023 (and increasingly to 2038) are very different from previous generations, and their aspirations around housing and maintaining independent lifestyles have changed dramatically. Research by the NHBC and the Housing Learning and Improvement Network (Housing LIN) confirms that people over 55 are motivated by the same desires as younger age groups and many remain economically active. Older people consequently require homes with more amenities, a private garden, car parking and space for pets, hobbies, home-working, storage, visiting family and friends and looking after grandchildren and ‘sleepovers’, as well as space for live-in or visiting carers and companions as they get older. Applethwaite customers therefore do not choose the serviced apartment model, and volume retirement apartment providers are increasingly switching and including bungalows within their retirement schemes.</p> <p>Bungalows provided by mainstream house builders within large family housing estate developments simply do not meet these social-wellbeing and lifestyle demands and requirements, and retirement apartments in managed communal settings cannot accommodate the lifestyle requirements of the active elderly compared to a specialist high-quality modern bungalow.</p>		
01858 / 004 Applethwaite Ltd (Smith & Love)	General Comment – Permissive Policy for Elderly Housing	The draft Plan should include a development management ‘exception policy’ which operates in the same way as a permissive rural exception policy for 100% affordable	Comments noted. Policy SP02 adopts the presumption in favour of sustainable development for the decision making process for proposals	No change.

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		housing schemes on greenfield sites where mainstream general needs housing would not be permitted. This would enable planning applications for specialist housing for retired and older people to be made on a windfall basis in and around the sustainable villages and towns where demand and need is greatest.	<p>relating to land which is located within defined settlement boundaries.</p> <p>Policy DM28 adopts a positive approach to the provision of homes for the elderly and sets out a clear decision-making framework to support their delivery identifying windfall provision as a suitable route for further delivery.</p> <p>Taking account of the wide range of policy measures in the Local Plan that respond to the need to meet the needs of an aging population, the proposed approach is not considered to be justified, noting the specific exclusion of this type of policy from the NPPF. The Council is concerned that the policy would promote car-dependent edge of settlement housing developments which would fail to meet the long-term needs of its occupants. The Council does not consider that this approach represents an appropriate response to meeting the needs of an ageing population.</p>	
01858 / 005 Applethwaite Ltd (Smith & Love)	General Comment – Site Specifically Allocated for Elderly Housing	<p>Land allocated specifically and solely for retired and older people’s specialist housing will provide SME developers with a supply of sites which they will be able to acquire without having to compete against volume mainstream house builders in an open land market and their far greater economies of scale and buying power.</p> <p>It enables land to be provided in the locations where retired and older people want (and would choose) to live within and on the edge of sustainable villages and smaller towns, as opposed to isolated bungalow plots provided in the midst of expansive family housing estates. The PPG highlights that ‘the location of housing is a key consideration for older people who may be considering whether to move’ and Applethwaite knows from its customer feedback and waiting lists that the lack of suitable specialist housing opportunities in town and village locations where retired and older people want to move to (to stay in or relocate to an area) is one of the prime reasons why they do not move and a key barrier to down-sizing (right sizing).</p>	<p>Agree.</p> <p>The NPPF does not require the allocation of land to meet the needs of the elderly but recognises the role that this approach can fulfil in contributing towards meeting this specialist need.</p> <p>Policy AL01 and the site allocations in some of the adopted neighbourhood plans provide a wide range of sites many of which would be suitable for elderly specific housing accommodation. Policy DM28 has been amended to make this clear.</p> <p>The plan adopted a flexible approach to promote market choice and encourage the delivery of age-appropriate housing. It is accepted that the approach advanced would not make significant in-roads to meeting the needs of an ageing population, but despite three separate Call for Sites only the site that is the subject of this representation has been submitted specifically for elderly restricted housing. The Council is unaware of further site options.</p>	Paragraph 3 of Policy DM28 amended to add: (f) At sites allocated in Policy AL01, or in an adopted Neighbourhood Plan, where suitable and where this would provide a sustainable development.
01858 / 006 Applethwaite Ltd (Smith & Love)	Site Submission – Land North of Earby Road (Park Avenue), Earby	<p>Applethwaite wishes to put forward a proposal for a site allocation for age-restricted specialist bungalow development for older people. This is the type of site opportunity it requires in terms of the type and size of site, and its location at a desirable village within a popular retirement housing market area offering the quality of life and well-being retired and older people seek in considering a move to down-size (right size) from a family home to begin a new chapter in their lives.</p> <p>Applethwaite controls land at Earby Road (also called Park Avenue) in Earby. Earby is a defined Local Service Centre (Tier 2) in the settlement hierarchy at Policy SP02 ‘spatial</p>	<p>Site suggestion noted.</p> <p>An expanded site P275 will be assessed and tested through the Sustainability Appraisal.</p> <p>The submission site represents the expansion of a committed development permitted in January 2022 (21/0769/OUT) and is located within the open countryside.</p> <p>The expanded site would constitute ribbon development and would further erode the perception of a physical gap between Earby and Salterforth.</p> <p>Constraints to the pedestrian environment exist locally and are a cause for concern when considering the sustainability</p>	No change.

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		<p>strategy' of the draft Plan and is a suitable and sustainable location for appropriate housing growth. The land adjoins the settlement boundary on west side of Earby adjacent to housing at Warwick Drive and White Leys Close.</p> <p>Applethwaite submitted details of the site in response to the Call for Sites in July 2022. A copy of the site location plan submitted at that time is attached. (see Enclosure 2).</p> <p>Part of the land already benefits from outline planning permissions (originally 18/0624/OUT and most recently 21/0769/OUT which was granted on 25th January 2022) for residential development with access from Earby Road (Park Avenue) and all other matters reserved. The proposed indicative layout plan submitted with the application (see Enclosure 3) shows that a scheme of 12 no. two storey detached and semi-detached houses can be suitably accommodated on the site. The commitment is included in the draft Plan evidence base (as SHLAA site ref. P275 - Land to the west of White Leys Close) and is shown in the Housing Trajectory (Appendix 1) as site ref. EY081 for early delivery in 2025/26 to 2026/27 of the plan period.</p> <p>Following site investigation, the extension land to the north of application site 21/0769/OUT (per the July 2022 Call for Sites submission) is constrained by shallow soil depth above the bedrock and, therefore, Applethwaite has explored the potential to extend the committed development to the west following the frontage of Earby Road (Park Avenue). This is designed to mirror the urban form of the settlement to the south of Earby Road as committed under reserved matters approval 19/0863/REM 'Land at field number 0087, Earby Road' for 34 no. dwellings (see Enclosure 4), and shown in the Housing Trajectory (Appendix 1) as site ref. EY076 for imminent delivery between 2023/24 and 2026/27.</p> <p>Applethwaite has prepared an indicative layout for a scheme of 26 no. age-restricted specialist bungalows for older people on its land at Earby Road (Park Avenue), Earby showing how the site could be developed, and this is submitted with these comments (see Enclosure 5). The site boundary of application 19/0863/REM south of Earby Road is also shown on the drawing for reference. The proposed scheme comprises a mix of two and three bedroom Part M4(2) compliant bungalows, with potential to also provide single bedroom bungalows if there is a requirement for smaller plots.</p>	<p>merits of the proposal. It is unclear how the proposal would affect the route safeguarded in Policy 29 of the Replacement Pendle Local Plan, for a possible Colne to Earby relief road (A56 Bypass) and future options for highway improvements along the A56 corridor.</p> <p>The Local Plan includes a surplus of supply against the identified housing requirement and there are recent commitments in Earby which make a positive contribution to this requirement, including the provision of new homes suitable for the elderly. The representation has not made clear why the proposed type of development cannot be accommodated on the committed scheme. As such the merits of the larger proposal cannot be understood in full.</p>	

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01862 / 001 Ms P Laycock	General Comment	I fully endorse the response you have had from the Lidgett and Beyond group. I cannot add to what has been said. Please support their points.	Comments noted. Please see the response to representation ID: 00294 .	No direct changes.
01863 / 001 Skipton Properties (NL Jones Planning)	Policy SP02	<p>Policy Text 1 Table SP02a sets out the draft Settlement Hierarchy for Pendle. The role of 'rural villages', which includes some of the larger more sustainably ranking rural villages such as Salterforth and Laneshawbridge, is identified as accommodating '<i>only development which addresses an identified local need</i>'. This is not consistent with the NPPF, in particular paragraphs 78 and 79 on rural housing, which require that planning policies should identify opportunities for villages to grow and thrive, with housing being located where it will enhance or maintain the vitality of rural communities. Therefore the draft policy unduly restricts the ability of these settlements to grow in a sustainable manner over the Plan period. In order to meet the evidence based housing requirement for Pendle (see further representation comments below on Policy DM20) the role of the rural villages should include the encouragement of suitable opportunities for villages to grow and thrive, promoting suitable levels of growth within these settlements, to ensure that the ongoing vitality of these villages, and the services within them, can be maintained and grow in a suitably planned manner. This should be done through the allocation of sustainable development sites in, or on the edge, of these villages. This will ensure that local housing needs in these villages can be properly planned for and accommodated in a sustainable manner and provide for the future housing needs in these locations over the Plan period. Currently, the draft Plan does not allocate any housing sites that will allow the sustainable growth of these villages, which fails to positively plan for their ongoing vitality, and limits the opportunities for the provision of new homes for these villages to meet the demands of the local community now and in the future. In the context of the exceptional circumstances that are demonstrated for the adoption of a greater housing requirement than proposed in the draft Plan (see comments below), there is clear justification for the role of the Rural Villages to be amended in order that they can accommodate housing growth in a planned and sustainable manner through the Local Plan. This justifies the identification of suitable sites within these villages for sustainable housing growth, as part of a positively planned approach within the overall spatial strategy.</p> <p>Recommended change: The Role of Rural Villages should be amended as follows: Only development which addresses and identified local need will normally be permitted. <i>Development, including new housing, which enhances or maintains the vitality of rural communities, and provides opportunities for villages to grow and thrive, will be supported.</i></p>	<p>Disagree.</p> <p>Policy SP02 takes a proportionate approach to development within the borough's settlements. The level of housing development proposed for Laneshaw Bridge and Salterforth reflects the scale, role and limited range of services available in these two settlements.</p> <p>The policy supports development where there is locally specific evidence demonstrating that it is needed (see Policies SP01 and DM23). Further support for small rural communities is provided in Policies DM26, DM45 and DM46. There are sufficient commitments to meet the needs of all our rural settlements until the end of the plan period in 2040. The Local Plan also permits further windfall development on suitable sites where consistent with the spatial strategy. A presumption in favour of sustainable development is implemented by Policy SP02 for proposals located within defined settlement boundaries.</p> <p>The spatial strategy seeks to avoid development at locations where this would encourage short journeys to be made by car to help address climate change through the reduction of greenhouse gas emissions and to support regeneration objectives in the borough's main urban areas. This approach is consistent with national planning policy as set out in the NPPF and is the highest scoring outcome in the sustainability appraisal, in the context of the council's declaration of a Climate Emergency.</p>	No change.

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01863 / 002 Skipton Properties (NL Jones Planning)	Policy DM20 – Housing/Economic Linkages	<p>This housing requirement is not consistent with the NPPF. It is not justified and not positively prepared. This housing requirement, if adopted, will fail to meet the evidence based housing need in the Borough. The policy as drafted is therefore unsound. Reference can be made to the Council’s own evidence base documents on housing need, included for consultation within the Preferred Options consultation exercise, specifically the ‘Pendle Housing and Economic Development Needs Assessment’ Final Report, April 2023.</p> <p>This report is clear in stating the following:</p> <p>The Standard Method for assessing housing need currently results in an annual housing need for 140 dwellings. This report details the exceptional circumstances that would support deviation from the Standard Method and recommends a figure in the region of 270 dwellings per annum when taking account of the range of evidence including economic growth.</p> <p>PPG allows for divergence from the figure generated by the standard method calculation (in both an upward and downward direction) where exceptional circumstances can be demonstrated.</p> <p>What is certain is that the housing need will need to exceed the standard method to meet economic growth. This leads us to our minimum 270 dpa conclusion.</p> <p>If this level of housing is not delivered it will either stifle local economic growth, which is contrary to the NPPF or result in more people commuting into the borough than before. This could lead to unsustainable commuting patterns which result in congested roads and overcrowded public transport (without improvements).</p> <p>Housing Need Summary – Pg 93/4 - For Pendle there is a clear case to support exceptional circumstances. Overall, the analysis in this section points to there being a strong case of the Council to plan for a housing number in excess of the Standard Method; this would support stronger population and economic growth and it is also that case that housing delivery has been stronger than the standard Method in the recent past.</p>	<p>As required by paragraph 61 of the 2023 NPPF the housing requirement has been <i>“informed by a local housing need assessment, conducted using the SM in national planning guidance.”</i></p> <p>The initial housing requirement of 140 dwellings per annum (dpa), set out in the Regulation 18 draft of the Pendle Local Plan Fourth Edition, was based on the governments Standard Method (SM) figure when work on the plan commenced in early 2022. It has now been updated to reflect analysis that is based on newly available data.</p> <p>The 2021 Census was carried out during the COVID-19 lockdown and there is significant uncertainty about some of the results. This is particularly true for the demographic data relating to Pendle, which is heavily influenced by international migration. The population growth experienced between the 2011 and 2021 Census is considerably higher than was anticipated by the Sub-National Population Projections (SNPP), yet over the same period household growth is significantly lower than the figure anticipated by the 2014-based Household Projections and actual housing completion rates.</p> <p>The Housing and Economic Development Needs Assessment (HEDNA) (Iceni Projects, 2023) addresses this matter but is unable to reach a clear conclusion given the complexities of the situation. In the absence of alternative evidence. The Council therefore resolved to use the SM figure as the basis for plan-making in the borough.</p> <p>Following the conclusion of the Regulation 18 public consultation, the Council has updated its evidence on local housing need. The Pendle Housing Need Review (Iceni Projects, 2024) reveals that the SM figure for Pendle has now reduced to 124 dpa. Further demographic analysis, not accounted for within the SM calculation, supports an uplift of this baseline figure to 148 dpa, which caters for the full demographic needs of the borough including an adjustment in response to affordability indicators.</p> <p>The report also considers the level of housing required to deliver projected economic growth, concluding that an annual housing requirement of 230 dpa would be needed. The report highlights that economic activity rates in Pendle are significantly lower than the regional average. In response, a sensitivity test based on improving economic activity rates was carried out. This concludes that an annual housing requirement as low as 144 dpa would be appropriate were there to be modest increases in economic activity rates.</p>	<p>The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.</p> <p>Supporting text to be revised to reflect this update and more recent evidence.</p>

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			<p>Improving economic activity rates is a government priority. Programmes supported through the UK Shared Prosperity Fund, and those that are proposed, give the Council confidence that economic activity rates in Pendle will improve during the plan period. In these circumstances an annual housing requirement of 230 dpa would lead to an oversupply within the labour force, failing to achieve the necessary balance between housing and employment growth that is required by the NPPF.</p> <p>Lomeshaye Phase 2, the borough’s strategic employment site and major contributor towards projected economic growth, is unlikely to be progressed in the first five years of the Local Plan. The adoption of the proposed housing requirement is therefore unlikely to constrain economic growth at least in the early part of the plan period.</p> <p>The lead-in time for Lomeshaye Phase 2 provides an opportunity for the impacts of the plan and other policies on economic growth, labour supply, and economic activity rates to be monitored using the indicators set out in Appendix 10 of the Local Plan. The NPPF requires local planning authorities to review their plans every five years. This will require the Council to review the housing requirement in light of monitoring information and ahead of the delivery Lomeshaye Phase 2.</p> <p>The HEDNA and its 2024 update are just one part of the Council’s evidence base. There are environmental and topographical constraints impeding the delivery of future housing growth. Large areas of the borough are subject to NPPF policies that seek to protect areas or assets of particular importance, as listed in footnote 7 to paragraph 11. Approximately 35% of the land in the borough (5,993 ha) is covered by an environmental designation listed in footnote 7.</p> <p>The Council is satisfied that projected economic growth can be achieved and adequately supported by the adoption of the demographic-based annual housing requirement of 148 dpa, which represents a 24 dpa (20%) uplift on the government’s SM baseline figure. Furthermore the flexibility built into the draft Local Plan can support the delivery of up to 162 dpa, confirming that 148 dpa is the minimum figure for housing delivery.</p>	
01863 / 003 Skipton Properties (NL Jones Planning)	Policy DM20 – Affordable Need	The allocated sites in the draft plan are, almost exclusively, brownfield sites. It is such sites that often present the most significant challenges in terms of development viability, given associated remediation and abnormal costs. This therefore limits the ability of developers and housebuilders to provide affordable housing as part of new housing development in such locations. Therefore, in order that the Plan is positively prepared, and given the exceptional circumstances within the evidence base justifying a housing	<p>Comments noted.</p> <p>Evidence shows that the provision of affordable housing is not viable in many parts of the plan area regardless of site typology. These findings are reflected in Policy DM23 Affordable Housing Table DM23a. The commentary provided in paragraph 6.34 of the supporting text reflects the Council’s experience across all sites.</p>	No change.

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		<p>requirement of 270 homes per annum, there is a clear need to plan for a greater number of homes, which will require the allocation of both brownfield and greenfield sites to provide the housing needed in the Borough. It is on such greenfield sites that the opportunity to provide affordable housing is, in many cases, increased, given the lesser costs associated with development. A more balanced brownfield / greenfield spatial strategy and site allocations approach will therefore achieve the combined requirements of providing for the overall housing needed and enabling the delivery of a greater total for affordable homes for the Borough.</p>	<p>Developers of Greenfield sites often negotiate the suggested level of affordable housing provision down to zero on the basis of poor viability.</p> <p>In Pendle, affordable housing is primarily delivered on sites that are able to secure grant funding and deliver 100% affordable housing. This is illustrated by recent schemes at the former James Nelson Sports Club, Nelson and the former Harrison Drive Recreation Ground, Colne. These are all windfall schemes located within settlement boundaries.</p> <p>In this context the Council has concluded that a further upward adjustment to the housing requirement figure is highly unlikely to secure the delivery of more affordable housing to help address the identified level of affordable housing need. The benefits of doing so in the context of affordable housing need are therefore limited.</p>	
01863 / 004 Skipton Properties (NL Jones Planning)	Policy DM20 – Positively Prepared	<p>The policy, and the Plan overall, is restrictive in terms of opportunities to deliver a supply of housing in excess of this figure. In relation to the Rural Villages, the settlement boundaries are drawn tight around the existing built up area, and there is therefore very limited opportunity for sustainable housing growth in these villages in a planned manner. This is not positively prepared, and therefore not consistent with the NPPF as set out above.</p>	<p>Disagree,</p> <p>The plan makes provision for over 3083 dwellings. This is in excess of the aplan requirement of 148 dpa and standard method figure of 124dpa. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.</p> <p>Further the Local Plan applies a presumption in favour of sustainable development to proposals for sites located within settlement boundaries (Policy SP02) and permits development outside a designated settlement boundary in specific circumstances such as the need to meet location specific affordable housing needs (Policy DM23), rural housing needs (Policy DM26), self-and custom-build housing (Policy DM27), and proposals that help to support the rural economy (Policy DM45 and Policy DM46).</p> <p>The representation is not accompanied by evidence to demonstrate that the sites allocated for housing in the Local Plan are not deliverable, or that the housing trajectory is not realistic.</p>	No change.
01863 / 005 Skipton Properties (NL Jones Planning)	Omission Site P080	<p>The Site is located within Moorland Fringe Landscape Character Area (Zone 4g). As part of the site masterplanning work, the scale, siting, layout and design of development, together with open space/landscaping provisions will mitigate for the effects of the development on the landscape character. This can include planting along the site boundaries and off- setting of development away from the site boundaries to ensure that the perception of open countryside is maintained, with the inclusion of open space buffers towards the north of the site. As part of the planning application process, a full and thorough landscape</p>	<p>Comments noted.</p> <p>The representation is accompanied by insufficient evidence to persuade the Council to amend its current assessment of the site’s suitability for development.</p> <p>The supporting evidence will be updated to reflect the land interests of Skipton Properties at site P080.</p>	<p>No change to the Local Plan.</p> <p>Update the supporting evidence and site assessment information to reflect that Skipton Properties have an interest in the land at this location.</p>

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		and visual impact assessment can be undertaken to inform scheme layout and design processes. In addition, open space provision within the site and at the site boundaries can ensure that the impacts of development on the landscape and the settlement are managed. This can include an open space buffer towards the northern part of the site which will help to address both landscaping and visual considerations. Skipton Properties is promoting the site on behalf of the landowner. The above responses demonstrate that the site is suitable. It is therefore suitable, available and achievable, and therefore deliverable.		
01863 / 006 Skipton Properties (NL Jones Planning)	Omission Site P114	The net development area of the site will be determined at the planning and detailed design stages, having regard to the environmental, infrastructure and townscape considerations associated with the site. It is envisaged that development will be focussed on the southern portion of the site adjacent to existing residential development, with the northern portions set aside for open space. This can ensure that the scale of development is proportionate to size of the village and will enable the impacts on the setting, character and appearance of the village to be managed. Skipton Properties is promoting the site on behalf of the landowner. The above responses demonstrate that the site is suitable. It is therefore suitable, available and achievable, and therefore deliverable.	Comments noted. The representation is accompanied by insufficient evidence to persuade the Council to amend its current assessment of the site's suitability for development. The supporting evidence will be updated to reflect the land interests of Skipton Properties at site P114.	No change to the Local Plan. Update the supporting evidence and site assessment information to reflect that Skipton Properties have an interest in the land at this location.
01863 / 007 Skipton Properties (NL Jones Planning)	Omission Site P320	It is agreed that the net development area of the site is likely to be reduced given the need to have regards to the environmental, infrastructure and townscape considerations associated with development. The exact extent of net developable area of the 3.57 ha total site area will be determined through the planning and detailed design stages. Development will be appropriately included within the northern part of the site, with the southern part of the site set aside for open space. This can ensure that visual impacts are mitigated. In terms of heritage impacts, there are no listed buildings on the site, and it is not within the Conservation Area. Therefore, with sensitive masterplanning, layout and boundary treatment any potential heritage impacts can be sensitively addressed. The exceptional circumstances to justify the release and development of the site are contained within the Council's own evidence base on housing need, which supports a housing requirement of 270 homes per annum. This can be delivered through the allocation of a combination of brownfield and sustainably located green-field and Green Belt sites. The above responses demonstrate that the site is	Comments noted. The site is within the designated Green Belt. It is also within the Trawden Forest Conservation Area and situated close to a number of listed buildings. The site plays an important role in establishing the character and setting of the settlement, and in particular its historic core. The representation is accompanied by insufficient evidence to persuade the Council to amend its current assessment of the site's suitability for development. Sufficient land exists outside the designated Green Belt to meet the identified housing requirement. The Council does not consider that locally specific housing need is sufficient to justify the exceptional circumstances required to release land from the Green Belt. The Council, through the Duty to Cooperate, has not been made aware of any requirement for it to meet the housing needs of a neighbouring authority. It has similarly made no approach to a neighbouring authority seeking help in meeting its identified housing need up to 2040.	No change.

Responder ID	Policy /Site Ref	Issue	Council Response	Changes to the Local Plan and/or supporting documents
		suitable. It is therefore suitable, available and achievable, and therefore deliverable within plan period.	Based on the available evidence the allocation of the site would be contrary to national planning policy concerning development in the Green Belt. The allocation of the site for housing does not represent a sound planning strategy and would fail to align with the proposed spatial strategy as set out in Policies SP02 and SP03.	
01863 / 008 Skipton Properties (NL Jones Planning)	Omission Site P321	The site is located between existing residential development on its eastern and western boundary, whilst its northern boundary is formed by the A6068 with existing residential properties beyond. Residential development of the site would not therefore be incongruous, and the retention and strengthening of a landscape buffer at the southern boundary of the site as part of site masterplanning could ensure that visual impacts from the south and to the character and setting of the village could be managed. The site is not covered by any specific biological or environmental designation. The exceptional circumstances to justify the release and development of the site are contained within the Council's own evidence base on housing need, which supports a housing requirement of 270 homes per annum. This can be delivered through the allocation of a combination of brownfield and sustainably located green-field and Green Belt sites.	Comments noted. The site is within the designated Green Belt. It is adjacent and closely related to the Upper Ball Grove Local Nature Reserve (LNR) and the Ball Grove Lodge Site of Local Natural Importance (LNI) and the Trawden Forest Conservation Area. The representation is accompanied by insufficient evidence to persuade the Council to amend its current assessment of the site's suitability for development. The Council do not consider that exceptional circumstances exist to justify the release of land from the Green Belt to meet housing need. Sufficient land exists outside the designated Green Belt to meet the identified housing requirement. The Council, through the Duty to Cooperate, has not been made aware of any requirement for it to meet the housing needs of a neighbouring authority. It has similarly made no approach to a neighbouring authority seeking help in meeting its identified housing need up to 2040. Based on the available evidence the allocation of the site would be contrary to national planning policy concerning development in the Green Belt. The allocation of the site for housing does not represent a sound planning strategy and would fail to align with the proposed spatial strategy as set out in Policies SP02 and SP03.	No change.
01863 / 009 Skipton Properties (NL Jones Planning)	Omission Site P322	The site is not located in a Conservation Area and there are no listed buildings on the site. Sensitive masterplanning, layout and the provision of open space 'buffer' and new planting and landscaping, together with high quality design will ensure a positive contribution towards the historic environment. Phased development in conjunction with P320 (see above) would provide a logical extension to the existing settlement and ensure suitable access can be provided. The exceptional circumstances to justify the release and development of the site are contained within the Council's own evidence base on housing need, which supports a housing requirement of 270 homes per annum. This can be delivered through the allocation of a combination of brownfield and sustainably	The site is designated Green Belt and is closely situated to existing listed buildings and the Trawden Forest Conservation Area. The site maintains an important role in establishing the character and setting of the settlement, and in particular its historic core. Insufficient evidence has been submitted to persuade the Council to alter its current position regarding the site's suitability for development. The Council's assessment is therefore unchanged. Sufficient land exists outside the designated Green Belt to meet the identified housing requirement. The Council does not consider that locally specific housing need is sufficient to justify the exceptional circumstances required to release land from the Green Belt. The Council, through the Duty to Cooperate, has not been made aware of any requirement for it to meet the housing needs of a neighbouring authority. It has similarly made no	No change.

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		<p>located green-field and Green Belt sites).</p> <p>The above responses demonstrate that the site is suitable. It is therefore suitable, available and achievable, and therefore deliverable within plan period.</p>	<p>approach to a neighbouring authority seeking help in meeting its identified housing need up to 2040.</p> <p>Based on the available evidence the allocation of the site would be contrary to national planning policy concerning development in the Green Belt.</p> <p>The allocation of the site for housing does not represent a sound planning strategy and would fail to align with the proposed spatial strategy as set out in Policies SP02 and SP03.</p>	

<p>01864 / 001 Castle Green Homes (PWA Planning)</p>	<p>Policy DM20 - Housing/Economic Linkages</p>	<p>In terms of moving away from the Standard Methodology figure, the PPG sets out that there will be circumstances when a higher figure than that generated by the standard method might be considered as the standard method does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. The recent HEDNA produced by Icen Project succinctly and clearly demonstrates why this should be the case in this instance. The NPPF at Paragraph 81 states that ‘significant weight should be placed on the need to support economic growth and productivity’. The Preferred Options seeks to achieve sustainable growth and diversification of the Borough’s local economy and the Vision sets out the aspiration to expand such a way particularly in the M65 Corridor, diversifying the economic base and foster growth of the established manufacturing sector. Improvements in education and training Pendle Borough Council are intended to create a more knowledgeable and skilled workforce, increased entrepreneurial activity and new business opportunities. Furthermore, Strategic Objective 6 sets out the aim to: ‘Strengthen the resilience of the local economy by facilitating economic growth, particularly where it supports diversification and regeneration.</p> <p>In this respect, there is a clear and very pertinent question as to whether the reduced figure of 140 dpa will adequately ensure the economic growth of the borough. Paragraph 82c of the Framework which states planning policies should (amongst other things): ‘seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment.’ For the Pendle, and, based on the most up to date projections, this is considered to equate to 270dpa, clearly a figure of 140 dpa will by no means assist in delivering this and the aspirations set by the Local Plan. The Council’s own supporting text to the housing need section of the Preferred Option, in Paragraph 6.27 make clear why the Standard Method figure is not suitable and a higher figure should indeed be used.</p>	<p>As required by paragraph 61 of the 2023 NPPF the housing requirement has been <i>“informed by a local housing need assessment, conducted using the SM in national planning guidance.”</i></p> <p>The initial housing requirement of 140 dwellings per annum (dpa), set out in the Regulation 18 draft of the Pendle Local Plan Fourth Edition, was based on the governments Standard Method (SM) figure when work on the plan commenced in early 2022. It has now been updated to reflect analysis that is based on newly available data.</p> <p>The 2021 Census was carried out during the COVID-19 lockdown and there is significant uncertainty about some of the results. This is particularly true for the demographic data relating to Pendle, which is heavily influenced by international migration. The population growth experienced between the 2011 and 2021 Census is considerably higher than was anticipated by the Sub-National Population Projections (SNPP), yet over the same period household growth is significantly lower than the figure anticipated by the 2014-based Household Projections and actual housing completion rates.</p> <p>The Housing and Economic Development Needs Assessment (HEDNA) (Icen Projects, 2023) addresses this matter but is unable to reach a clear conclusion given the complexities of the situation. In the absence of alternative evidence. The Council therefore resolved to use the SM figure as the basis for plan-making in the borough.</p> <p>Following the conclusion of the Regulation 18 public consultation, the Council has updated its evidence on local housing need. The Pendle Housing Need Review (Icen Projects, 2024) reveals that the SM figure for Pendle has now reduced to 124 dpa. Further demographic analysis, not accounted for within the SM calculation, supports an uplift of this baseline figure to 148 dpa, which caters for the full demographic needs of the borough including an adjustment in response to affordability indicators.</p> <p>The report also considers the level of housing required to deliver projected economic growth, concluding that an annual housing requirement of 230 dpa would be needed. The report highlights that economic activity rates in Pendle are significantly lower than the regional average. In response, a sensitivity test based on improving economic activity rates was carried out. This concludes that an annual housing requirement as low as 144 dpa would be appropriate were there to be modest increases in economic activity rates.</p> <p>Improving economic activity rates is a government priority. Programmes supported through the UK Shared Prosperity Fund, and those that are proposed, give the Council</p>	<p>The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update.</p> <p>Supporting text to be revised to reflect this update and more recent evidence.</p>
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			<p>confidence that economic activity rates in Pendle will improve during the plan period. In these circumstances an annual housing requirement of 230 dpa would lead to an oversupply within the labour force, failing to achieve the necessary balance between housing and employment growth that is required by the NPPF.</p> <p>Lomeshaye Phase 2, the borough’s strategic employment site and major contributor towards projected economic growth, is unlikely to be progressed in the first five years of the Local Plan. The adoption of the proposed housing requirement is therefore unlikely to constrain economic growth at least in the early part of the plan period.</p> <p>The lead-in time for Lomeshaye Phase 2 provides an opportunity for the impacts of the plan and other policies on economic growth, labour supply, and economic activity rates to be monitored using the indicators set out in Appendix 10 of the Local Plan. The NPPF requires local planning authorities to review their plans every five years. This will require the Council to review the housing requirement in light of monitoring information and ahead of the delivery Lomeshaye Phase 2.</p> <p>The HEDNA and its 2024 update are just one part of the Council’s evidence base. There are environmental and topographical constraints impeding the delivery of future housing growth. Large areas of the borough are subject to NPPF policies that seek to protect areas or assets of particular importance, as listed in footnote 7 to paragraph 11. Approximately 35% of the land in the borough (5,993 ha) is covered by an environmental designation listed in footnote 7.</p> <p>The Council is satisfied that projected economic growth can be achieved and adequately supported by the adoption of the demographic-based annual housing requirement of 148 dpa, which represents a 24 dpa (20%) uplift on the government’s SM baseline figure. Furthermore the flexibility built into the draft Local Plan can support the delivery of up to 162 dpa, confirming that 148 dpa is the minimum figure for housing delivery.</p>	
01864 / 002 Castle Green Homes (PWA Planning)	Policy DM20 – Housing/Affordable Housing Link	<p>Quotes Paragraph 6.34 of the draft Local Plan (not repeated here).</p> <p>This is not an exceptional local circumstance, nor a reason to ignore the significant need for affordable housing need in the borough (as identified as the case within the above text). In taking this approach it will simply extrapolate the matter, making the affordable housing need matter greater by simply not seeking to tackle the need identified within the HEDNA in any respect.</p>	<p>Comment unclear.</p> <p>National Planning Practice Guidance states that “an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of homes.”</p> <p>Paragraph 6.34 of the supporting text sets out the Council’s position, which responds to the findings of its evidence on viability and reflects local experience in decision making.</p> <p>This pattern is apparent in Live Table 1011C. It is clear from this information that an increase in the housing requirement</p>	No change.

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			figure is unlikely to help address the affordable housing needs of the Borough, even though they are significant.	
01864 / 003 Castle Green Homes (PWA Planning)	General Comment – supply flexibility	There is no flexibility built into the housing requirement to include actual need. Whilst a surplus is identified within the plan of 136 dwellings, this is minimal particularly given the need as evidenced is anticipated to be significantly more. Pendle should instead seek to encourage growth now.	Disagree, The plan makes provision for over 3083 dwellings. This is in excess of the plan requirement of 148 dpa and standard method figure of 124dpa. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified. Further the Local Plan applies a presumption in favour of sustainable development to proposals for sites located within settlement boundaries (Policy SP02) and permits development outside a designated settlement boundary in specific circumstances such as the need to meet location specific affordable housing needs (Policy DM23), rural housing needs (Policy DM26), self-and custom-build housing (Policy DM27), and proposals that help to support the rural economy (Policy DM45 and Policy DM46). The representation is not accompanied by evidence to demonstrate that the sites allocated for housing in the Local Plan are not deliverable, or that the housing trajectory is not realistic.	No change.
01864 / 004 Castle Green Homes (PWA Planning)	General Comment - Windfalls	The emerging local plan's reliance on windfall sites coming forward to meet overall housing needs is inappropriate in that it involves a degree of uncertainty in supply which makes it unlikely that the number of dwellings required to be delivered within the plan period will be brought forward successfully. Development opportunity sites in sustainable locations and that are available, such as the site at Wheatley Lane Road / Pasture Lane should be specifically allocated, rather than development being constrained in favour of sites which may not go ahead or could be stalled due to several varying factors.	Comments noted. The inclusion of a windfall allowance within the housing trajectory is consistent with Paragraph 71 of the NPPF. The windfall allowance reflects evidence that is published annually by the Council in its Five-year housing land supply assessment. The Council is satisfied that the plan provides sufficient flexibility to ensure appropriate levels of housing delivery throughout the plan period. The representation is not accompanied by evidence to demonstrate that the sites allocated for housing in the Local Plan are not deliverable, or that the windfall allowance within the housing trajectory is not realistic.	No change.
01864 / 005 Castle Green Homes (PWA Planning)	SHLAA Assessment P130	PWA strongly disagree with the SHLAA assessment and through this further representation, we request that this site is reconsidered as an allocation for housing land.	Comments noted. The precise nature of the objection to the assessment made in the SHLAA is not stated in the representation. As such the Council is unable to respond on this matter.	No change.
01864 / 006 Castle Green Homes (PWA Planning)	Omission Site – P130	Barrowford is likely to remain a key location for growth well into the future but large parts of the settlement are significantly constrained by limited amounts of available previously developed land, the open countryside,	Comments noted. The Pendle Local Plan Fourth Edition is concerned with meeting the development needs of Pendle to 2040. Based on existing evidence, the Council is satisfied that the housing	No change.

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		<p>accessibility and topography. It is considered that the proposal will represent an entirely appropriate and sustainable type of development. The development will contribute to the availability of market dwellings within the Borough and the development will be confined to a Local Service Centres, of which Barrowford is included, as per Policy SP02. Furthermore, as per the site's location adjacent to Barrowford, it would ensure that sustainable growth as sought by the Preferred Options could be delivered. It would ensure homes in proximity to facilities and services as sought by policies by the strategy within the plan, Paragraph 4.1 and Policy SP11. Whilst the site is located within the Open Countryside, due to the site's proximity to the M65, the development will be located within the area identified for most of the borough's housing growth. Although the site is within the open countryside, it is located on the northern perimeter of the settlement of Barrowford. It is considered that housing would represent an efficient use of land as well as representing a sensible extension to Barrowford, particularly given the site's containment by the existing development, road infrastructure, natural features and the relationship with the settlement boundary, as defined through the Local Plan. Through the local plan, Pendle are promoting sustainable growth and encouraging the provision of high-quality family housing. In this respect, the site will be attractive to developers seeking to provide a healthy mix of properties, including open market dwellings and family housing, in line with the Council's aspirations, enhancing Barrowford as a popular settlement to live and work. The site forms a very logical extension to the settlement area of Barrowford where a more rural to urban transition can take place. Any proposed housing development at this site will provide the type of homes that the Borough will need, both now and in the future. Furthermore, the allocation of Wheatley Lane Road for housing will provide a logical, permanent, and defensible boundary for the open countryside designation to the west. It is considered the site will meet all the relevant requirements as set out above, with any perceived harm being significantly outweighed by the benefits of a quality housing development. As the land is readily available, deliverable, allocation of this land will help the Council to meet their identified housing requirements across the plan period, providing a good mix of homes for Barrowford, in addition to other sites that have already been allocated or are proposed to be allocated. On the above basis, we feel that the site has considerable merit as a housing allocation, being a true representation of what</p>	<p>needs of Barrowford over this period will be fully met by existing commitments – i.e. sites with planning permission to deliver new housing. As such there is no need for further housing site allocations at this time.</p> <p>This extensive greenfield site is located in the open countryside adjacent to the settlement boundary. There are significant concerns about the capacity of the road network on the approaches to the site. The representation is accompanied by insufficient evidence to persuade the Council to amend its current assessment of the site's suitability for development.</p>	

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		the Council identifies as representing 'balanced' housing growth across the Borough.		
01867 / 001 Gleeson Homes (Pegasus Group)	Settlement Sustainability Review (2022)	<p>Within this, Earby was the 6th highest scoring settlement. Following this assessment, the Preferred Options consultation identifies Earby as a Local Service Centre, located in the West Craven Area.</p> <p>Given its scoring within the settlement sustainability strategy, it is right that a reasonable level of development is directed towards Earby, especially as there are brownfield sites, such as Brook Shed, which could accommodate some development.</p>	Comments noted.	No change.
01867 / 002 Gleeson Homes (Pegasus Group)	SHLAA (2022/23)	<p>..Given the opening to the SHLAA, it is not clear if there has been a more recent 'call for sites exercise' to understand if any further sites may now be available for development, especially as para 2.8 states, <i>"The sites included within the SHLAA are primarily sourced from previous SHLAA exercises undertaken by the Council which had been conducted before to the preparation of the new Local Plan..."</i></p> <p>What isn't particularly clear is the data which has fed into the Tables from para 3.7 onwards, although footnote 3 takes you to a link to the 5-year housing land supply, this only provides a summary, not the full list of sites. In addition, it does not appear to reflect the wider information within Appendix 5 of the SHLAA trajectories.</p>	<p>Comments noted.</p> <p>The SHLAA is a complete review of the potential housing land supply in the borough. It has updated the evidence gathered in support of the abandoned Local Plan Part 2, including a thorough examination of site availability.</p> <p>The updated SHLAA has been informed by a further Call for Sites. This was carried out in parallel with the consultation on the Local Plan Scoping Report and Methodology, which took place in July 2021. The SHLAA is updated annually The SHLAA is updated annually to reflect feedback from agents, landowners and developers obtained via a questionnaire survey.</p> <p>Paragraphs 3.7 onwards reflect the different tests applied in the preparation of the SHLAA, as compared to those for the Five-year housing land supply (5YHLS) assessment.</p> <p>The two approaches are not an exact mirror image of each other. There are a number of sites included within the short-term supply of the SHLAA, which would not necessarily meet the tests for inclusion in the 5YHLS, which reflects the supply position of the Council applying only the relevant tests set out in the NPPF.</p> <p>The Housing Trajectory (Appendix 1) only reflects projected delivery on committed sites, sites allocated in a 'made' neighbourhood plan, and those sites proposed for allocation in the Local Plan.</p> <p>The SHLAA sits as part of a wider evidence base which underpins the Local Plan. The SHLAA has informed the Council of the potential range of sites available for housing. These have been tested and examined through the site assessment process and Sustainability Appraisal with information submitted to the SHLAA helping to inform this assessment.</p>	No change.
01867 / 003	Vision / Plan Period	Gleeson agree with the overall vision of the plan. However, consideration should be given to extending the plan period. The plan will need to run for a minimum of 15 years, to	Disagree.	No change.

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Gleeson Homes (Pegasus Group)		comply with Para 22 of the NPPF (National Planning Policy Framework), so it may be necessary to extend the end date of the plan to account for any delays in the plan-making process.	The Council considers that the plan period up to 2040 is an appropriate period to plan for. The adopted Local Development Scheme confirms the projected timescales for plan making.	
01867 / 004 Gleeson Homes (Pegasus Group)	Objectives	Gleeson fully support objective 1. Gleeson broadly support objective 5, however it should be strengthened to ensure that all housing needs of a suitable type and scale are met and to ensure that not meeting needs in full does not create a barrier to delivering the economic growth expected by Objective 6	Disagree. The Council does not consider that the current housing land supply in Pendle forms a barrier to economic growth.	No change.
01867 / 005 Gleeson Homes (Pegasus Group)	Policy SP03	The broad distribution of development in this policy is noted and the use of 'approximately' before the identified % split of development is welcomed. Gleeson however are not sure what this policy is achieving, given it cross references Policy SP02 and this identifies a range of allocations seeking to ensure that the identified distribution is delivered. In any case, Gleeson want to ensure that the broad split of development is not a fixed proportion, not to be exceeded, or used to frustrate sustainable development from being delivered if any of the proportions were to be 'breached'. Pendle should reconsider whether this requires a standalone Policy, or is more appropriately used as Policy Justification for Policy SP02.	Comments noted. Policy SP03 provides a broad steer on how development should be directed to the borough's three spatial areas. It updates the previous policy position set out in the Core Strategy (2015). Policy SP03 ensures that the pattern of development during the plan period is proportionate to the size of the borough's various settlements, their services and infrastructure provision. This ensures the alignment of housing supply with economic activity and investment. Merging Policy SP03 and Policy SP02 would dilute its significance as part of the overall spatial strategy for the Pendle Local Plan Fourth Edition. Monitoring indicators for Policy SP02 and SP03 with specific thresholds and targets are set out in Appendix 10 of the Local Plan.	No change.
01867 / 006 Gleeson Homes (Pegasus Group)	Policy SP06	Gleeson fully support sustainable development and reducing greenhouse gas emissions, however the Policy, as currently worded, is ambiguous as to how this would be achieved, contrary to Para 16 of the NPPF. By delivering carbon reductions through the fabric and building services in a home rather than relying on wider carbon offsetting, the Future Homes Standard will ensure new homes have a smaller carbon footprint than any previous Government policy. In addition, this footprint will continue to reduce over time as the electricity grid decarbonises. It is also noted that there is no viability appraisal supporting the Local Plan at this stage which demonstrates whether achieving any of the above requirement is possible. Gleeson reserve the right to make further comments on this as and when a suitable evidence base in made available. Policy SP06 is unsound as it is not justified or consistent with national planning policy.	Comments noted. Policy SP06 seeks to support development that support efforts to lower greenhouse gas emissions and help the borough to make a positive contribution towards achieving the government's target of reaching Net Zero by 2050. The policy does not require new housing to meet the Passivhaus or BRE Quality Mark standards but does encourage the delivery of housing that meets a higher standard of sustainable design and performance.	No change.

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01867 / 007 Gleeson Homes (Pegasus Group)	Policy DM01	Gleeson are aware that Building Regulations includes a mandatory standard that all new homes must meet the requirement of 125 litres/person/day. If the Council want to impose higher standards in policy, then the PPG sets out the evidence that should be used to establish a clear need and the specific case for Pendle which justifies the inclusion of these optional higher standards.	Comments noted. The policy requirements reflect evidence provided to the Council by United Utilities. Similar pressures are experienced within the Yorkshire Water catchment area around Earby. The evidence provided will be published alongside the final Regulation 19 draft Local Plan, before it is submitted to the Secretary of State for independent examination.	No change.
01867 / 008 Gleeson Homes (Pegasus Group)	Policy DM20 – Previous Delivery	Evidence provided by Pendle Council themselves, demonstrate that housing completions over the decade from 2011 to 2021 shows average completions of 154 per annum and an even higher figure of 234 per annum over the past 5-years. Given the wording of the PPG, the HEDNA (para 6.108) is clear in setting out that: <i>“This certainly suggests the Council could expect to be able to provide more than the 140 homes per annum required by the Standard Method.”</i>	Comments noted. The proposed housing requirement is not a cap on sustainable development. It is the Council’s expectation that the Local Plan will provide more than the housing requirement and there are notable policies within the plan which take a positive approach to development at specific locations within the borough.	No change.
01867 / 009 Gleeson Homes (Pegasus Group)	Policy DM20 – Housing / Employment Link	Gleeson are concerned at this stage (based on findings of the HEDNA) that the delivery of employment land as set out in the draft plan will be constrained by using Standard Method housing numbers and will lead to unsustainable commuting pattern and issues with addressing the Climate Change Emergency declared by Pendle.	As required by paragraph 61 of the 2023 NPPF the housing requirement has been <i>“informed by a local housing need assessment, conducted using the SM in national planning guidance.”</i> The initial housing requirement of 140 dwellings per annum (dpa), set out in the Regulation 18 draft of the Pendle Local Plan Fourth Edition, was based on the governments Standard Method (SM) figure when work on the plan commenced in early 2022. It has now been updated to reflect analysis that is based on newly available data. The 2021 Census was carried out during the COVID-19 lockdown and there is significant uncertainty about some of the results. This is particularly true for the demographic data relating to Pendle, which is heavily influenced by international migration. The population growth experienced between the 2011 and 2021 Census is considerably higher than was anticipated by the Sub-National Population Projections (SNPP), yet over the same period household growth is significantly lower than the figure anticipated by the 2014-based Household Projections and actual housing completion rates. The Housing and Economic Development Needs Assessment (HEDNA) (Iceni Projects, 2023) addresses this matter but is unable to reach a clear conclusion given the complexities of the situation. In the absence of alternative evidence. The Council therefore resolved to use the SM figure as the basis for plan-making in the borough. Following the conclusion of the Regulation 18 public consultation, the Council has updated its evidence on local	The housing requirement has been adjusted to 148 dpa to reflect local demographic needs as evidenced within the Housing Needs Update. Supporting text to be revised to reflect this update and more recent evidence.

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			<p>housing need. The Pendle Housing Need Review (Iceni Projects, 2024) reveals that the SM figure for Pendle has now reduced to 124 dpa. Further demographic analysis, not accounted for within the SM calculation, supports an uplift of this baseline figure to 148 dpa, which caters for the full demographic needs of the borough including an adjustment in response to affordability indicators.</p> <p>The report also considers the level of housing required to deliver projected economic growth, concluding that an annual housing requirement of 230 dpa would be needed. The report highlights that economic activity rates in Pendle are significantly lower than the regional average. In response, a sensitivity test based on improving economic activity rates was carried out. This concludes that an annual housing requirement as low as 144 dpa would be appropriate were there to be modest increases in economic activity rates.</p> <p>Improving economic activity rates is a government priority. Programmes supported through the UK Shared Prosperity Fund, and those that are proposed, give the Council confidence that economic activity rates in Pendle will improve during the plan period. In these circumstances an annual housing requirement of 230 dpa would lead to an oversupply within the labour force, failing to achieve the necessary balance between housing and employment growth that is required by the NPPF.</p> <p>Lomeshaye Phase 2, the borough's strategic employment site and major contributor towards projected economic growth, is unlikely to be progressed in the first five years of the Local Plan. The adoption of the proposed housing requirement is therefore unlikely to constrain economic growth at least in the early part of the plan period.</p> <p>The lead-in time for Lomeshaye Phase 2 provides an opportunity for the impacts of the plan and other policies on economic growth, labour supply, and economic activity rates to be monitored using the indicators set out in Appendix 10 of the Local Plan. The NPPF requires local planning authorities to review their plans every five years. This will require the Council to review the housing requirement in light of monitoring information and ahead of the delivery Lomeshaye Phase 2.</p> <p>The HEDNA and its 2024 update are just one part of the Council's evidence base. There are environmental and topographical constraints impeding the delivery of future housing growth. Large areas of the borough are subject to NPPF policies that seek to protect areas or assets of particular importance, as listed in footnote 7 to paragraph 11.</p>	

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			<p>Approximately 35% of the land in the borough (5,993 ha) is covered by an environmental designation listed in footnote 7.</p> <p>The Council is satisfied that projected economic growth can be achieved and adequately supported by the adoption of the demographic-based annual housing requirement of 148 dpa, which represents a 24 dpa (20%) uplift on the government's SM baseline figure. Furthermore the flexibility built into the draft Local Plan can support the delivery of up to 162 dpa, confirming that 148 dpa is the minimum figure for housing delivery.</p>	
01867 / 010 Gleeson Homes (Pegasus Group)	Policy DM20 – Housing Delivery	Gleeson note the position of Pendle at points 8 and 9 around how to address a shortfall in either the housing land supply or a failure of the housing delivery test. Another option Gleeson would advocate here is the inclusion of Safeguarded Sites within the Development Plan, possibly set by way of a buffer. This approach should be able to be quickly relied upon to significant boost the supply of housing should any issues be identified. It would also be expected that a series of suitable triggers could be incorporated into the policy in future iterations of the Plan to accommodate this situation.	<p>Comments noted.</p> <p>The plan makes provision for 3083 dwellings. This is in excess of the plan requirement of 148 dpa and standard method figure of 124dpa. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.</p> <p>Further the Local Plan applies a presumption in favour of sustainable development to proposals for sites located within settlement boundaries (Policy SP02) and permits development outside a designated settlement boundary in specific circumstances such as the need to meet location specific affordable housing needs (Policy DM23), rural housing needs (Policy DM26), self-and custom-build housing (Policy DM27), and proposals that help to support the rural economy (Policy DM45 and Policy DM46).</p>	No change.
01867 / 011 Gleeson Homes (Pegasus Group)	Policy DM21	Gleeson does not have any particular concern with the (density) figures presented, these should only be used as a guide for development and the Council should be flexible in their use to take account of individual site characteristics, the development proposed and also viability considerations.	<p>Comments noted.</p> <p>Paragraph 2 of the policy the policy wording clearly identifies that the densities that are referred to in the policy are a guideline and that the appropriate housing density will be considered on a site-by-site basis taking into account material considerations.</p>	No change.
01867 / 012 Gleeson Homes (Pegasus Group)	Policy DM23	Gleeson notes within the HEDNA the conclusion that "Overall, the analysis identifies a notable need for rented affordable housing, and it is clear that provision of new affordable housing is an important and pressing issue in the area. It does however need to be stressed that this report does not provide an affordable housing target; the amount of affordable housing delivered will be limited to the amount that can viably be provided". At this stage there is no viability evidence to support these initial targets.	<p>Comments noted.</p> <p>The requirements set out in Policy DM23 are supported by the Local Plan Viability Assessment (2021), which will be updated before the plan is submitted for examination. The findings of the new assessment will indicate whether any further changes to Policy DM23 are required, taking into account the evidence on housing need set out in the Housing and Economic Development Needs Assessment (HEDNA) (2023).</p>	Review policy requirements pending findings of the final update to the Local Plan Viability Assessment.
01867 / 013 Gleeson Homes (Pegasus Group)	Policy AL01 – Lapse rate	A component of the supply will inevitably be those sites which already benefit from planning permission. It is recommended that a lapse rate for any non-delivery of these sites should be included within any calculations. The	<p>Comments noted.</p> <p>No justification is provided within the representation to support the application of a 15% lapse rate.</p>	No change.

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		<p>recommendation here is that that a 15% discount for non-delivery of all commitments is included. This would mean at 210 or so homes should be identified, but this would increase if Trough Laithe was included in this calculation.</p>	<p>The plan makes provision for over 3073 dwellings. This is 266 dwellings in excess of the adjusted plan requirement of 148 dpa and 722 dwellings in excess of that required to meet the standard method figure of 124dpa. A 10% allowance for slippage of commitments has also been applied. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.</p> <p>Further the Local Plan applies a presumption in favour of sustainable development to proposals for sites located within settlement boundaries (Policy SP02) and permits development outside a designated settlement boundary in specific circumstances such as the need to meet location specific affordable housing needs (Policy DM23), rural housing needs (Policy DM26), self-and custom-build housing (Policy DM27), and proposals that help to support the rural economy (Policy DM45 and Policy DM46).</p>	
<p>01867 / 014 Gleeson Homes (Pegasus Group)</p>	<p>Policy AL01 – Non-delivery of site allocations.</p>	<p>In respect of the wider supply of sites, around 19% (505 target for allocations, out a total of 2,660 homes required) do not benefit from any form of planning permission at this stage. This is perhaps not unexpected given the early stage of the plan preparation.</p> <p>There is less certainty around the deliverability of proposed allocated Sites. These do not benefit from any form of planning permission and technical elements such as access, drainage and infrastructure provision etc may not be fully resolved. This will likely mean that there may be delays through planning, and lead-in times to the start of housing delivery and some sites may not deliver anything at all.</p> <p>Pegasus Group therefore suggest that for proposed allocations which do not benefit from any planning permission a 20% buffer is applied to account for choice and flexibility. This would mean that an additional 100 or so homes should be identified.</p>	<p>Comments noted.</p> <p>The representation is not accompanied by evidence to demonstrate that the sites allocated for housing in the Local Plan will not come forward within the plan period.</p> <p>The Council has monitored lead-in times and delivery rates over a number of years. This data and site specific information have informed the projected delivery rate at each site.</p> <p>The plan makes provision for over 3073 dwellings. This is 266 dwellings in excess of the adjusted plan requirement of 148 dpa and 722 dwellings in excess of that required to meet the standard method figure of 124dpa. A 10% allowance for slippage of commitments has also been applied. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified.</p> <p>Further the Local Plan applies a presumption in favour of sustainable development to proposals for sites located within settlement boundaries (Policy SP02) and permits development outside a designated settlement boundary in specific circumstances such as the need to meet location specific affordable housing needs (Policy DM23), rural housing needs (Policy DM26), self-and custom-build housing (Policy DM27), and proposals that help to support the rural economy (Policy DM45 and Policy DM46).</p>	<p>No change.</p>

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01867 / 015 Gleeson Homes (Pegasus Group)	Policy AL01 – Windfall Allowance	It is welcomed that windfall sites are not included in the first 4 years of the supply calculation to avoid double counting as most, if not all, of those windfall sites identified to be delivered in years 1 - 4 will already have planning permission and will already have been included in the supply calculations. Nevertheless, the evidence for the allowance of 38dpa just needs to be made available for interrogation moving forwards.	Comments noted. The Council is fully transparent about its windfall evidence, which is made available every year as part of the Five-year Housing Land Supply Assessment. The latest 5YHLS Statement is included in Appendix 9 of the SHLAA. The windfall position will be updated following the conclusion of the 2022/23 monitoring year and the allowance applied in the final draft of the Local Plan will be adjusted, as necessary.	Windfall allowance updated to 40 dpa on the basis of most recent evidence.
01867 / 016 Gleeson Homes (Pegasus Group)	Policy AL01 – Plan Flexibility and Buffer	Finally, it should be remembered that the NPPF is categoric that housing requirement is a minimum figure which Local Plans should seek to surpass, and this interpretation has been endorsed in numerous Local Plan examinations. Exceeding the basic requirement also generates a buffer in the supply and provides flexibility within the plan and provides additional choice in the market. A buffer of sites will therefore provide greater opportunities for the plan to deliver its housing requirement and could assist in addressing a situation where the HDT fails or the housing land supply falls below a 5-year period as set out in DM20. Such an approach is recommended within the LPEG report to Government (dated March 2016), with recommendation 40 (at Appendix A) noting that Local Plans should: <i>‘Focus on ensuring a more effective supply of developable land for the medium to long term (over the whole plan period), plus make provision for, and provide a mechanism for the release of, developable Reserve Sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the NPPF. Reserve Sites represent land that can be brought forward to respond to changes in circumstances.’</i> As such, the Council should consider allocating additional/safeguarded sites over and above its housing requirement. Based on the Council’s current requirement a 20% uplift would require allocations for up to 532 dwellings. The inclusion of lapse rates has been accepted by many inspectors at Examinations and will need to be considered further by the Council as the Plan progresses.	Comments noted. Policy DM20 is explicit in expressing the housing requirement as a minimum figure stating in paragraph 1: <i>Over the plan period (2021-2040), provision will be made to deliver a <u>minimum</u> of 2,660 net dwellings ...</i> In addition to the housing sites allocated in Policy AL01, other Local Plan policies promote the delivery of housing on sustainable sites, provided that they meet the stated criteria. These policies include, but are not limited to Policy SP01, Policy SP02, Policy DM27, Policy DM42 and Policy DM43. The Local Plan Expert Group (LPEG) recommendations do not form part of government policy. However the NPPF does expect Local Plans to be flexible and resilient in order to be capable of adapting to future changes and to ensure that housing delivery is maintained over the plan period. The Council considers that the Local Plan is responsive to this requirement. The plan makes provision for over 3083 dwellings. This is in excess of the plan requirement of 148 dpa and standard method figure of 124dpa. The Council is of the view that the provision made by the plan, plus scope for further development elsewhere within the plan area provides sufficient supply to ensure full delivery of the proposed housing requirement without the need for further specific sites to be identified. Further the Local Plan applies a presumption in favour of sustainable development to proposals for sites located within settlement boundaries (Policy SP02) and permits development outside a designated settlement boundary in specific circumstances such as the need to meet location specific affordable housing needs (Policy DM23), rural housing needs (Policy DM26), self-and custom-build housing (Policy DM27), and proposals that help to support the rural economy (Policy DM45 and Policy DM46).	Housing requirement updated to 148 dpa with supporting text amended accordingly to reflect updated evidence.

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01867 / 017 Gleeson Homes (Pegasus Group)	Policy AL01 – P064	Supports allocation and confirms commitment to delivering the site as soon as the planning application is approved (now approved).	Comments noted.	Comments to be considered when setting out the housing trajectory to be included in the final draft of the Local Plan.
01867 / 018 Gleeson Homes (Pegasus Group)	Policy AL01 – P064	Site capacity is incorrect and should be amended in order for the plan to be positively prepared (in accordance with Paragraph 16 of the NPPF) and to make the optimum use of land (as required by various para's in the NPPF including 8, 11, 119, 124 and 125), to state 'at least 50 dwellings' to reflect the current application on the site.	Comments noted. The site capacity will be amended in response to the comments submitted.	The capacity of site P064 will be amended to reflect the number of homes shown on the current planning application, which is 50 dwellings.
01867 / 019 Gleeson Homes (Pegasus Group)	Policy AL01 – P064	Point 1 - Gleeson have submitted a viability appraisal with the current planning application which shows that the site cannot viably provide any affordable housing. As such, the reference to affordable housing needs to be removed, or at least updated to refer to the ability to consider the viability of the site. Thereafter, there are no apartments proposed as part of the scheme and therefore this element should be removed as there is no justification or indeed any obvious market demand for their inclusion.	Comments noted. The site now benefits from planning permission. Although it was approved after the base date for the publication of the Regulation 18 draft Local Plan, the site is likely to be developed in accordance with this permission. The application was determined on the merits specific to the proposed scheme. As such the failure to provide any affordable housing was addressed as part of the overall planning balance. Given the significant affordable housing need in the borough, the Council's preference is to retain paragraph 1, to help inform the decision-making process should the proposed scheme not be implemented, and an alternative scheme come forward for this site. This represents a best-case scenario for securing community benefits from the development, should circumstances change in the future. The policy wording is flexible enough to reflect the requirements of Policy DM23. As such, the Council will be similarly understanding should site specific evidence show that affordable housing continues to be unviable in the future.	No change.
01867 / 020 Gleeson Homes (Pegasus Group)	Policy AL01 – P064	Point 3 - The chimney is proposed to be removed as part of the planning application on the site, so this element of the policy should be deleted accordingly.	Comments noted. It is acknowledged that if retained the chimney could cause a disproportionate burden for future occupiers of the site. This issue has been considered and resolved through the development management process resulting in the approval of the development. The site is now under construction and the chimney has been demolished. There is no need for part 3 of the policy.	Part 3 deleted.
01867 / 021 Gleeson Homes (Pegasus Group)	Policy AL01 – P064	Point 4 - The retention of the engine house was proposed at the outset of the planning application and Gleeson were seeking an operator for the building. This however revealed that there is no need for the use of the engine house by the local community, and there is a risk of it falling into further disrepair if it were retained.	Comments noted. This issue has been considered and resolved through the development management process resulting in the approval of the development. The site is now under construction and the engine house has been demolished. There is no need for part 4 of the policy.	Part 4 deleted.

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		Marketing of the building indicates that community use is not viable as there is no demand or operators for it. As such, the requirement to make use of the Engine House within any scheme should be removed from the policy requirements for the site.		
01869 / 001 Homes England	General Comment	Homes England does not wish to make any representation on the above consultation. We will however continue to engage with you as appropriate.	Comments noted.	No change.
01871 / 001 B J Reynolds	General Comment – Housing	The assumption that people who choose to live in terraced houses are deprived cannot be proved and should not be used in any form of argument. No doubt there is room for improvement in these environments. Initiatives, such as creating ‘gated ginnel’ areas which can then be used as communal gardens as suggested in the Colne Masterplan and evidenced in areas across Manchester should be supported.	Comments noted. The Local Plan does not make the assumption that people who live in terraced housing are deprived, it notes that the quality of local housing stock, much of which is terraced, is a significant contributor to levels of deprivation. Deprivation levels are highest within the inner urban wards of settlements in the M65 Corridor, where much of the terraced stock is to be found. These homes have proved to be difficult to retrofit due to the high costs of refurbishment and low property values.	No change.
01871 / 002 B J Reynolds	Vision	The Spatial Vision set out in 3.2 and 3.3 and expanded on page 26 is welcomed. It is important that the economic improvements is not prioritised at the expense of the protection of the landscapes and biodiversity as these are the main factors driving the rise in tourism.	Comments noted. It is important that the Local Plan seeks to achieve net gains for the environment, the economy and society as a whole. It must balance these often competing interests in the pursuit of sustainable development.	No change.
01871 / 003 B J Reynolds	General Comment – Housing Need	A housing cycle of the types required for the starter, affordable and aspirational markets, and the aging population that wish to downsize is required. There is a further requirement to provide housing for the elderly to enjoy supported living. There is a need to provide apartment style accommodation for people looking to take their first steps on the property ladder. Perhaps the conversion of vacated mill building to such apartments should be considered. Not every new build has to be an Executive style property. These may be good (profitable) for the developers concerned, not so good for the local population.	Comments noted. Policy DM22 sets out the housing mix requirements for the plan period. It reflects the findings of the HEDNA which reviews future housing need.	No change.
01871 / 004 B J Reynolds	Policy SP06 / DM03	SP06, para 4.61 and DM03 – Whilst green energy is welcomed, generation plants such as windmill farms or solar panel fields cannot override the Significant Views described within the Colne Neighbourhood Plan. Windmill farms have been introduced above Halifax and Rochdale. Not only do they destroy the rural nature of the areas, including Bronte country, but can be viewed from far distances given their hill-top locations. This cannot be allowed to happen here.	Comments noted. The policies of the Colne Neighbourhood Development Plan will continue to be applied within the designated area. Where necessary applications relating to the development of commercial onshore wind will be assessed in accordance with the policy requirements of the Pendle Local Plan and the NPPF.	No change.

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01871 / 005 B J Reynolds	General - Travel	Whilst active travel initiatives are welcomed, it must be acknowledged that the challenging topography of Colne makes it difficult to achieve wide take-up of sustainable cycling and walking and hence any development application that promises this should be treated with healthy scepticism.	Comments noted. The prevailing topography and its effects on walking and cycling have been taken into account by applying the Naismith Rule as part of the site assessment and selection process. The Naismith rule assumes 15 minutes per km of horizontal distance, plus 10 minutes for every 100 metres of ascent, or parts thereof.	No change.
01871 / 006 B J Reynolds	Policy DM12	The Upper Rough should be included as a Local Green Space under policy DM12.	Comments noted. The Upper Rough has been nominated and assessed as a potential Local Green Space site designation. The results of the assessment can be viewed in the Local Green Space Assessment and Methodology Report, which was one of the consultation documents. A final decision on whether to designate the Upper rough as Local Green Space will be taken prior to the publication of the final draft of the Local Plan, which will be made available for public consultation in 2024.	The sites to be designated as Local Green Space should be identified in Policy DM12 and/or Appendix 8.
01871 / 007 B J Reynolds	General - Sustainability	Para 6.21 explains the need to consider the best interests of a range of stakeholders as part of securing “sustainable development beneficial to the area as a whole”. It is important to note that sustainability should not just consider the economic aspects, but also the social and environmental aspects of people’s lives, not just now but for our future generations.	Comments noted. Paragraph 1.3 states that “the purpose of the planning system is to contribute to the achievement of sustainable development.” Sustainable development includes economic, social and environmental objectives as confirmed in Paragraph 7 of the NPPF. The most widely recognised definition of sustainable development is that established by the Brundtland Commission and is cited in Paragraph 1.4. Policy SP01 is a standard policy supplied by the government which establishes the presumption in favour of sustainable development.	No change.
01871/ 008 B J Reynolds	General – Housing Supply	The conclusions in para 6.38 about Pendle being able to take and keep control of making informed choices about its own housing development sites, rather than the previous environment where it was led by developers cherry-picking sites which lead to “bringing uncertainty to our communities, and a pattern of development that does not properly reflect the spatial strategy” is welcomed.	Support noted.	No change.
01871 / 009 B J Reynolds	Policy DM23	Failure of any development proposal to meet DM23 policy 4’s requirements for a viability assessment if a developer wishes to avoid the affordable housing requirement, should result in the refusal of the application.	Comments noted. Planning law requires that planning applications are determined in accordance with the policies in the statutory development plan, taking into account material considerations. Decision-making in planning is a matter of comparing the benefits of a proposed development with the harm it would	No change.

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			<p>cause and achieving an appropriate balance wherever possible.</p> <p>The proposed approach would ignore the potential wider benefits of approving a development proposal, and would contradict the earlier sentence in paragraph 4 of the policy text.</p>	
01871 / 010 B J Reynolds	General – Tourism Accommodation	<p>The increasing AirBnB style properties in certain neighbourhoods should be considered. Several have appeared in our local area. Whilst they are good for tourism, they are largely occupied at extended weekends (Friday, Saturday and Sunday or Saturday, Sunday and Monday) laying vacant for the rest of the week. At off-season periods they may simply be vacant for weeks on end. Some form of regulation should be considered to properly manage these before the situation gets out of hand.</p>	<p>Comments noted.</p> <p>AirBnB is not a recognised use of land, so the Local Plan cannot introduce a policy controlling it.</p> <p>Whether or not a property remains in C3 (Residential) use depends on the intensity and frequency of its tourism use.</p> <p>A case-by-case review will need to be carried out where such matters are brought to the attention of the Council. This review will determine whether a retrospective application for planning permission is required for (continued) holiday use.</p> <p>In April 2023, the government announce that it would propose changes that would see a new planning use class created for short term lets not used as a sole or main home, alongside new permitted development rights, which will mean planning permission is not needed in areas where local authorities choose not to use these planning controls.</p> <p>Although a policy response is not possible at this time, additional text will be included acknowledging that this emerging use of residential properties is an increasing concern in some areas and setting out the Council’s approach to dealing with complaints about such matters.</p>	<p>Insert supporting text to address AirBnB type uses.</p> <p>The occasional letting of a residential property, or habitable room, for short-term occupancy is unlikely to constitute a material change of use, which would require the submission of an application for planning permission. In these circumstances the property would remain a family home, under Use Class C3.</p> <p>However, the continuous letting of a property on a short-term basis is increasingly being judged as constituting a material change of use, for which planning permission may be required. Airbnb-type uses, particularly in popular town centres and tourist honeypots, can have the following unintended effects:</p> <ul style="list-style-type: none"> • A reduction in the local housing supply • An increase in rental levels • A loss of community cohesion • The potential for anti-social behaviour from guests <p>It is a matter of ‘fact and degree’ as to whether a change of use from a Class C3 (dwellinghouse) to a sui generis use (short-term holiday let) has occurred.</p> <p>Where matters are drawn to the attention of the Council, we will need to consider the number of people occupying the property, the number of separate lets over a given period, and any disturbance to residential character and local amenity before deciding whether planning permission is required.</p> <p>Where a planning application for change of use is received, it will be considered Policy DM35 and any other relevant policies in a Development Plan document, together with any other material considerations.</p>

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01872 / 001 Lancashire County Council (Health)	General Comment - Accessibility	<p>Health equity is an important principle when seeking to reduce inequalities within a defined population. One component of health equity relevant to planning policy is accessibility.</p> <p>The NPPF references this component within Chapter 12. Whilst accessibility should not be considered in relation to age alone, this is an important factor. In 2022 18.01% (17,247) of the Pendle population is estimated to be aged 65 and over, and this number is projected to rise to 22,400 by 2040. Within the age 65+ population of Lancashire, data provided by the Office for Health Improvement and Disparities indicates a significantly higher proportion with a recorded diagnosis of dementia, when compared to the proportion for England (4.21% and 3.97% respectively).</p> <p>The Royal Town Planning Institute's (RTPI) Dementia and Town Planning Report states that "if you get an area right for people with dementia, you can also get it right for older people, for young disabled people, for families with small children, and ultimately for everyone" (pg. 3). Within their report, the RTPI also acknowledge the work undertaken by the districts of Central Lancashire to consult with people living with dementia to identify what a dementia-friendly Local Plan would look like.</p> <p>The Local Government Association has also produced a report providing suggestions of how local councils can support dementia-friendly communities through design. These include the implementation of key design principles such as recognising the impact of good lighting; design and provision of adequate toilets; and the design of wider and pedestrian-only pavements with clearly defined edges (pg. 22). It is in light of the above, that we recommend that the Pendle Local Plan specifically reflects the equity component of accessibility, particularly in relation to the implementation of dementia-friendly design principles.</p>	<p>Agreed.</p> <p>Evidence on future population trends shows that Pendle will have an ageing population over the plan period. Pendle has a higher than average proportion of the population are suffering from dementia and this is anticipated to increase still further over the plan period.</p> <p>Policy DM30 has been amended to make reference to the need for developers to consider the need to incorporate dementia friendly design principles into their proposals to help deliver improvements in public health and reduce health inequalities.</p>	<p>Policy DM30 revised by adding:</p> <p>Paragraph 1 "... address the needs of an ageing population ..."</p> <p>1 (d) Incorporating dementia design principles, particularly in the public realm and the development of housing for older people.</p> <p>In the supporting text a new paragraph has been added:</p> <p>6.144 An ageing population and a higher proportion of people with dementia (4.21%) than the national average (3.97%) are key concerns for Pendle. The RTPI Dementia and Town Planning Report (2018) states 'if you get an area right for people with dementia, you can also get it right for older people, for young disabled people, for families with children and ultimately for everyone.' To best meet the needs of people in later life older persons housing should look to reflect the principles set out in the report Housing our Ageing Population Panel for Innovation (HAPPI) (Homes and Communities Agency, 2022). These are based on ten key design criteria many of which reflect good design generally.</p> <p>Cross reference added to Policy DM28 in new sub paragraph 3 (b) Incorporate dementia friendly design principles to improve cognitive accessibility (see Policy DM30).</p>
01872 / 002 Lancashire County Council (Health)	Policy DM16	<p>A lack of physical activity in everyday routines, combined with other lifestyle factors, can lead to poor health outcomes at a population level. 30% of adults in Pendle are inactive, meaning that they engage in less than 30 minutes of physical activity per week (2021/22). Not only is this value higher than any other district in Lancashire, but it is significantly worse than the England and North West averages (22.3% and 24.2% respectively).</p> <p>Data from 2019/20 shows that in Lancashire, 11.9% of adults walk for travel at least three days per week (England 15.1%), while 1.6% of adults cycle for travel at least three days per week (England 2.3%) - both proportions are significantly lower than England. Within Pendle, both the proportion of adults walking for three days per week and</p>	Comments and support noted.	No change.

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		<p>those cycling for three days per week are also significantly lower than the England averages.</p> <p>As with the issue of excess weight, physical inactivity is a complex problem, influenced by a wide range of factors. Some of these factors can be addressed at the local level, including through the design and master planning of development proposals which support the creation of active environments. The Active Design principles, developed by Sport England and supported by the Office for Health Improvement and Disparities, are intended to support planners, designers, and developers (amongst other stakeholders) to shape these environments, which ensure that the active choice is the easiest and most attractive choice for all, on the local level.</p> <p>To achieve this, it is recommended that all new developments, as far as is relevant to the specific development proposal, adhere to the ten Active Design Principles. It is in light of the above, that we welcome Policy DM16's acknowledgement that all proposals for new developments across Pendle should:</p> <p>"Have regard to the 10 principles of Sport England's Active Design Guidance" to promote sustainable development through ensuring that buildings and spaces are accessible and usable: Encourage "active lifestyles through compliance with the Active Design...standards" (pg. 131).</p>		
<p>01872 / 003 Lancashire County Council (Health)</p>	<p>Policy DM21</p>	<p>Making use of the Government's optional technical standards for accessible and adaptable housing can ensure accessibility and inclusivity and promote better living opportunities across all ages. In their application, these optional standards are supportive in providing both equal and fair opportunities for all occupiers – from families with young children to older, less agile people and those living with a mobility impairment - to live in homes which can be adapted to meet their needs. Pendle's adopted Core Strategy (2011 – 2030) also acknowledges this in outlining the delivery of "quality housing that is both appropriate and affordable for current and future residents" as a key strategic objective (pg. 39), with Policy LIV 3 also identifying the provision of adaptable homes as a specific housing need (pg. 139). The online Planning Practice Guidance suggests that local authorities should consider likely future need for housing for older and disabled people (including wheelchair-user dwellings) as well as the overall impact on viability, when determining whether to introduce the optional accessibility standards.</p> <p>The below points provide an overview of the current, and predicted, population structure of Pendle, accounting for older people, those with disabilities, and families:</p>	<p>Comments noted.</p> <p>Policy DM21 seeks to encourage the provision of new homes that meet Part M4(2) of the Building Regulations where feasible and appropriate Part M4(3).</p> <p>The Council is satisfied this can be secured in a proportionate and balanced way through the wording currently set out in Policy DM21.</p>	<p>No change.</p>

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		<ul style="list-style-type: none"> • 18.01% (17,247) of the population of Pendle is aged 65+ (2021), which is projected to rise to 22,400 by 20408. • Data quoted within the Pendle Housing and Economic Development Needs Assessment (2023) suggests that 39% of households in Pendle contain someone with a long-term health problem or disability, a figure well above the national average. Further analysis suggests that those people in the oldest age brackets are more likely to have a long-term health problem or disability. • Analysis within the Needs Assessment (2023), looking at the projected changes to the Pendle population in respect of a range of disabilities (covering both younger and older age groups), also suggests a 17.7% increase in the number of over 65's with mobility problems between 2022 – 2032. For those aged 16-64 with impaired mobility, analysis suggests an increase of 1.5% across the same time period. • Appropriate housing is also believed to have an impact on whether a disabled person is able to work.¹⁰ In Pendle, it is estimated that 49.3% of working-age disabled people are in employment, compared to 77.1% of non-disabled working-aged people - a disability employment gap of 27.8%¹¹ (2022). • In addition, 6.22% (5,052) of Pendle's population are estimated to be children aged under 5 (2021), whose families are also likely to benefit from the additional space that M4(2) dwellings can offer. <p>The Government's Planning Practice Guidance also provides a link to the EC Harris Cost Impact study (2014), for Councils to use when considering the implications of introducing the optional accessibility standards, locally. This study is also referenced in the Pendle Housing and Economic Development Needs Assessment. The report outlines the range of additional costs associated with the construction of different types of M4(2) standard dwelling, which range from £940 for a 1-bed apartment to £520 for a 4-bed semi-detached property. The long-term benefits of increasing the adaptability and accessibility of local housing provision should also be acknowledged by planning authorities, alongside the initial increased construction costs to developers, when considering the viability implications of adopting the optional standards. A report by Habinteg (2015) provides a cost-benefit assessment taking into account the current and anticipated costs of inaccessible housing. These cost considerations include: the avoidable cost of residential care; avoidable additional levels of social care and; avoidable hospital admissions (pg. 5). Habinteg conclude that "socio-economic needs, costs and benefits should be a part of assessing viability" (pg. 7). Overall, the</p>		

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		<p>report calls for "Category 2 to be made the default standard for all new housing", stating that "being able to access and use one's home is a basic right, not an optional extra" (pg. 2).</p> <p>The 2020 Government consultation on the standards of adaptability and accessibility in new homes was developed in response to the rising concerns that in the drive to achieve housing numbers, the delivery of housing that suits the needs of the households (in particular those with disabilities) was being compromised on viability grounds. The Pendle Housing and Economic Development Needs Assessment (2023) makes reference to this consultation, stating the government's resulting commitment to raise "accessibility standards for new homes", and plan to "mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes".</p> <p>Overall, the Pendle Needs Assessment cites the district's ageing population and the predicted future rise in the number of people with disabilities, as highlighting a clear need to increase the supply of dwellings that are accessible and adaptable, locally. As such, the report recommends that the Council "should require all dwellings (in all tenures) to meet the M4(2) standards" (pg. 10).</p> <p>To ensure that everyone is provided with the opportunity to live in a home that is adaptable, we also support this recommendation and request that the following policy wording be included within Policy DM21: Design and quality of housing:</p> <ol style="list-style-type: none"> 1. All new housing to be built in accordance with Building Regulations 'Access to and Use of Buildings M4(2) Category 2. Accessible and Adaptable Dwellings' unless there is a specified requirement to build to Building Regulations M4(3) Category 3. Wheelchair User Dwellings 		
01872 / 004 Lancashire County Council (Health)	Policy DM33	Both nationally and locally, planning authorities are actively utilising planning policy to restrict new hot food takeaways, in an equitable and targeted approach to addressing obesity. Two Lancashire planning authorities have now successfully embedded policy recommendations from the Lancashire Hot Food Takeaways and Spatial Planning Public Health Advisory Note into their local plans, which restrict new hot food takeaways within defined areas around secondary schools and within wards that meet defined thresholds. Since these recommendations have been embedded, a number of applications for new hot food takeaways have been successfully refused in these areas.	<p>Comments noted and submission of further evidence welcomed.</p> <p>The policy and supporting text have been reviewed to better align with the Lancashire Hot Food Takeaways and Spatial Planning Public Health Advisory Note and to reference the additional evidence provided by the County Council in support of the policy.</p> <p>The proposed wording is phrased positively, as required by national planning policy, but the implications of new paragraph 2 (c) – formerly paragraph 2 (b) (iii) – is the same as the advice set out in the LCC advisory note i.e. the Council will refuse to approve applications for new Hot Food</p>	<p>The following sections of the policy have been amended: Paragraph 2 now reads:</p> <p>2. Outside the boundary of a designated town or district shopping centre applications for Hot Food Takeaways (Sui Generis) will only be considered for approval where the development is:</p> <ol style="list-style-type: none"> a) The development site is more than 400m walking distance from an entrance (not necessarily the main entrance) to a secondary school, youth centre, leisure centre or Public Park;

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		<p>The prevalence of obesity and excess weight is linked to numerous chronic physical and mental health conditions (including Type 2 diabetes, heart disease, depression, and anxiety). Both the burden that these conditions place on an individual, but also on wider society, are significant. Nationally, estimates suggest that the financial cost of overweight and obesity-related conditions to the NHS is £6.1 billion per year. Whilst obesity is a complex issue, the link between hot food takeaways, as part of the obesogenic environment, and the impact on people's weight is increasingly becoming apparent (see pgs. 15 – 16, Public Health Advisory Note – Hot Food Takeaways).</p> <p>Policy WRK 4 of Pendle's adopted Core Strategy (2011 – 2030) also recognises this link, in its stated commitment to resisting proposals for new hot food takeaways in areas of close proximity to establishments primarily attended by children and young people, "in support of initiatives to help reduce childhood obesity and improve the overall health prospects of young people" (pg. 182).</p> <p>Data shows that the number of new hot food takeaways in Pendle have increased, and that the ability of residents across Pendle to access a hot food takeaway is therefore becoming easier. Between 2014 – 2018, there was a 15% increase in the number of new takeaways in Pendle, the third highest percentage increase in new takeaways of the twelve districts of Lancashire, across this time period. In 2018, the rate of new takeaways per 100,000 population in Pendle was also the fourth highest of the twelve Lancashire districts at 158.620. Rates of obesity and overweight are also an issue across Pendle. Recent data (2021/22) highlights that 67.6% of all adults (aged 18+), 40.1% of Year 6 children (11-year-olds), and 24.2% of Reception children (4-year-olds) in Pendle are classified as overweight (including obese). Whilst overall these rates are largely similar to the England averages, 25% of wards in Pendle have significantly worse rates of obesity and overweight than the England average for Year 6 children.</p> <p>Approximately 8% of wards also have significantly worse rates than the England average for obese and overweight Reception-aged children. The county council's hot food takeaway advisory note also draws on a growing body of evidence to present a link between obesity status and deprivation. Point 6.164 of Pendle's Local Plan Preferred Options Paper also recognises this link in citing, "the prevalence of obesity is often greater in those wards with the highest levels of deprivation" (pg. 189).</p> <p>Recent data further emphasises this link, highlighting a clear inequality in levels of obesity between the most and the least deprived areas. In Pendle, 24.9% of Year 6 pupils in the</p>	<p>Takeaways (Sui Generis) in wards which are in the 20% most deprived areas in England.</p>	<p>b) The proposal is in a ward where fewer than 15% of the Year 6 pupils, or 10% of reception pupils have been classified as obese;</p> <p>c) The proposal is in a ward that is not within the 20% most deprived wards in England; and</p> <p>d) It can be demonstrated that extended opening hours will not cause an unacceptable impact on residential amenity or highway safety.</p> <p>In the supporting text the following has been added to new paragraph 6.168 (formerly paragraph 6.162):</p> <p>In 2021/22 almost one quarter of the electoral wards in Pendle had significantly worse rates of obesity and overweight than the England average for Year 6 children, with levels often greatest in those wards with the highest levels of deprivation.</p>

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		<p>district's 40% most deprived wards are classified as obese (including severely obese) compared to 17.4% in the 40% least deprived wards. The same inequality can also be seen for Reception-aged pupils, with 12.2% classified as obese (including severely obese) in the 40% most deprived wards, compared to 10.7% in the 40% least deprived wards (2019/20 - 21/22)²². The proportion of Reception and Year 6 children classified as obese (including severely obese) is significantly higher in the 20% most deprived wards than in the 20% least deprived wards.</p> <p>Data also shows that the most deprived areas also witness, in general, a higher prevalence of hot food takeaways. According to the most recent, publicly accessible data, over half (53%) of all hot food takeaways in Lancashire fall within its most deprived wards, compared to only 6% in the least deprived (2018). In light of the evidence presented, we welcome the inclusion of point i. of Policy DM33 section 2b) of the draft Pendle Local Plan, which states that outside the boundary of a designated town or local shopping centre, and "in support [of] 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 ... beyond 400m walking distance of an entrance to a secondary school, youth centre, leisure centre or Public Park" (pg. 189).</p> <p>We do, however, recommend the amendment of the wording in point ii of the same section, to fully reflect the recommendation set out within Lancashire County Council's Public Health Advisory Note – Hot Food Takeaways: 1. Refusing new Sui Generis Hot Food Takeaway uses within wards where 10% or more of reception pupils or 15% or more of year 6 pupils are classed as obese Rationale: Achieving the Governments goal of halving obesity would mean reducing reception obesity to 5%, and year 6 obesity to 10% - the percentage triggers proposed are 5% above this target for each year group. Furthermore, and in light of the evidence presented, we also request the inclusion of the following policy wording within DM33 of the draft Local Plan: 2. Refusing new Sui Generis Hot Food Takeaway uses within wards which fall within the 20% most deprived areas in England i.e. deprivation quintile</p> <p>Rationale: Both obesity and hot food takeaway prevalence is significantly higher in the most deprived quintile compared to the least. Preventing further hot food takeaways in these areas would help address health inequalities by limiting exposure to an unhealthy food environment.</p>		

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01872 / 001 Lancashire County Council (Education)	Policy AL01 – Primary School Provision	<table border="1"> <thead> <tr> <th>Primary Planning Area</th> <th>Dwellings</th> <th>Pupil Yield</th> <th>Scale of Demand</th> </tr> </thead> <tbody> <tr> <td>Barnoldswick</td> <td>238</td> <td>90</td> <td>0.5 FE</td> </tr> <tr> <td>Barrowford & Rural</td> <td>5</td> <td>2</td> <td>0 FE</td> </tr> <tr> <td>Brierfield</td> <td>92</td> <td>35</td> <td>0.5 FE</td> </tr> <tr> <td>Colne</td> <td>178</td> <td>68</td> <td>0.5 FE</td> </tr> <tr> <td>Nelson</td> <td>233</td> <td>89</td> <td>0.5 FE</td> </tr> <tr> <td>TOTAL</td> <td>746</td> <td>283</td> <td>2 FE</td> </tr> </tbody> </table> <p>Based on the current site information, without permission, an additional 2 forms of entry are required. Assuming the majority of new schools provided are two form entry (420 pupils) this would equate to 1 two form entry school site.</p> <p>The submission also puts forwards yields arising from the total plan provision however this includes sites which have already got planning permission and so contributions cannot be secured from these sites.</p>	Primary Planning Area	Dwellings	Pupil Yield	Scale of Demand	Barnoldswick	238	90	0.5 FE	Barrowford & Rural	5	2	0 FE	Brierfield	92	35	0.5 FE	Colne	178	68	0.5 FE	Nelson	233	89	0.5 FE	TOTAL	746	283	2 FE	<p>Comments noted.</p> <p>Subsequent dialog with Lancashire County Council (LCC) has revealed that there is sufficient provision across the borough with the exception of Brierfield. LCC has reviewed Policy SP012, which secures developer contributions towards education and other infrastructure needs, and is satisfied that projected education needs can be met through this mechanism during the plan period and that there is no need to allocate land for a two-form entry primary school at this time.</p>	No change.
Primary Planning Area	Dwellings	Pupil Yield	Scale of Demand																													
Barnoldswick	238	90	0.5 FE																													
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01872 / 002 Lancashire County Council (Education)	Policy AL01– Secondary School Provision	<p>The 746 new homes that are proposed result in a pupil yield of 112 and the need for 1FE. Additional school land may be required to provide the additional 1 form of entry.</p> <p>The submission also puts forwards yields arising from the total plan provision however this includes sites which have already got planning permission and so contributions cannot be secured from these sites.</p>	<p>Comments noted.</p> <p>Subsequent dialog with the County Council has shown that there is sufficient provision across the borough except in Brierfield. The County Council has reviewed the mechanisms included in Policy SP012 for developer contributions towards education infrastructure and is satisfied that sufficient provision towards education needs can be made during the plan period.</p>	No change.																												
01872 / 003 Lancashire County Council (Education)	Para 4.175	<p>At point 4.175 of the document, it may be more appropriate to change the first link entitled 'Infrastructure and Planning' to the general link so that it includes the detailed appendices to the document. This link is Planning obligations for developers - Lancashire County Council. The second link under 4.175 is not an active link and could be replaced by the same link above.</p>	<p>Agree.</p> <p>The supporting text will be amended to reference the weblink that has been highlighted, to ensure that readers can access the most appropriate information in the easiest way possible.</p>	<p>Amend paragraph 4.175 of the supporting text to read: Lancashire County Council addresses planning obligations on their website. Here it is set 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 development. Included is guidance related to highways; education; drainage and flood management.</p>																												

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01882 / 001 Lancashire County Council Highways	Policy DM37	<p>4. Street trees should not be sited within the visibility splays of driveways or road junctions.</p> <p>6 (b) We request 6m not 5.5m.</p> <p>8. Building regulations requires an electric vehicle charging point to be installed at all new dwellings with off-street parking.</p> <p>9. Could a benchmark of 10% is stated?</p> <p>13. We do allow car parking to be used as operational space when developers have control of their deliveries and they can manage them occur off-peak and they are covered by a 'Deliveries management plan'.</p> <p>6.205 – We do currently include garages in the parking provision if they measure 3m by 6m internally. If they are smaller we don't include them. Although we agree that they are rarely used for car parking.</p>	<p>Agree.</p> <p>Paragraph 4 – The Council acknowledges that the need to provide tree-lined streets cannot be at the cost of highway safety. An additional reference will be inserted into the supporting text of Policy DM07 (Trees and Hedgerows) to make clear that visibility splays for driveways and road junctions need to be maintained.</p> <p>Part 6 (b) – Support the proposed amendment.</p> <p>Part 8 – Comments noted but the policy adds value by setting out where these charging points should be located.</p> <p>Part 9 – Setting a benchmark would add clarity to the policy and make it more effective in securing EV provision at apartment type developments.</p> <p>Part 13 – Comments noted, the policy will be revised to reflect this position.</p> <p>Paragraph 6.205 – Comments noted. Emphasis altered to note their inclusion dependent on dimensions.</p>	<p>Paragraph 4 – No change.</p> <p>Paragraph 5.125 - of the supporting text amended to read: Tree lined streets, provided in accordance with Paragraph 136 of the NPPF, should ensure that sufficient visibility splays are maintained for driveways and at road junctions to ensure highway safety for all road users.</p> <p>Paragraph 6(b) – Amend the text to read: Set back a minimum of 6.0m 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).</p> <p>Paragraph 8 – No change.</p> <p>Paragraph 9 – Amend the text to read: For flatted development with dedicated off-street parking provision at least one EV charge Point per 10 flats should be made available.</p> <p>Paragraph 13 – 'Operational space for commercial vehicles and service vehicles should not conflict with any on-site car parking unless secured through a Deliveries Management Plan. Sufficient manoeuvring space should be provided to enable vehicles to exit the site in forward gear.'</p> <p>Paragraph 6.205 altered to remove 'are normally excluded from the residential car parking standards. This is because they'. With 'Where garages meeting the County Council's minimum dimensions they are accounted for in the residential car parking standard.' Inserted at the end of the paragraph.</p>
01882 / 002 Lancashire County Council Highways	Appendix 5 – Car Parking Standards	<ol style="list-style-type: none"> Many of the classes have no reduction for zones 2 and 3. We would expect to see low car parking in zone 1, increasing for zones 2 and 3 for most uses. Care Homes – Zone 1 requires more parking than zones 2/3 and requires 20% disabled parking however most parking at care homes is for staff so this seems too high. An ambulance space would be required. Sheltered accommodation - Zone 1 requires more parking than zones 2/3. There will be a requirement for disabled parking here, less likely to require an ambulance space. The residential cycle provision seems low given the agenda to promote cycling as replacement short vehicle trips. Especially for zone where we often accept low/no car parking but expect high levels of secure cycle parking. Can there be a definition for small HMO and large HMO, defined by bedroom numbers, possibly 5 and under for 	<p>Comments noted. The proposed car parking standards (Appendix 5) have been revised in light of the comments received as necessary.</p> <p>Comment 14: Table 1 of Appendix 5 clearly sets out where each zone is located. Protected car parks are listed in Appendix 6 and will be shown on the policies map.</p>	<p>Part 1 of the policy has been reworded to relate only to the standards set out in Appendix 5. The Zones referred to in Appendix 5 has been revised with Zone 1 expanded to include 'edge of centre sites' which are locations within 300m of the defined town centre boundary. The standards set within Appendix 5 have also been revised, with Zone 1 standards 'considered on their own merits' for C3 class development and most E class development.</p> <p>Additionally the following changes have been made to Table 2 of Appendix 5:</p> <p>Care/Nursing Homes: Zone 1 requirements amended to '1 space per 4 beds plus 1 space per staff member plus 1 ambulance space. 6% of spaces should be for disabled drivers'.</p> <p>Sheltered accommodation: Zone 1 requirements amended to '1 space per 2 beds plus 1 space per resident member of staff plus 1 ambulance space. 6% of spaces should be for disabled drivers.'</p>

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		<p>small and 6 and over for large? 1 space per bedroom is high for a zone 1, we often accept no car parking because the residents are often very low income and without cars. We always request 1 secure cycle space per bedroom instead.</p> <p>6. Primary, secondary schools should have a coach space.</p> <p>7. Outdoor playing pitches generate huge amounts of parking when they host football tournaments. Could a note be added about that?</p> <p>8. Can Builders merchants be added to sui generis with provision to reflect garden centres?</p> <p>9. Dimensions table – is this information from Inclusive Mobility? The garage sizes need to be internal measurements.</p> <p>10. Residential driveway width 3.2m to allow pedestrian access.</p> <p>11. Operational space - Operational space should be provided in accordance with the requirements of the highways authority. Please can this be amended to 'provided in accordance with a swept path analysis for the largest vehicle which will access the site. To include all large vehicles to enter and leave the highway in forward gear.</p> <p>12. Places of worship is in Class F (1:10sqm plus 1 coach (minimum) for over 2500sqm) and sui generis (1 per 8 seats plus 1 coach minimum). We'd support a floor area standard because the applications we have seen would not include a seated capacity.</p> <p>13. Taxi booking offices – Due to Uber and app based systems, the applications we've had recently have been offices purely for office based staff and no taxi vehicles visit the office.</p> <p>14. Is there a map showing the 3 zones and the protected car parks?</p> <p>15. EV charging on-street – The national strategy that the role of LAs is to provide on-street charging, predominantly low powered to support residents that don't have access to off-street parking at home. We currently have trials ongoing for on-street charging with cable trays across the footway for the cable to ensure it is not a tripping hazard, we are extending this to hubs and possibly using street lighting columns. LCC will have a contract with a supplier so we won't be allowing other operators to install on-street outside of the contract. Regarding new housing development we</p>		<p>C3 semi-detached/detached houses (5 or more bedrooms): Zone 1 requirements amended to '4 spaces per dwelling plus 3 secure cycle spaces'.</p> <p>C4 Small Houses in Multiple Occupation clarified as 3-6 residents. Zone 1 requirements revised to '2 spaces plus 1 secure cycle space per bedroom. Zone 2 requirements revised to '1 space per bedroom plus 1 secure cycle space per 2 bedrooms'. Zone 3 requirements revised to 'as Zone 2'.</p> <p>F1(a) Primary Schools, Secondary Schools and Madrasas Zone 1 requirement revised to '1 space per classroom/activity area, plus 1 coach space'.</p> <p>F1(a) Sixth Form Centres and Further Education Colleges Zone 1 requirement required to '1 space for every 2 members of staff plus 1 space for every 15 students plus 1 coach space'</p> <p>Sui Generis 'Builders Merchant' inserted with following requirements: Zone 1 '1 space per 25sqm (enclosed display) plus 1 space per 100sqm (open display).' Zone 2 'As Zone 1'. Zone 3 'As Zone 2'.</p> <p>Larger Houses in Multiple Occupation defined as '7 or more bedrooms'</p> <p>Taxi Booking Offices Zone 1 requirement revised to '1 space for every 2 office based members of staff.' Zone 2 requirement revised to '1 space for every office based member of staff plus 1 space for every 1.5 licensed vehicles, for premises where a waiting room is provided.'</p> <p>Table 4 – dimensions clarified to be measured internally.</p> <p>Residential driveway width dimension revised to 3.2m</p> <p>Comment relating to residential driveways revised to note that 'if a space is located against a wall, or similar solid structure, the driveway parking width will increase to 5m.'</p> <p>Operational space guidance revised to 'To be provided in accordance with a swept path analysis, so that the largest vehicles accessing the site, can enter and leave the highway in forward gear.'</p>

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		would expect that the charging will be within curtilage and not on-street.		