

# Burnley Local Plan: Preferred Options Consultation: Schedule of Comments Received and Recommended Responses

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## Summary of Preferred Options Consultation

As part of the consultation under Regulation 18, consultation on a 'Preferred Options' draft of the Local Plan was undertaken.

- A Preferred Options document was prepared and approved by the Council's Executive for consultation in July 2016.
- A 6 week consultation on the Plan ran from 15 July to 26 August 2016.
- Responses were invited on the **Preferred Options Document, Policies Map** and any supporting studies or assessments including:
  - **Sustainability Appraisal (incorporating an SEA)**
  - **Habitats Regulations Assessment (HRA)**

## The number of Comments Received

Responses were received from 450 respondents making 1,272 comments. There was also a petition with 67 signatories.

## How the comments and recommended responses are presented

- Comments are broken down to be considered against the part of the plan, process or evidence base study to which they best relate
- Responses to comments on the SA/SEA and HRA are published separately in the Proposed Submission SA and HRA reports
- All comments from Specific, General and Other consultees are set out verbatim and a recommended response to each comment is set out
- All comments from individuals, agencies and companies not relating to specific sites or consultation issues are also set out verbatim and a recommended responses to each comment is set out
- All comments on sites from site owners/promoters and from groups of residents specifically formed to respond to the plan are also set out verbatim and a recommend responses to each comment is set out

- All comments from other individuals relating to the consultation process are grouped as are their site comments and the number of respondents is set out and each unique relevant point raised is set out and responded to

Only matters relating to the plan, comments which represent the consultees own views (rather than suggesting the views of others) and comments which are appropriate for publication are included.

The comments received are available to inspect in full on request.

**NB:**

**Please note: Comments responses to:**

- **Strategic Policies SP1-6**
- **Site Allocations and Omissions**
- **General and other matters**

**Are to follow**

## Section 1 - Introduction

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Huntroyde Estate	Introduction	1.2.1	For clarity para 1.2.1 of the PI&O should state the plan's time period rather just say: - 'look ahead to 2032'. We are already well into 2016 and note the original timescale for consultation was estimated as January 2016 so there has been some slippage in timing already, so we question whether there will be a clear 15 year timescale, in line with NPPF, left from the date of adoption. This could therefore impact on housing numbers required and the need for additional housing and sites to be allocated.	Text amended to clarify the Plan period 2012-2032.  The Plan period 2012–2032 is 20 years and adoption is planned for 2018 when would have another 14 years to run. It is not considered necessary or proportionate review the plan evidence base to allow a further year. It is almost certain that the Plan will be reviewed before 2032.
Junction Property Ltd.	Introduction	1.2.1	<p>Plan Period Paragraph 157 of the NPPF encourages Local Plans to:</p> <p>"...be drawn up over an appropriate time scale, preferably a 15 year time horizon, taking account of longer term requirements, and be kept up-to-date."</p> <p>Section 4 of the document states that the plan period relates to 2012 – 2032; however, as stated within the most up to date Local Development Scheme (2016 – 2019), the Preferred Options document was due to be released for consultation in January 2016, with the Local Plan expected to be adopted in March 2018. The Council has already slipped a few months against the timetable for production; and even if adopted in 2018 at the earliest, the overall Local Plan would have a lifetime of less than 15 years contrary to paragraph 157 of the NPPF.</p> <p>Our Client would recommend that the plan period be extended to 2033 or 2035 to ensure the Local Plan is drawn up over an appropriate time scale. An increase in the overall plan period would then require an amendment to numerous policies within the plan, including an amendment to the housing requirement to ensure the plan meets its objectively assessed needs over the plan period, which in turn would require the allocation of additional housing land.</p> <p>As drafted, the plan period is considered unsound and is not consistent with national policy and would not be effective in dealing with the plans requirements.</p>	The Plan period 2012–2032 is 20 years and adoption is planned for 2018 when would have another 14 years to run. It is not considered necessary or proportionate review the plan evidence base to allow a further year and a further three years as suggested is not necessary. It is almost certain that the Plan will be reviewed before 2032.
Burnley Wildlife Conservation Forum	Introduction	1.3.2	Section 1 Introduction 1.3 'The Preferred Options Local Plan' on page 3 para 1.3.2's first bullet, 'Section 2 provides a concise geographic, economic and social portrait' has omitted 'environmental' which needs adding in order to be consistent with it being included in the last sentence of the last bullet and in page 4's para 1.4.3.	'Environmental' has been added to the text as suggested
Lancashire Wildlife Trust	Introduction	1.4 (Local Plan Context)	Reference is made on page 5 of the Preferred Options Document (July 2016) to the Local Enterprise Partnership (LEP) for Lancashire, but there is no references to the Local Nature Partnerships (LNPs) that cover Burnley, i.e. the Lancashire LNP and the South Pennines LNP.	Section 1 is intended only a brief introduction to the Local Plan and its context. It is not considered necessary to add reference to the LNPs here. The LNPs

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			Whilst the Lancashire LNP is not active at the moment, the South Pennines LNP is. Both LEPs and LNPs are statutory consultees, and both should be referenced in the Burnley Local Plan.	have been consulted on the Local Plan.

## Section 2 – Spatial Portrait

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
National Trust	Spatial Portrait	2.6.12	<p>National Trust objects to the final bullet raised in the Issues and Challenges facing heritage, i.e. "Where necessary, balancing the care of the built heritage with the economic and social imperatives of the present".</p> <p>This approach is contrary to the pursuit of sustainable development as set out in the NPPF, especially in paras 7 to 9. Particular attention is drawn to the statement at para 8 that: "These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system".</p> <p>Accordingly it is entirely inappropriate to 'balance' the care of the historic environment with economic and social imperatives; rather the approach should be one that finds ways whereby Burnley's heritage assets can be safeguarded and enhanced in a manner that will also secure economic and social benefits.</p> <p>Heritage led regeneration and promoting the role of heritage based tourism are both ways in which economic gains can be secured alongside the safeguarding and enhancement of the historic environment. In plan making such a strategic approach is advocated in the final bullet point of para 157 of the NPPF.</p>	<p>Whilst the comment and the content of the NPPF is noted, it remains a challenge on a practical level to balance these issues and as such it is a key issue for the plan and its policies to address. The words 'where necessary' have been removed.</p>
Cllr Cosima Towneley	Spatial Portrait	2.7 (Natural Environment)	<p>Key Issues &amp; Challenges:</p> <ul style="list-style-type: none"> <li>• Need for Bridleway provision and other formal sports, other than football, not acknowledged or provided for.</li> <li>• walking/cycling is written down – horse riding / equestrian use be added to make the statement fully inclusive and clear.</li> </ul>	<p>Whilst all sporting and leisure activities which support health and quality of life are important, it is not considered that this is a key issue in the context of this section.</p>
Burnley Wildlife Conservation Forum	Spatial Portrait	2.7.16 Local Nature Reserves	<p>Local Nature Reserves</p> <p>In the part of the Biodiversity section devoted to Local Nature Reserves, page 24 para 2.7.16 states 'the land area of LNRs in Burnley totals 8.27 ha.' However, the Natural Environment section devoted to LNRs, page 159 para 5.5.10, refers to Burnley's two LNRs (the Deerpond and Lowerhouse Lodges) totalling 12.3 hectares, referencing the figure used in Lancashire Wildlife Trust's 'Assessment of Community nominated LNR sites' 2008 report. For comparison, the Deerpond and Lowerhouse Lodges, both also being designated Biological</p>	<p>The total land area for LNRs has been revisited and is now consistently referenced within the relevant sections.</p> <p>For clarification, Lowerhouse Lodges LNR boundary is larger than that its BHS boundary and measures 10.12 ha. Deer Pond is 1.35ha. The total land area of LNRs is 11.47ha making a shortfall of 75.5ha when considered against Natural England's recommended target.</p>

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			Heritage Sites, their BHS areas are 1.3ha and 7.7 ha respectively, totalling 9ha. The correct hectare totals for each of the Deerpond and Lowerhouse Lodges LNRs need to be established and then totalled in order that the resultant shortfall LNR figure is accurate.	
Burnley Wildlife Conservation Forum	Spatial Portrait	Para 2.8.19	Sports and Leisure Facilities Regarding the Borough's most important angling waters listed, page 28 para 2.8.19, Lowerhouse Lodges, Cornfield and Swinden Reservoir need to be added.	The text has been amended accordingly.
Highways England	Spatial Portrait	Para 2.8.4	<p>The Strategic Road Network (SRN) in Burnley Consists of the M65 Motorway between Junction 8 and Junction 10. The M65 provides an east-west link through Lancashire. It is noted that the section from junction 10 to the M65's eastern terminus at junction 14 is operated and maintained by Lancashire County Council.</p> <p>It is stated in paragraph 2.8.4 of the Burnley Local Plan Preferred Options report that capacity is constrained on the M65, particularly on the junction approaches and on the eastbound carriageway between junctions 9 and 10. The M65 Corridor Study indicated that the morning and evening peaks are predicted to approach capacity throughout the assessment period up to 2025. The build out of the Plan's development aspirations is likely to increase traffic demand at these already constrained locations.</p> <p>There are some highway safety concerns for the M65. The Route Safety Report for the M65 indicates the number of collisions at Junction 8 and Junction 9 is sufficient to require further investigation. There have been fewer collisions at Junction 10 and it has not been recommended for further study. It is noted that the M65 Route Safety Report identifies that the percentage of collisions occurring at these three junctions is reducing, compared to the previous study period.</p> <p>The A56(T) also forms part of the SRN, however the only section that falls within Burnley is between the M65 Junction 8 and the junction with A679.</p> <p>The M65 Route Safety Report has identified a number of collision clusters. However, with the exception of the junction with the M65 which is discussed above, the remaining clusters are all situated beyond the Burnley border.</p>	The Council has been liaising with Highways England with regard to impacts on the SRN and has commissioned via LCC a updated Highways Impact Assessment with input from Highways England to support and inform the Plan and the IDP.

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Canal & River Trust	Spatial Portrait	Section 2.7	Section 2 Spatial portrait and key issues  We welcome that the Leeds & Liverpool Canal is fully referenced as Green Infrastructure within section 2.7 'Natural Environment'.	Support noted.
Lancashire Wildlife Trust	Spatial Portrait	Section 2.7	The Trust is pleased to see, and supports the inclusion of, section 2.7 on the Natural Environment, in particular the section on Biodiversity on page 24 and the references to the site of International significance, County Biological and Geodiversity Sites, Ecological Networks, and Local Nature Reserves.	Support noted.
Natural England	Spatial Portrait	Spatial Portrait	Natural Environment and Landscape  Natural England welcomes the reference at to the National Character Areas, No. 35 Lancashire Valleys (2013) and No. 36 Southern Pennines (2012).	Support noted.

## Section 3 - Vision and Objectives

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Junction Property Ltd.	Vision & Objectives	Vision	<p>The development strategy for Burnley should support and facilitate sufficient employment and housing growth across the Borough. This will be essential in maintaining and enhancing the Borough's competitiveness as a key location for commerce and industry in what has become an increasingly competitive market.</p> <p>Our Client has the following objections to the Vision which would ensure greater consistency with the wider development strategy contained in the Preferred Options document and the NPPF.</p> <p>Paragraph 47 of the NPPF requires Local Plans to meet the full objectively assessed needs for market and affordable housing.</p> <p>The third paragraph of "The Vision" currently states that the Vision for Burnley is by 2032:</p> <p>"The borough is a desirable place to live offering a choice of affordable high quality homes as well as a diverse range of high quality employment opportunities."</p> <p>The housing stock in Burnley currently comprises a high percentage of poor quality terraced housing. Whilst there is a need to replace this housing stock with affordable high quality homes, the Vision should also seek to rebalance the housing market encouraging more aspirational market housing including detached and semi-detached properties. This will allow Burnley to compete against wealthier housing markets nearby and stem out migration of more affluent residents.</p> <p>Our Client would recommend amending the wording to read as follows:</p> <p>"The borough is a desirable place to live offering a choice of high quality family , aspirational and affordable homes, rebalancing the Borough's housing market , meeting the needs of residents and supporting economic growth."</p> <p>As drafted the Vision is considered unsound because it has not been positively prepared. The important of delivering new housing in Burnley to support its job-led strategy is significantly understated. This needs to be explicitly stated as part of the Vision to ensure greater consistency with the wider development strategy.</p>	<p>The Vision is considered to reflect the points made by the respondent. Mentioning specific target groups such as families is considered too detailed a matter for the Vision but the word 'and' has been added as there are two separate but overlapping housing issues being addressed (quality and affordability) and the word 'aspirational' has also been added to strengthen this point. Objective 2 picks up this matter in more detail.</p>
Lancashire Wildlife Trust	Vision & Objectives	Vision	<p>Whilst there are Objectives for The Natural Environment in section 3.2, the Vision for Burnley in section 3.1, does not make reference to, or have a vision for, The Natural Environment. Objectives are required to deliver a vision, hence the vision should include the elements that the objectives are delivering.</p>	<p>The Vision does make reference to the Borough's attractive countryside, network of green spaces and seeks significant improvements to the quality of the environment. The words 'natural and built' have been added to make clear the</p>

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				contribution green spaces make to both.
Natural England	Vision & Objectives	Vision	Natural England recommends the vision for the Burnley Local Plan includes reference to the natural environment and landscape. Also that they will be protected, enhanced and maintained. Links to greenspaces are mentioned and this is welcomed, although it is suggested that green infrastructure is specifically referred to in the vision given the importance of it throughout the rest of the plan.	The phrase 'attractive countryside' is used in the Vision rather than landscape and whilst this could be added it is not considered it would materially alter the Vision or related Objectives and as such is not necessary.  Green Infrastructure is more of a planning/technical term/concept and the language of the Vision is intended to be non-technical.
Home Builders Federation Ltd	Vision & Objectives	Vision	The HBF generally supports the vision and associated objectives.	Support noted
University of Central Lancashire	Vision & Objectives	Vision	UCLan support the vision of creating the borough as a hub of educational excellence and welcome the recognition of the University of Central Lancashire as part of this.	Support noted.
United Utilities Property Services	Vision & Objectives	Objective 1, 2 3	<p>We fully support Objective 1 'Delivering Sustainable Growth' through the building of homes close to services, employment and shops and in areas accessible by public transport. This objective is fully in accordance with the NPPF aims and objectives of creating sustainable development. We would also highlight that new housing can also help to support existing rural communities and aid the retention of rural services, shops and facilities to the benefit of existing and future residents. Therefore, we would also suggest that such reference should be included as a means of delivering sustainable development within Objective 1.</p> <p>We also fully support Objective 2 Population and Housing: 'To revitalise the housing market by encouraging a well-integrated mix of high quality, aspirational and affordable homes of different types and tenures to meet the needs of a wide range of households and support economic growth'.</p> <p>Currently within the Authority area there is a dominance of terraced properties as identified within the Council Strategic Housing Market Needs Assessment (May 2016) in comparison with other types. In order for the Council to achieve their vision for Burnley as a 'place of choice' a wider range of residential housing across various locations must be provided within the Authority to attract and retain a range of residents. To this end we also strongly support the various ways in which the Council identify that Objective 2 can be achieved by encouraging the range of housing mix to meet the needs of a wide range of households and support economic growth.</p> <p>In regards to economic development, we support Objective 3 Economy and Employment, creating an environment of prosperity, growth and entrepreneurship with a diverse business base', particularly in regards to developing Burnley Town Centre as a sub-regional centre.</p>	<p>Support for Objective 1 noted. The suggested additional text is considered unnecessary being too specific and detailed for this high level Objective.</p> <p>Support for Objectives 2 and 3 noted.</p>

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University of Central Lancashire	Vision & Objectives	Objective 10	UCLan support the objective of establishing the borough as a centre of educational excellence. It is considered that this should be extended to include reference to retaining graduates within the borough.	Support noted. Whilst the retention of graduates, be they local residents educated at UCLan or elsewhere or graduates moving to learn or live and work in the borough, is very much in line with the Vision, it is not considered that this issue sits fully within Objective 10 as this objective focuses on educational infrastructure and opportunities. Other Objectives seek to provide the wider quality of life which will encourage and retain graduates.
Home Builders Federation Ltd	Vision & Objectives	Objective 2	The HBF generally supports the vision and associated objectives. Particular support is provided for objective 2 and the changes made since the Issues and Options consultation, which closely relate to our previous comments.	Support noted
Natural England	Vision & Objectives	Objectives	Objective: 5. To protect and enhance the borough's distinctive landscape character and high quality network of habitats and open spaces necessary for people and wildlife to thrive, is welcomed however it is recommended it is expanded to state the plan should protect and enhance habitats and species and help promote them as a key to sustainable development. Natural England recommends that this should be revised to reiterate the importance of the natural environment and include the commitment to protect, maintain and enhance.  Natural England recommends the inclusion of a specific Green Infrastructure (GI) objective or at least incorporated within the natural environment objectives within the Local Plan; this would link well with the associated GI policy.	This change of wording is not considered necessary as the Objective as drafted is felt to cover these points adequately and succinctly without going into unnecessary detail about the particulars of the policy approach of the Plan.
National Trust	Vision & Objectives	Objectives	In most respects the Objectives are welcomed and supported. But as with the section on issues and challenges a less than positive approach is adopted to the historic environment with unwarranted caveats being included. The Objectives should to a degree be aspirational and at the same time should take a positive approach to the role of the historic environment and the wider benefits that it brings to Burnley's residents, employees and visitors – not least in making Burnley an attractive and distinctive place in which to live, work and invest.  It is notable that phrases such as 'where possible' are introduced into Objective 8 but equally apply (or dis-apply) to all the Objectives.  Suggested changes are set out below:  "8 To ensure that the intrinsic qualities and character of the historic environment and its built heritage are protected, enhanced and promoted and that these assets are used positively to support regeneration and recreation and stimulate' pride of place'"	Support noted. Objective 8, unlike many of the other Objectives uses the word 'ensure' which is a strong intention and as such the words 'where possible' are considered necessary to recognise the limitations of the planning system

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Junction Property Ltd.	Vision & Objectives	Objectives	<p>To achieve the Council's Vision Section 3.2 of the Local Plan sets out eleven 'Strategic Objectives' relating to sustainable growth, population and housing, economy and employment, the natural environment, the built environment, accessibility, transport and other infrastructure and community involvement.</p> <p>In particular, Objective 2 seeks to revitalise the housing market by encouraging a well - integrated mix of high quality, aspirational and affordable homes of different types and tenures to meet the needs of a wide range of households and support economic growth.</p> <p>Our Client supports the Strategic Objectives, particularly Objective 2 as they are consistent with national policy, in particular the core principles outlined within paragraph 17 of the NPPF.</p>	Support noted
The Eshton Group	Vision & Objectives	Objectives	<p>It is an objective of the Local Authority that the Local Plan helps "to create an environment that supports economic prosperity, growth, entrepreneurship and a diverse business base".</p> <p>This statement is supported by The Eshton Group who recognise the opportunity that lies in front of the Council given its excellent position and connectivity to the wider areas. The Eshton Group are committed to bringing forward quality development which enhances the economic vitality and viability of Burnley as a whole.</p>	Support noted. The Council welcomes the commitment to bringing forward quality development within the borough.

## Section 4 – Strategic Policies

To Follow

## Section 5.1 – Housing Policies (not including HS1 Housing Allocations)

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Home Builders Federation Ltd	Policies - Housing	HS2	<p>The HBF does not dispute the need for affordable housing, this is adequately demonstrated by the 2016 SHMA, and we support its provision where viable.</p> <p>The policy does not set out any specific target for affordable housing but rather suggests that it will be provided upon viability grounds on schemes of greater than 10 dwellings. The HBF does not support this policy stance and considers it unsound.</p> <p>Our key concern is that the policy provides no certainty for a developer to assess the investment potential of a site. The policy therefore places the delivery of housing at risk. The NPPF (paragraphs 17 and 154) state that local plan policies must be clear so that applicants know what they must do to submit an application that is likely to be approved, and decision-takers know how to react to that application. The NPPF is also clear (paragraph 174) that local plans must set out the burdens that will be placed upon the development industry. The policy clearly does not provide this.</p> <p>To provide a viable affordable housing target the Council will need to undertake a whole plan viability assessment, as described in paragraph 6.1.4 of the plan. This will need to consider the cumulative impacts of policy standards and burdens, including affordable housing. This should be provided prior to the next stage of consultation. Without this information the Council cannot justifiably set an affordable housing target or request affordable housing from sites.</p> <p>The policy also does not consider the potential implications of the impending introduction of Starter Homes. If a requirement is introduced by Government prior to the next stage of consultation this should be incorporated into the policy and viability evidence.</p>	<p>The Policy was written, as the text stated, before the Government's Starter Home intentions were made clear. This is still the case and the Government have recently altered their previously announced position and are consulting on further changes. The amended Plan text explains the difficulties this lack of certainty has created for plan-making. Whilst the the HBFs point made about having a set % is understood, the Council's experience and viability evidence confirms that this standardised approach just is not effective in Burnley. To set a specific % requirement and then to waive it consistently would not be sensible or give the certainty sought. Instead, a more nuanced approach is required which recognises the viability challenges sites may face and how in needing to seeking to diversify the housing offer and provide for more aspirational housing, an off site approach to affordable housing delivery may be preferred.</p> <p>The Council is intending to prepare an SPD on Planning Contributions where further detailed advice and information will be developed in consultation.</p>
Huntroyde Estate	Policies - Housing	HS2	<p>Section 3 of this policy setting out the types and percentages is too restrictive and the last 2 lines should therefore be removed. A mix of tenure types is acceptable but needs to be flexible to accommodate needs which over the plan period will undoubtedly change. Not justified, not effective, not consistent with national policy.</p>	<p>Section 3 of Policy H2 makes it clear that the tenure mix proposed is to be used as a guide. This is considered to gives applicants sufficient flexibility.</p>
Metacre Ltd.	Policies - Housing	HS2	<p>Criterion 3) of policy HS2 'Affordable Housing Provision' states that affordable housing should be 80% social rent and 20% intermediate. This is concerned too prescriptive as there are often occasions where flexibility is required in order to get Registered Social Landlords to take on respective affordable properties. The tenure of housing required may also change over the 20 year period of the Local Plan, or may differ on a site by site basis. The need for flexibility is all the more necessary given that Starter Homes have recently been introduced via the Housing and Planning Act 2016 and Regulations may soon be enacted which requires or permits them to form part of an affordable housing mix. The policy is therefore not positively prepared or justified as criterion 3 is</p>	<p>Section 3 of Policy H2 makes it clear that the tenure mix proposed is to be used as a guide. This is considered to gives applicants sufficient flexibility.</p>

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			too prescriptive, un-flexible and unnecessary. It should be deleted as a reasonable alternative would be to allow the tenure of affordable housing to be considered on a site by site basis.	
Junction Property Ltd.	Policies - Housing	HS2	<p>Our Client accepts that whilst Burnley is in theory an affordable place to live, the quality of some of the older private sector stock at the lower or modest incomes is poor and can present challenges for those on modest incomes. There is therefore a need to provide new affordable housing within the Borough.</p> <p>Whilst the Council is committed to providing affordable housing, they recognise due to viability considerations, the approach of requiring developers to contribute monies through Section 106 Agreement for off-site provision has rarely been successful.</p> <p>Our Client supports the principle of delivering affordable housing for developments of over 10 dwellings, on a site by site basis, as it provides flexibility to adapt to changes market signals. The policy also allows developers the opportunity to provide an off-site contribution if required. This might be appropriate when the Council have requested other local infrastructure to be delivered on the site or alternatively, if there is a low affordable housing demand in a particular settlement. It is crucial that the economic viability of any scheme is taken into account when agreeing the amount of affordable housing to be provided on site.</p>	Comment noted.
Junction Property Ltd.	Policies - Housing	HS3	<p>Density</p> <p>Paragraph 47 of the NPPF allows local planning authorities to set out their own approach to housing density to reflect local circumstances. Part 1 of Policy HS3 requires new development to make efficient use of land and be built at a density appropriate to its location and setting.</p> <p>Part 2 of the policy requires residential development within Burnley to achieve a minimum density of 25 dwellings per annum. Part 3 of the policy requires higher densities of at least 40/50 dwellings per annum within or close to the town and district centres.</p> <p>Whilst the Council are allowed to set their own approach to housing density, requiring a generic density does not take into account the character of different surrounding area and the physical, ecological or landscape constraints of individual sites that prevent the site from delivering this housing density. A density standard presents an onerous requirement on applicants at a time when the Council should be actively encouraging new development.</p> <p>As drafted Parts 2 and 3 of the policy are ineffective and inconsistent with national policy. To create greater flexibility the wording of the policy should be amended as follows:</p> <p>“New housing should make efficient use of land and be built at a density appropriate to its location and setting. As a guide, development should seek to achieve 25 dph (dwellings per hectare net) and up to 50 dph in highly accessible locations. In more sensitive locations the priority will be to develop</p>	<p>The minimum densities set out in the policy are very much lower than historically in Burnley and balance the need to ensure the efficient use of land with the need to increase housing quality and choice and meet the other relevant policy requirements.</p> <p>The wording has been amended to refer to gross rather than net densities and a 40 dph (rather than 40/50) minimum in clause 3).</p> <p>The policy as worded is considered sufficiently flexible to take account of site characteristics and marketability.</p> <p>Density expectations for specific allocations are set out in Policy HS1 through indicative numbers.</p>

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			<p>at a density that reflects the surrounding form and layout.”</p> <p>Mix</p> <p>To deliver a wide choice of high quality homes, paragraph 50 of the NPPF requires local planning authorities to identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.</p> <p>The policy states that all housing schemes should consider a mix of housing types using indicative proportions outlined within the policy. The policy goes on to state that the precise mix should be informed by the sites size, characteristics, context and townscape and likely marketability of the dwellings.</p> <p>Our Client supports the need to deliver a mix of house types within Burnley. Our Client recognises that the Borough has an oversupply of high density housing, particularly, poor quality two bed terraced housing and there is a need for larger family homes, including semi-detached and detached properties. However, the need to diversify the existing housing stock is understated within the wording of the policy and does not reflect the Council’s Vision and Objectives.</p> <p>Our Client suggests that the wording of Part 4 of policy is amended as follows:</p> <p>“The types and sizes of new dwellings to be provided should help to diversify the existing housing stock and achieve a better, more balanced mix of dwellings in the borough. This includes the provision of higher value homes. All housing schemes should consider a mix of housing types using indicative proportions set out in the table below. The precise mix should be informed by the following site specific considerations:</p> <p>Its size;  Its characteristics;  Its context and townscape setting; and  The likely marketability of the dwelling.”</p>	
Huntroyde Estate	Policies - Housing	HS3	<p>The density figures shown do not seem to be justified by the supporting text. The policy needs to have the flexibility to deal with individual site constraints when setting density levels. Parts 2 and 3 should be removed as not consistent with national policy. As the borough has a high proportion of terraced homes then to secure a wider mix is recognised.</p>	<p>The minimum densities set out in the policy are very much lower than historically in Burnley and balance the need to ensure the efficient use of land with the need to increase housing quality and choice and meet the other relevant policy requirements.</p> <p>The wording has been amended to refer to gross rather than net densities and a 40 dph (rather</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
				<p>than 40/50) minimum in clause 3).</p> <p>The policy as worded is considered sufficiently flexible to take account of site characteristics and marketability.</p> <p>Density expectations for specific allocations are set out in Policy HS1 through indicative numbers.</p>
H F Eccles & Sons	Policies - Housing	HS3	<p>Policy HS3: Housing Density and Mix</p> <p>5.7. There is support for the acknowledgement from the Council that there is a need for aspirational housing (paragraph 5.1.19 of the Preferred Options Local Plan) in Burnley. Paragraph 5.1.24 (Preferred Options Local Plan) refers to the findings of the Strategic Housing Market Assessment 2016 in that there is a need to move away from terraced properties within Burnley and ensure there is an offer of “larger, more aspirational detached and semi-detached dwellings”. Ensuring there is a mix of housing to meet the different needs of the community is a requirement of the NPPF (paragraph 50).</p> <p>5.8. The Brownside Road and Butcher Farm sites are ideally placed to deliver a mix of good quality family housing and provide an opportunity for Burnley to deliver the aspirational housing it is seeking.</p> <p>5.9. It is important that the draft policy does not impose specific densities to be achieved by new housing schemes. There should be sufficient flexibility for sites to be delivered at densities that take account of size, location, surrounding characteristics and local need/demand. Similarly, the housing mix should only be a suggestion or a guide and not be imposed.</p> <p>5.10. Schemes will need to ensure that the housing provided meets local need and demand.</p>	<p>The minimum densities set out in the policy are very much lower than historically in Burnley and balance the need to ensure the efficient use of land with the need to increase housing quality and choice and meet the other relevant policy requirements.</p> <p>The wording has been amended to refer to gross rather than net densities and a 40 dph (rather than 40/50) minimum in clause 3).</p> <p>The Policy as worded is considered sufficiently flexible to take account of site characteristics and marketability.</p> <p>With regard to housing mix, improving quality and choice is a fundamental part of the whole plan strategy and has informed the choice of housing allocations.</p> <p>Density expectations for specific allocations are set out in Policy HS1 through indicative numbers; and housing mix requirements for these specific allocations are also set out in Policy HS1.</p>
Metacre Ltd.	Policies - Housing	HS3	<p>Criterion 4) of policy HS3 ‘Housing Density and Mix’ refers to residential schemes comprising 20% detached 3 or more bedroom dwellings, 35% semi-detached 2-4 bedroom dwellings; 15% terraced 2-3 bedroom dwellings; 20% bungalows / accessible flats with 1 to 3 bedrooms, and 10% other 1 to 2 bedroom flats.</p> <p>The appropriate mix of dwellings for a site is dependent on a variety of factors, including the size of</p>	<p>The minimum densities set out in the policy are very much lower than historically in Burnley and balance the need to ensure the efficient use of land with the need to increase housing quality and choice and meet the other relevant policy requirements.</p>

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			<p>the site, the location and character of the site and surrounding area, the particular market in the location of the site and viability matters etc. It simply isn't appropriate, possible or even necessary to try and identify a dwelling mix to be applied to all residential development in the whole of the Borough for the 20 year Plan period.</p> <p>The policy is therefore not positively prepared or justified as criterion 3 is too prescriptive, un-flexible and unnecessary. It should be deleted as a reasonable alternative would be to allow the dwelling mix to be considered on a site by site basis.</p>	<p>The wording has been amended to refer to gross rather than net densities and a 40 dph (rather than 40/50) minimum in clause 3).</p> <p>The Policy as worded is considered sufficiently flexible to take account of site characteristics and marketability.</p> <p>With regard to housing mix, improving quality and choice is a fundamental part of the whole plan strategy and has informed the choice of housing allocations.</p> <p>Density expectations for specific allocations are set out in Policy HS1 through indicative numbers; and housing mix requirements for these specific allocations are also set out in Policy HS1.</p>
Rossendale Road Urban Plan Residents	Policies - Housing	HS3	<p>Density</p> <p>A sustainable development requires around 40 houses per hectare to support public transportation and facilities like shops and schools. However, the average density on brownfield sites is currently 28 houses per hectare (it's 22 on greenfield sites). That means the real need is for greater-density, mixed use sites, where houses, shops and business can co-exist, and there remains room for urban greenspace, in order for a community to be properly sustainable. Burnley has a policy of 25 dpa for Rural areas and 30 dpa for Urban areas.</p> <p>In the Gorbals area of Glasgow, a 1990 development with 64 houses per hectare used mainly three storey terrace houses and four storey flats, some with shops on the ground floor and offices above. The streets were well-defined, and park space, and roads separated from pavements by a barrier of trees. The development had buses connecting with underground and suburban rail services. It's proved so successful that there have been attempts to reproduce it in Manchester, Leeds and London.</p> <p>If Burnley made their urban sites sustainable, and met the criteria for Rural sites, then there would be a reduction in land need of 33 hectares [Preferred Options Local Plan Trajectory Table included]</p> <p>The housing allocations for the above sites are NOT all within the 25-30 dpa.</p>	<p>The densities achieved on the proposed allocations take account of site characteristics and constraints and as such may differ from the minimum densities set out in Policy H3. However, the densities set out for the proposed allocations are all intended to balance the need to ensure the efficient use of land with the need to increase housing quality and choice and deliver and meet the other relevant policy requirements e.g. on mix, landscaping SUDS etc.</p> <p>It is not clear where the density figures quoted in the comments have come from and the examples given may not be appropriate for many sites in Burnley, but the point about achieving higher density and mixed use developments in more central locations is well made. The Plan's brownfield allocations in more central area do propose higher densities.</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>If the minimum is 25 dpa then there would be a saving of 14 hectares of land needed If the Urban areas dpa were 40 then there would be a further saving of 19 hectares.</p> <p>A total saving of 33 hectares could be achieved by re-assessing the density in line with the 'sustainable development' strategy.</p> <p>We therefore conclude that 103 hectares of land is excessive and this should be reduced to 70 hectares. This would have a massive impact on the need to move the Urban Boundary, reducing the need by 33 hectares. The areas we are objecting to are less than 9 hectares and could therefore easily be removed from the Urban Boundary extension proposal.</p>	
James Pollard and Sons (Worsthorne) Ltd	Policies - Housing	HS3	<p>We object to Policy HS3: Housing Density and Mix, which we consider to be an unnecessarily prescriptive policy that could seriously hinder the delivery of housing sites and put developers off investing in the Borough. Part one of the policy should be sufficient to direct design of new housing schemes, with the remainder of the policy being indicative only, if necessary.</p>	<p>The minimum densities set out in the policy are very much lower than historically in Burnley and balance the need to ensure the efficient use of land with the need to increase housing quality and choice and meet the other relevant policy requirements .</p> <p>The wording has been amended to refer to gross rather than net densities and a 40 dph (rather than 40/50) minimum in clause 3).</p> <p>The Policy as worded is considered sufficiently flexible to take account of site characteristics and marketability.</p> <p>With regard to housing mix, improving quality and choice is a fundamental part of the whole plan strategy and has informed the choice of housing allocations.</p> <p>Density expectations for specific allocations are set out in Policy HS1 through indicative numbers; and housing mix requirements for these specific allocations are also set out in Policy HS1.</p>
Home Builders Federation Ltd	Policies - Housing	HS4	<p>The plan proposes to place a significant number of space requirements upon housing developments. These include the internal space standard, open space standards, accessibility standards, density and mix policies and within part 3 of this policy separation distances. Whilst the HBF does not dispute the need for adequate separation between properties the cumulative impact of all of the proposed standards will require consideration to ensure that there are no internal conflicts within the plan and that policy compliant sites can be delivered. It should also be noted that the topography of Burnley may make variation upon these distances appropriate in certain instances.</p>	<p>The Plan does not propose to require the optional national internal space standard.</p> <p>The Proposed Accessibility Standard only relates to 20% of units on schemes of over 10 units, or, if chosen as one way of helping to meeting the higher sustainability standards for greenfield</p>

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			<p>Part 4 requires 20% of dwellings in schemes of more than 10 to meet optional Building Regulation Part M4(2). The PPG (ID 56-007) identifies that to introduce the optional standard the Council should consider the following;</p> <ul style="list-style-type: none"> <li>- the likely future need for housing for older and disabled people (including wheelchair user dwellings).</li> <li>- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example</li> <li>- retirement homes, sheltered homes or care homes).</li> <li>- the accessibility and adaptability of existing housing stock.</li> <li>- how needs vary across different housing tenures.</li> <li>- the overall impact on viability.</li> </ul> <p>Whilst the SHMA does provide some of the evidence required to introduce the optional standard significant elements are missing, not least the overall impact upon viability. The HBF wish to hold our position upon the introduction of the optional standard until all of the relevant evidence is available.</p>	<p>sites under Policy SP4 it would apply to the whole scheme.</p> <p>The open spaces standards are largely in line with the tried and tested approach of the saved Local Plan.</p> <p>The density policy HS3 is considered to be acceptable as a minima.</p> <p>The mix requirements of HS4 are flexible; but on greenfield sites which have specifically been supported for allocation because of the greater quality and choice they provide, certain minimum percentages will be insisted upon and this approach is considered to be fully justified. Meeting the needs and demands for housing, which they plan is required to do, is not just about the quantity of housing provided.</p> <p>The implications of the combined Local Plan policies on viability has been the subject of detailed assessment as part of the Plan's evidence base (Plan Viability Assessment March 2017). Where viability considerations mean that the meeting of policy requirements is not possible, then the Council would need to decide whether the development in question could be supported when assessed against the Local Plan as a whole.</p> <p>Schemes would always be considered on their merits against all relevant policy requirements and the benefits they offer.</p>
Huntroyde Estate	Policies - Housing	HS4	<p>Section 5 sub paras b) and c) refer to payment of commuted sums for offsite POS in lieu of onsite provision. Whilst this flexibility is welcomed it should not lead to undermining the viability of a scheme. Also the Council have not indicated evidence of a set formula for calculating such contributions without this the policy is not effective.</p> <p>Section 8 of this policy is not justified and not consistent with national policy in regard to smaller</p>	<p>The implications of the combined Local Plan policies on viability has been the subject of detailed assessment as part of the Plan's evidence base (Plan Viability Assessment March 2017).</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			sites where such contributions could undermine viability and thus site deliverability. Section 8 should only apply to the largest sites.	<p>Policy IC4 states that where contributions are requested or unilaterally proposed and the viability of development proposals is in question, applicants should provide viability evidence through an 'open book' approach to allow for the proper review of evidence submitted and for reason of transparency. Where viability considerations mean that the provision of infrastructure (either directly by a developer or through contributions towards its provision) or the meeting of other policy requirements is not possible then the Council would need to decide whether the development in question could be supported.</p> <p>The Council is intending to prepare an SPD on Planning Contributions where further detailed advice and information will be developed, in consultation</p>
James Pollard and Sons (Worsthorne) Ltd	Policies - Housing	HS4	Policy HS4 part 2 is incredibly prescriptive of the requirements of planning applications. The Local Plan is not the correct vehicle for these matters, which should be included within a validation checklist.	<p>It is not considered that HS4 2) is unduly prescriptive. Larger developments should be properly phased for the reasons set out in the policy - this can be done at outline or reserved matters stage. The Policy does not propose to restrict preferred phasing providing each phase is delivered in a safe and sensible manner. Larger schemes which can be built out over many years can result in unacceptable living conditions for early occupants and neighbours if not properly managed; or worse still if development stalls.</p> <p>The Policy clause in question has now been amended to require this only for schemes of over 50 dwellings</p>
Junction Property Ltd.	Policies - Housing	HS4	<p>Policy HS4 set out a series of additional design criteria specific to residential development.</p> <p>Residential Amenity Part 2 of the policy requires planning applications for 'larger schemes' to include a phasing plan which should include details of the proposed phasing, temporary works and security measures</p>	The Policy does not propose to restrict a developers preferred phasing providing each phase is delivered in a safe and sensible manner. The phasing plan could be submitted at outline or reserved matters stage.

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>which should demonstrate an acceptable standard of development and amenity for early residents and existing residents. As drafted, neither the policy nor supporting text defines a threshold for what constitutes a 'larger scheme'.</p> <p>Notwithstanding this, whilst there is a need to protect the amenity of existing residents, this level of detail is not always available at the time of submission, especially for outline applications or in situations when the applicant will not be the company/person developing a site. The Council should be actively encouraging development without delay, as drafted Part 2 requires a level of detail that has the potential to slow down the application process. Our Client would suggest that this detail is secured via condition rather than planning policy to reduce the policy burden on the applicant.</p> <p><b>Lifetime Homes</b> Part 4 of Policy HS4 requires 20% of dwellings on development over 10 dwellings should be designed to be adaptable to support the changing needs of occupiers over the lifetime, complying with the optional technical standards at Part M4(2) of the Building Regulations.</p> <p>The Council should be actively encouraging new development without delay, particularly given the need to deliver significant new family and affordable housing. Dependent on the scale of the development, Lifetime Homes Standards can add £545 to £1,165 to the cost of a dwelling. This alone can prohibit the deliverability of a scheme, restrict sustainable development and create a shortfall in the overall housing supply.</p> <p>Accordingly, there is no justification for the need to deliver Lifetime Home. There is no evidence that Lifetime Homes actual help to meet the long -term needs of the older population. In our experience, Lifetime Homes can even deter potential purchasers, as these standards can require a different utilisation of floorspace (for example an over - sized room downstairs for a toilet).</p> <p>This comparative increase in size is not usually reflected in sales revenue. The net result is a reduction in revenue as build costs increase; sales revenue remains static and the quantity of housing delivered decreases. This issue does not appear to have been addressed within the assumptions made. Accordingly, it is our Clients consideration that Part 4 of the Policy imposes unnecessary requirements on applicants as drafted; it is not justified by evidence, and objects.</p> <p><b>Open Space and Pla y Provision in New Housing Development s</b> Part 5 of the Policy requires proposals for 50 dwellings or more will be expec ted to incorporate recreational public open space to a minimum standard of 0.3 hectares per 50 dwellings or a proportion thereof, in accordance with the Fields in Trust of 2.4 hectares per 1,000 population; or in exceptionally, provide or pay a contributio n in lieu of part or all of the open space provision for the creation and benefit of existing public open space nearby. As part of this overall space requirement, Part 6 requires developments comprising main family homes to provide 0.09ha of equipped child</p>	<p>As pointed out, there was no specific definition of what constitutes 'larger schemes' for the purpose of this policy and this was deliberate. This phasing plan requirement would only be relevant to schemes which are likely to be built out over a number of years and would also depend on the proposed dwelling types e.g. it would not normally be necessary for schemes or flats. However, the Policy has been amended to require this only for schemes of over 50 dwellings to give greater clarity.</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>ren's play space per 50 dwellings, or proportion thereafter.</p> <p>In accordance with paragraph 73 of the NPPF the Council needs to undertake a robust and up-to-date assessment of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessment should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area.</p> <p>Neither the policy nor supporting text is clear as to whether the Council has an up-to-date evidence base. It appears the requirements set out in Parts 5 and 6 of Policy HS4</p>	
Metacre Ltd.	Policies - Housing	HS4	<p>Policy HS4 'Housing Developments' states that for schemes over 10 dwellings 20% of the houses should be to lifetime homes standard. This is considered unjustified. If national policy considered it necessary for residential development to have to meet this standard in order to be found acceptable then it would state so. The policy is therefore placing unnecessary and onerous requirements on new development.</p>	<p>National policy makes clear the plans can introduce this standard where it is justified by evidence. That is what these optional standards were introduced for. There is considered to be strong evidence in Burnley including as set out in the SHMA that there is not only an issues with an ageing population, as elsewhere, but the borough's residents have poorer health outcomes. The nature and choice of housing (i.e. a high proportion of smaller pre-war terraced homes which are particularly difficult to adapt) can be a particular issue in helping people stay for as long as possible in their own homes.</p>
H F Eccles & Sons	Policies - Housing	HS4	<p>5.11. With regards to public open space provision (POS), there is support that the policy is drafted to allow smaller schemes to make a financial contribution to improve areas of POS in the vicinity rather than insisting this is provided on-site. It is important that site specific circumstances and constraints are considered in determining how best to make provision for POS and the policy wording needs to reflect this.</p> <p>5.12. If a financial contribution towards off-site POS is to be provided in-lieu of on-site provision, policy needs to be flexible to take account of scheme viability to ensure that the proposal remains deliverable.</p>	<p>Comment noted.</p>
Cllr Cosima Towneley	Policies - Housing	HS7	<ul style="list-style-type: none"> <li>• Considering the small number of pitches - is such a site truly necessary or viable?</li> <li>• It would appear difficult to define 'travelling'. Does this relate to people using the site whilst schooling children, in which case does this relate to staying on site for the school term, year or years. Those remaining on site for a period longer than a few months or for a specific reason - education - are surely not classed as travelling and so resources put in to this area could be better used housing local Burnley families.</li> </ul>	<p>National Policy set out in the Government's 2015 'Planning Policy for Traveller Sites', requires Councils to meet the assessed Gypsy, Traveller and Travelling Showpeople for pitches and plots.</p> <p>The 2012 Burnley and Pendle GTAA and its 2016 Addendum identifies the need for 5 Gypsy and</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<ul style="list-style-type: none"> <li>• The siting of a Traveller facilities in the vicinity of a Biological Heritage site and in the heart of the ecological network for woodland &amp; grassland would seem to be encouraging friction between the settled and travelling communities.</li> <li>• Whilst acknowledging proper facilities will be available on site, it is a truth that such sites invariably become eye sores and a source of local friction. What courses of action are to be deployed to prevent these problems.</li> <li>• As there is little need for the development of such a site would it not be better to incorporate the small number of Travellers into empty houses than creating a 'getto'. Integration in this way would, of course, present its own problems!</li> </ul>	<p>Traveller pitches and the Council must provide for this need in the Local Plan.</p> <p>National policy defines Gypsies and Travellers as 'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'</p> <p>Whilst the Council has assessed through the GTAA whether people meet this definition, it is not open to the Council to say that those who do and who want a pitch should not have their needs provided for .</p> <p>Policy HS9 ensure occupants have a local connection to qualify for a pitch on the site.</p> <p>Contrary to concerns about location, it is felt that a site can offer the right mix of community integration and privacy / screening, and its location is sustainable.</p> <p>The Policy HS7 requirement an ecological survey to support any planning application to identify and address ecology issues and requires hard and soft landscaping and screening to be considered.</p>
Mr John Nottingham	Policies - Housing	HS7	<p>SUPPORT FOR DRAFT POLICIES HS7 AND HS8 – GYPSY AND TRAVELLER SITE ALLOCATIONS AND GYPSY AND TRAVELLER SITE CRITERIA</p> <p>I refer to the above Preferred Options consultation and write to express support for Draft Policies HS7 and HS8 on behalf of our client. The preferred strategy promotes sustainable development that is in line with current guidance contained within the National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (2015). Further detail is provided below in relation to each of the draft policies.</p>	<p>Support for the allocation in HS7 noted. The site referred to at Spa Wood Farm is not unauthorised. This site has an lawful use as a residential caravan site for up to 6 households residing there.</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>An assessment of all the suggested gypsy and traveller site allocations was submitted to the Environment and Policy department in May 2015. A copy of this report is enclosed for your reference, which ranked the sites in order of their sustainability when assessed against the NPPF and Planning Policy for Traveller Sites document. In particular the report identified the very poor suitability of an unauthorised site at Spa Wood Farm, by virtue of the:</p> <ul style="list-style-type: none"> <li>- Isolation from the main urban area that would lead to the segregation of the Gypsy and Traveller community from other people living in Burnley;</li> <li>- Distance from local services and public transport links that would not promote sustainable patterns of development;</li> <li>- Poor accessibility via Billington Road, an unadopted dirt track which serves local rural businesses. Beyond the industrial estate, it is single-track, heavily pot-holed, liable to flooding and falls within a number of different ownerships. Crucially, it does not provide suitable access for the emergency services;</li> <li>- Insufficient capacity to drain foul water from the site, which is not connected to a mains sewer; and</li> <li>- High risk of surface water flooding.</li> </ul> <p>I am very heartened to see that the Council has stated a Preferred Option for the allocation of Oswald Street, Burnley, as the most appropriate site for gypsy and traveller use. Of the five sites under consideration, Oswald Street offers the most sustainable and integrated site, accessible for schools, shops, community services, employment and public transport. This reflects the spirit of prevailing national planning policies and guidance.</p> <p>Whilst the preferred allocation of Oswald Street may provoke some opposition from the existing residential community, it is apparent that the assessment by Burnley Borough Council has been made on robust planning grounds. In anticipation of what may be a controversial proposal, I would like to reiterate that Spa Wood Farm remains a totally inappropriate option which should not be reconsidered in the event of local opposition. Full support is offered for the approach taken by Burnley Borough Council towards the allocation of sites for gypsy and traveller use.</p> <p>[Additional file attached]</p>	
Pennine Lancashire Community	Policies - Housing	HS7	Re EMP1/14 Stoneyholme Gas Works we welcome this overall development but would suggest the following actions:	Comment noted. The local community has had the opportunity to comment on the site proposal at Preferred Options consultation stage

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Farm			<ul style="list-style-type: none"> <li>• More specific and diverse consultation is required with the local community prior to any development of traveller's site.</li> <li>• Re-investigate the possibility of development of community orchard / forestry area in respect to the interconnected associated land.</li> </ul>	<p>when a drop in session in Stoneyholme. Should a planning proposal come forward, people would have an opportunity to comment on the detail of ay proposal at that stage.</p> <p>The land to the north of the gasholder site is Green Belt and subject to the landowners agreement could be developed, a community orchard or woodland could be developed.</p>
Mr John Nottingham	Policies - Housing	HS8	<p>SUPPORT FOR DRAFT POLICIES HS7 AND HS8 – GYPSY AND TRAVELLER SITE ALLOCATIONS AND GYPSY AND TRAVELLER SITE CRITERIA</p> <p>I refer to the above Preferred Options consultation and write to express support for Draft Policies HS7 and HS8. The preferred strategy promotes sustainable development that is in line with current guidance contained within the National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (2015). Further detail is provided below in relation to each of the draft policies.</p> <p>Support is equally offered in relation to Draft Policy HS8, which sets out criteria for the assessment of further provision of transit and permanent pitches for gypsy and traveller use; although it is suggested that a minor alteration is required to improve the effectiveness in dealing with retrospective applications for unauthorised development.</p> <p>The criteria set out for assessing proposals under Parts 1 and 2 of Policy HS8 clearly reflect current national policies and guidance. Through its implementation, future proposed developments would be focused towards locations that promote co-existing communities and where capacity exists in terms of local infrastructure, access and utilities. The Policy furthermore currently acknowledges the sensitivity of the land use by deterring development from areas that are in Flood Zones 3a, 3b or 2, as well as locations that are susceptible to problems of drainage and surface water flooding. These issues are fundamental to Policy B within the Government's Planning Policy for Traveller Sites document (2015) and also the consideration of sites against the three strands of sustainability (economic, social and environmental) at Paragraph 7 of the NPPF.</p> <p>Part 1 of the Draft Policy currently states that the criteria will apply where there is an identified need for further provision of transit and permanent pitches. Unless a need has specifically been identified through subsequent updates to the Gypsy, Traveller and Travelling Showpeople's Accommodation Assessment (GTAA), JWPC seek for amendments which places the onus on the Applicant to demonstrate a need through the provision of evidence. It should be proven within any application that capacity does not exist within allocated (or any other authorised sites), before an assessment is made against the criteria within the Policy.</p>	<p>National policy requires the Council to assess need. Whilst this has until recently been done through a separate GTAA, in future this will be included in the Council's SHMA where the needs and demand of all communities are assessed. If the need identified by the Council (having been tested through the Local Plan Examination) has been provided for in full for at least the first 5 years and kept up to date, the onus would then fall on the applicant to demonstrate newly arising need which could not be met on existing or allocated sites. The change suggested is not therefore considered appropriate.</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>JWPC therefore suggest an addition below the Criteria at Part 2 of the Policy to the effect of:</p> <p>Where a future need for the further provision of transit and permanent pitches for the Gypsy or Traveller use, or plots for Travelling Showpeople is claimed, this must be conclusively demonstrated by the Applicant through evidence.</p> <p>The alterations to the Policy will help Burnley Borough Council to achieve a greater understanding of the actual level of need over the period of the emerging Local Plan. Moreover, the requirement for specific evidence of need will help the Council to effectively determine retrospective applications and where necessary, pursue enforcement against unauthorised developments.</p> <p>It is trusted that the above support and recommendations will be attributed material weight in continuing to move forward with the Local Plan. I shall look forward to hearing of the Council's progress towards the Publication version of the Local Plan. However, please do not hesitate to contact me if you need to discuss the content of this letter.</p>	
Lancashire Wildlife Trust	Policies - Housing	HS8	<p>The Trust is pleased to see, and supports the inclusion of the following criteria in Policy HS8:</p> <p>1.h. The proposal does not have an adverse impact on a locally important nature conservation site in accordance with Policy NE1.</p> <p>2.c. The development of new Gypsy or Traveller sites will not be permitted "Within or adversely affecting an SSSI/SAC/SPA).</p>	Support noted.

## Section 5.2 – Economy and Employment (not including EMP1 Employment Allocations)

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
NFU North West	Policies - Employment	EMP5	The NFU welcomes policies that facilitate rural development and diversification that help farmers remain competitive, meet regulations, scheme compliance and standards and to keep the farm business viable.	Support noted.  Whilst the comment did not specifically refer to Policy EMP5 this policy addresses the point made.
Lancashire Wildlife Trust	Policies - Employment	EMP5	Policy EMP5: Rural Business & Diversification does not mention the need to conserve and enhance biodiversity, and to ensure that there are net gains in nature, as required by the NPPF.	The Local Plan should be read as a whole and Policy NE1 is the primary policy for seeking to conserve and enhance biodiversity and it is not considered necessary to repeat the requirements in Policy EMP5. Repetition can weaken rather than strengthen policies.
Mr Barrie Sharpley	Policies - Employment	EMP5	As part of the South Pennine Moors and the local rural economy (p. 128), emerging businesses include café's and B&B's indicating the opportunities for attracting more visitors to the area for unique experiences. [Worsethorpe and Brownside are the areas referred to]	Noted. It is not considered that specific business uses need to be referenced in the policy.
Cllr Cosima Towneley	Policies - Employment	EMP6	Access Provision. - It has been noticeable that in several cases where a rural building(s) has/have been divided that a new driveway has been added at a later date. There is no provision in the present policy to prevent further urbanisation to the countryside by the prohibition of the creation of these alternative entrances.  Driveway/Entrance lighting of Converted Rural Buildings - Light pollution from the conversion of Rural buildings adds considerably to the urbanisation of the Green belt and wider countryside. The deployment of Policy EMP7: Equestrian Development across the gamut of rural development would make this particular policy more equitable and enforceable.	Councillor Towneley's concern about the potential suburbanising effect of the conversion of rural building on rural landscape is shared.  Any layout and design issues for new developments in rural areas will be assessed against Policy SP5: Development Quality and Sustainability and, where they involve the conversion of rural buildings also Policy EMP6. This Policy allows consideration of the impact of ancillary buildings and works and the character if the countryside side can be further protected by appropriately defining new residential curtilages and /or withdrawing permitted development rights.  In terms of policy EMP7, this policy is applicable across the borough, not just in rural areas and is therefore not just included within a rural section of the Local Plan.  In respect of light pollution, Policy NE5 requires development proposals as appropriate to their nature and scale, to demonstrate that environmental risks have been evaluated and appropriate measures have been taken to minimise the risks of adverse impacts to air, land and water quality, whilst assessing vibration, heat, energy, light and noise pollution.

## Section 5.3 – Town Centre, Retail and Leisure

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Burnley, Pendle and Rossendale Green Party	Policies - Town Centres, Retail and Leisure	General	<p>Retail</p> <p>Burnley, Pendle and Rossendale Green Party is supportive of investment in Burnley town centre. The creation and maintenance to the highest standards of public space at the hearts of Burnley and Padiham are indeed essential elements of the towns' social and commercial offers. We believe the Plan is a missed opportunity to go further.</p> <p>The Plan, in referring to retail and business areas appears to be entirely centred around and indeed biased towards, the traditional zoning of high value retail frontages with no particular attention paid to a diversifying use of town centre space. The next 20 years are not about to see a sudden re-energizing of town centre high street shopping trends and Burnley should lead the way in recognizing this – as other nearby towns have done.</p> <p>Currently the Plan will do nothing beyond continuing to court chain retail and food outlets which, if successful, would only create another identikit town centre offer with rows of chain stores damaging what is an exceptional collection of well-preserved Victorian buildings.</p> <p>The Plan needs to be flexible here. An urban renaissance whereby underused car parks in the centre become pocket parks, micro food growing projects are run by residents, independent retailers open and outdoor markets flourish is far more likely to deliver a more attractive, unique, green and pleasant retail environment that draws in local residents and tourism.</p> <p>Diversifying retail space to attract small creative businesses will require new progressive policies written by those businesses themselves, who need to be encouraged into the process now. Current footfall in the town is limited and does not attract many visitors. The reliance on private cars means many of those living in the borough are simply able to drive to a more attractive retail district.</p> <p>Without a unique 'Burnley' offer of public art projects, events, markets and meanwhile spaces for popular pop-up activities the town centre will continue to look like every other declining town centre. It is simply not enough to add little more than a footnote suggesting alternative shopping spaces can be limited to Padiham.</p> <p>The Plans contradictions around office space provision are stark – providing an expanded business park at Burnley Bridge will only serve to exacerbate the drain of office demand away from the traditional town centre, creating yet more vehicle traffic and an even</p>	

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			smaller town centre retail footfall.	
Royal Mail - Burnley	Policies - Town Centres, Retail and Leisure	TC2	<p>Town Centre Policies</p> <p>The protection of existing operations and amenity is a crucial issue for Royal Mail, particularly where there is potential for sanctions to be placed upon them when uses of a sensitive nature are introduced in close proximity to their existing Delivery Offices. For example, due to the nature of their delivery requirements and targets, Delivery Offices are operating early mornings and often late evenings, generating large volumes of vehicular movements and associated mail sorting and loading activity, all of which result in noise, light and other associated impacts that are not expected to be experienced in a residential environment.</p> <p>The issue of neighbouring land uses and their compatibility, including potential environmental / amenity impacts is therefore fundamental to the Royal Mail, particularly where Local Planning Authorities are assessing the suitability of future land use allocations and development sites. This particular issue is clearly recognised within the National Planning Policy Framework (NPPF) at paragraphs 123 and 109. These paragraphs support the protection of existing businesses and their operations, and paragraph 123 in particular states that planning policies and decisions should aim to recognise that existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.</p> <p>The current wording of Policy TC2 Development within Burnley and Padiham Town Centres states that:  “Proposals for other main town centre uses will be supported where they are located within the defined Town Centres and accord with other policies elsewhere in the Plan”;  and  “Proposals for residential development, including new build, conversion or change of use on appropriate sites within the Town Centres will be considered favourably subject to meeting the other policy requirements of the Plan where:</p> <ul style="list-style-type: none"> <li>• In Burnley Town Centre outwith the Primary Shopping Area, they do not lead to a concentration of residential uses which undermines the overall mix of main town centres uses.”</li> </ul> <p>We respectfully request that Burnley Council insert additional supporting text in Policy TC2 and TC4 to ensure any land that is developed for main town centre uses or housing within close proximity to the aforementioned properties does not adversely affect Royal Mail’s operations. An example is provided below:</p>	The importance of protecting existing businesses in the Town Centre is recognised and additional text has been added to Policy TC2 8 c) to that effect.

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			<p>“Proposals for residential development, including new build, conversion or change of use on appropriate sites within the Town Centres will be considered favourably subject to meeting the other policy requirements of the Plan where:</p> <ul style="list-style-type: none"> <li>• In Burnley Town Centre outwith the Primary Shopping Area, they do not lead to a concentration of residential uses which undermines the overall mix of main town centres uses and do not detract from the employment use of the existing sites in the area.</li> <li>• Where new developments or changes of use impact on existing businesses, adequate mitigation measures should be designed into the new site.</li> </ul> <p>Additionally, approximately 250 metres from the Burnley Delivery Office is a site allocated as a Town Centre Development Opportunity which is also where the Burnley Vehicle Park is located.</p> <p>Policy TC4 Development Opportunities in Burnley Town Centre states that residential development would be acceptable on this site as an ancillary part of a mixed use scheme. Our client is therefore concerned that the policies will allow sensitive land uses to come forward within close proximity to Royal Mail properties.</p> <p>We respectfully request that Burnley Council insert additional supporting text in Policy TC2 and TC4 to ensure any land that is developed for main town centre uses or housing within close proximity to the aforementioned properties does not adversely affect Royal Mail’s operations. An example is provided below:</p> <p>“Proposals for residential development, including new build, conversion or change of use on appropriate sites within the Town Centres will be considered favourably subject to meeting the other policy requirements of the Plan where:</p> <ul style="list-style-type: none"> <li>• In Burnley Town Centre outwith the Primary Shopping Area, they do not lead to a concentration of residential uses which undermines the overall mix of main town centres uses and do not detract from the employment use of the existing sites in the area.</li> <li>• Where new developments or changes of use impact on existing businesses, adequate mitigation measures should be designed into the new site.” <p>Proposed Land Use Allocation</p> <p>The Burnley Vehicle Park falls within a site to be allocated as a Town Centre Development Opportunity (TC4/1) and the Preferred Options document proposes that this land will be prioritised for a comprehensive retail and leisure development (Paragraph 5.3.34). Royal Mail currently utilise a proportion of the Brown Street car park for parking their delivery vans and have been issued with formal parking permits from the Council. As the site has been allocated as a Development Opportunity, Royal Mail’s parking spaces will likely be</p> </li></ul>	

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			<p>displaced in the near future. Royal Mail must remain to be informed about proposals for this location to allow sufficient time to identify and secure new parking spaces for the affected vehicles</p>	
<p>Saint James Street Development Group</p>	<p>Policies - Town Centres, Retail and Leisure</p>	<p>TC2</p>	<p>St. James Street West has recently been the focus of a reasonable amount of private investment. This includes the conversion of what was the Garden Bar, situate at the corner of Brown Street/St. James Street into retail units, a restaurant and flats above. The restoration of 144-148 St. James Street (the old Citizens Advice Bureau) which is now complete and open as a quality antiques and interiors retailer. Howarth Gallery has recently refurbished and continues to be the anchor in the area.</p> <p>We also have other prestigious retailers in this area such as Originals and Clarkeys along with quality hairdressers Robert Brannon. Also not forgetting that Marks and Spencer's main frontage is on West St. James Street.</p> <p>It is of concern, therefore, that the proposed new town plan designates the west end of St. James Street as a secondary shopping area with a caveat that up to 40% of frontage can be non-retail use. We have been working very hard over the last 18 months to turn this area around and have had some success in doing so as stated above. It is imperative that this investment is protected and future investment encouraged. The West end of St. James Street 30 years ago was almost entirely retail and we are striving to achieve this again. It is an area that lends itself to occupation by independent retailers and small businesses. We have been asked by Pam Smith, chief executive, to put together a plan for the whole of the West end of the town centre and it is proposed that St. James Street West, together with Brown Street, could provide such accommodation for independent retailers.</p> <p>As things stand in the new proposals there is no protection for this concept. The 40% non-retail frontage designation is exactly the designation that led to the decline of West St. James Street 30 years ago when taxis and night-time takeaways occupied 40% plus of the area. If we are to be successful in realising our ambitions for this area as a whole it is essential to protect against the causes of decline in the future. Let us not forget that the terms Lower St. James Street and St. James Street West are epithets of recent origin and in reality do not exist. St. James Street is and always has been St. James Street along its length and starts at the roundabout at the bottom of Westgate and goes to Hall Street at the top. It is not and never has been designated on any map as West St. James Street or Lower St. James Street. These terminologies have been used locally to identify that part of St. James Street which was not subject to pedestrianisation. We should also remember that this end of St. James Street, linked by Westgate is one of the main gateways into Burnley and thus significantly adds to the importance of this area.</p>	<p>The Council is supportive of ongoing work on St James's Street. The Council has undertaken a re-survey of the secondary shopping frontages to re-assess the appropriateness of the percentages proposed in the Plan. On a number of frontages, particularly St James's Street West, current non retail use levels are above 40% and so reducing them over time to 40% as the policy would do, would be a significant improvement. A further lowering of the percentage is not considered appropriate.</p>

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			<p>We would suggest therefore that the whole of St. James Street be afforded the same designation and protection of no more than 20% non-retail use and indeed if further protective measures can be added to encourage and safeguard future development so much the better.</p> <p>This will give planning committee a justifiable reason for refusing non-retail uses in the area which would be detrimental thus protecting the council against appeals whilst allowing flexibility by consent should an attractive non retail usage be sought for a particular property. This may also assist in finding a way to reduce the current percentage non-retail use by way of a non-replacement policy.</p> <p>We cannot overstate the importance of this matter, both in relation to safeguarding recent investment and in encouraging future enterprise in the area.</p>	
Tesco Stores Ltd	Policies - Town Centres, Retail and Leisure	TC2	<p>Tesco Stores Ltd (TSL) object to the current preferred option Policy TC2 and, specifically, the draft Padiham Town Centre Inset Map which excludes the existing Tesco store from the town centre and primary shopping area boundary.</p> <p>Background As the Council will be aware, the Tesco store was granted permission on appeal in September 2010 (Appeal Ref. APP/Z2315/A/10/2125190) with the store opening in October 2012. The original aim of the store was to claw back convenience goods trade and turnover spent outside of Padiham, including from stores in Burnley, Accrington and Clitheroe, by providing a main food shopping facility immediately adjacent to the (as then) defined town centre. It was viewed that a new foodstore would have knock on positive impacts for the rest of the town centre by increasing footfall and promoting linked trips. This was highlighted in the Padiham Retail, Office and Leisure Assessment (2009), prepared as part of the Padiham AAP evidence base, which stated at Paragraph 13.50:</p> <p>‘A new foodstore located on the Wyre Street site would effectively function as part of the town centre and could significantly assist in increasing market share performance through clawing back expenditure which is presently being lost to competing destinations. New provision could increase linked shopping trips within the town centre and would primarily compete with surrounding mainstream foodstores on a like-for-like basis.’</p> <p>At the time of the planning application and subsequent appeal, Padiham town centre was a centre in decline and was not considered a vital and viable town centre. In the determination of the planning appeal Inspector Gray highlighted this issue concluding that;</p>	The Council considers that the two Town Centre boundaries proposed are consistent with the NPPF and in the case of Burnley Town Centre it is based on the boundary recommended in the Retail, Office and Leisure Study. Whilst the Council is aware of and has considered the case to include the Tesco Store and Car Park within the Padiham Town Centre Boundary, it is considered that this would run counter to the Council's and other partners efforts to maintain the focus of town centre uses along the Burnley Road Frontage.

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			<p>'10. ...The decline of the town centre has been recognised for some considerable time but there is no indication of anything which might turn the tide (except, in the appellants' view, the appeal proposal) and bring about the AAP vision. I was surprised at the sheer absence of people in the town centre when I made my inspection on a Friday, mid-afternoon. That underscores the evidence of a declining centre.</p> <p>26. ...As it is, Padiham town centre does not look to me at all like a vital and viable one – quite the reverse. The Council's evidence says that, despite its definition as a town centre, it clearly performs a much more limited role in the retail hierarchy. That appears correct at the present time. But the Local Plan seeks to improve the role and function of the town centre and the AAP to protect and enhance it. Both are concerned with a town centre role – not a local services role'</p> <p>There was much discussion throughout the application and appeal process regarding how the proposed store would impact Padiham Town Centre. The Planning Committee report (04/03/10) concluded that:</p> <p>'The new foodstore would effectively function as part of the town centre and could significantly assist in increasing market share through clawing back expenditure presently being lost to competing destinations. New provision could increase linked shopping trips within the town centre and would primarily compete with surrounding mainstream foodstores on a like-for-like basis.</p> <p>The new foodstore would deliver significant qualitative benefits and address existing deficiencies in convenience provision in Padiham by providing a full range of goods and enhancing quality and choice for local residents. The existing convenience offer in Padiham meets top-up shopping needs only and there is a lack of a supermarket facility stocking a full range of goods.'</p> <p>In the determination of the appeal, Inspector Gray also considered the potential impact of the Tesco store on the town centre stating:</p> <p>'27. In my opinion, based on the evidence to the inquiry, the only way to achieve the adopted and emerging policy objectives is by a supermarket large enough to cater for main food shopping</p>	

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			requirements and thus able to compete with and draw trade back from supermarket	
Sapphire (Burnley) Nominee Limited	Policies - Town Centres, Retail and Leisure	TC2	<p>Sapphire (Burnley) Nominee Limited supports the general policy approach set out in Policy TC2.</p> <p>As discussed within the supporting text, there are a number of key issues concerning the continued development and improvement of Burnley town centre. These were identified and discussed in the Council's 'Retail, Office and Leisure Assessment' 2013.</p> <p>Of particular note, the Council's 'Retail Office and Leisure Assessment' noted high vacancy levels, particularly in more peripheral areas of the town centre. Accordingly, it suggested that the Council reduce the extent of the town centre boundary in order to provide greater focus.</p> <p>Furthermore, to consolidate the vitality and viability of the town centre, it was advised that improvements to Charter Walk should be promoted before 'main town centre uses' were allowed to come forward in less central sites: only limited scope for additional floorspace was identified.</p> <p>We would concur with this general approach, and the application of the sequential test and assessment of impact set out in Policy TC2 is consistent with the provisions in the National Planning Policy Framework in broad terms.</p>	<p>Support noted.</p> <p>The wording of Policy TC2 in respect of the sequential test has been revised to ensure the Primary Shopping Area is the focus of A1 retail development.</p>
Sapphire (Burnley) Nominee Limited	Policies - Town Centres, Retail and Leisure	TC3	<p>Sapphire (Burnley) Nominee Limited objects to the approach set out in Policy TC3.</p> <p>Policy TC3 identifies the primary and secondary retail frontages within Burnley. Charter Walk Shopping Centre is within the Primary Retail Frontage and we would agree that this classification is appropriate. However, the policy goes on to present a prescriptive approach concerning proposals for changes of use: uses other than retail will only be permitted where they would not result in a concentration of non-retail uses, cumulatively amounting to more than 20% of the length of the relevant Primary Frontage.</p> <p>The supporting text to the policy suggests that (Preferred Options §5.3.28):  "... Primary Frontages contain the greatest concentration of shops, attract the greatest number of customers and underpin the vitality and viability of the town centre. Retail should remain the principal and dominant land use within these areas. The Council will not support uses that do not complement or support their predominantly retail character and will seek to retain retail and maintain a continuous ground floor retail frontage with a limited range of associated and complementary uses such as cafes, banks and pubs ... "</p>	<p>It is accepted that within the Town Centre and the Primary Shopping Area there is a need to allow for flexibility of uses to reflect the changes in shopping patterns and the wider role of Town Centres. To reflect this, in the case of Burnley, the Local Plan proposes both Primary and Secondary frontages.</p> <p>The Council remains of the opinion that the Primary Frontages should be protected for A1 retail use. On frontages with non A1 uses already above the threshold, A1 uses would be allowed which over time would bring the percentage down in line with the policy threshold. On those blocks where the proportion of non A1 uses already exceeds or would through the development would exceed the threshold, changes from A1 units</p>

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			<p>We consider this approach to be unduly restrictive and contrary to national guidance. The National Planning Policy Framework (NPPF Glossary) simply advises that Primary Shopping Frontages are only "likely to include a high proportion of retail uses", and goes on to suggest that these may include food and drink as well as household goods. The Framework does not identify any specific level or proportion of retail use that should be achieved.</p> <p>Since the publication of the National Planning Policy Framework, the Government has gone even further to promote a more flexible approach to changes of use in town centres, not least through the introduction of additional permitted development rights in 2015. These measures followed the publication of various documents (e.g. the 'Portas Review' 2011, DCLG's 'The Future of High Streets' 2013 and the 'Grimsey Review' 2013) that consistently identified the need to deliver a greater diversity of uses within town centres, and to ensure the integration of leisure uses directly alongside traditional retail activities. This advice reflected changing patterns in Internet retailing, and increase leisure spend amongst other things.</p> <p>The approach suggested in the emerging Policy TC3 runs entirely counter to this advice. Elsewhere, the emerging Local Plan notes that Burnley town centre contains a lower than average proportion of food and drink uses. It is also noted that the proportion of retail units has decreased by 15% while the number of vacant units increased (Preferred Options §2.5.3). In this context, a restrictive approach to changes of use in the primary frontages may well prove counterproductive, perpetuating the reduced food and drink offer and high vacancy rate to the detriment of the town centres overall vitality and viability. Moreover, it is quite possible that the threshold in Policy TC3 is already breached, and there does not appear to be any quantitative or qualitative assessment to support the restriction or identified threshold.</p> <p>Taking account of the above, it is considered that a more flexible approach should be adopted and that reference to any specific threshold within Policy TC3 should be removed.</p>	would not be supported.
Royal Mail - Burnley	Policies - Town Centres, Retail and Leisure	TC4	<p>Town Centre Policies</p> <p>The protection of existing operations and amenity is a crucial issue for Royal Mail, particularly where there is potential for sanctions to be placed upon them when uses of a sensitive nature are introduced in close proximity to their existing Delivery Offices. For example, due to the nature of their delivery requirements and targets, Delivery Offices are operating early mornings and often late evenings, generating large volumes of vehicular movements and associated mail sorting and loading activity, all of which result</p>	Royal Mail's position with regard to existing and future parking requirements is noted.

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			<p>in noise, light and other associated impacts that are not expected to be experienced in a residential environment.</p> <p>The issue of neighbouring land uses and their compatibility, including potential environmental / amenity impacts is therefore fundamental to the Royal Mail, particularly where Local Planning Authorities are assessing the suitability of future land use allocations and development sites. This particular issue is clearly recognised within the National Planning Policy Framework (NPPF) at paragraphs 123 and 109. These paragraphs support the protection of existing businesses and their operations, and paragraph 123 in particular states that planning policies and decisions should aim to recognise that existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.</p> <p>The current wording of Policy TC2 Development within Burnley and Padiham Town Centres states that:  “Proposals for other main town centre uses will be supported where they are located within the defined Town Centres and accord with other policies elsewhere in the Plan”;  and  “Proposals for residential development, including new build, conversion or change of use on appropriate sites within the Town Centres will be considered favourably subject to meeting the other policy requirements of the Plan where:  · In Burnley Town Centre outwith the Primary Shopping Area, they do not lead to a concentration of residential uses which undermines the overall mix of main town centres uses.”</p> <p>We respectfully request that Burnley Council insert additional supporting text in Policy TC2 and TC4 to ensure any land that is developed for main town centre uses or housing within close proximity to the aforementioned properties does not adversely affect Royal Mail’s operations. An example is provided below:</p> <p>“Proposals for residential development, including new build, conversion or change of use on appropriate sites within the Town Centres will be considered favourably subject to meeting the other policy requirements of the Plan where:  · In Burnley Town Centre outwith the Primary Shopping Area, they do not lead to a concentration of residential uses which undermines the overall mix of main town centres uses and do not detract from the employment use of the existing sites in the area.  · Where new developments or changes of use impact on existing businesses, adequate mitigation measures should be designed into the new site.</p>	

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			<p>Additionally, approximately 250 metres from the Burnley Delivery Office is a site allocated as a Town Centre Development Opportunity which is also where the Burnley Vehicle Park is located.</p> <p>Policy TC4 Development Opportunities in Burnley Town Centre states that residential development would be acceptable on this site as an ancillary part of a mixed use scheme. Our client is therefore concerned that the policies will allow sensitive land uses to come forward within close proximity to Royal Mail properties.</p> <p>We respectfully request that Burnley Council insert additional supporting text in Policy TC2 and TC4 to ensure any land that is developed for main town centre uses or housing within close proximity to the aforementioned properties does not adversely affect Royal Mail's operations. An example is provided below:</p> <p>"Proposals for residential development, including new build, conversion or change of use on appropriate sites within the Town Centres will be considered favourably subject to meeting the other policy requirements of the Plan where:</p> <ul style="list-style-type: none"> <li>• In Burnley Town Centre outwith the Primary Shopping Area, they do not lead to a concentration of residential uses which undermines the overall mix of main town centres uses and do not detract from the employment use of the existing sites in the area.</li> <li>• Where new developments or changes of use impact on existing businesses, adequate mitigation measures should be designed into the new site." <p>Proposed Land Use Allocation</p> <p>The Burnley Vehicle Park falls within a site to be allocated as a Town Centre Development Opportunity (TC4/1) and the Preferred Options document proposes that this land will be prioritised for a comprehensive retail and leisure development (Paragraph 5.3.34). Royal Mail currently utilise a proportion of the Brown Street car park for parking their delivery vans and have been issued with formal parking permits from the Council. As the site has been allocated as a Development Opportunity, Royal Mail's parking spaces will likely be displaced in the near future. Royal Mail must remain to be informed about proposals for this location to allow sufficient time to identify and secure new parking spaces for the affected vehicles.</p> </li></ul>	
Sapphire (Burnley) Nominee Limited	Policies - Town Centres, Retail and Leisure	TC4	<p>Sapphire (Burnley) Nominee Limited objects to the approach set out in Policy TC4 .</p> <p>Policy TC4 identifies new development opportunities in Burnley town centre. Of particular note, it proposes the allocation of the Former Pioneer Site at Curzon Street. The site is over 1.5 hectares in size and lies to the north of the existing Primary Shopping Area. It is intended for a mixed-use development, including a range of retail and leisure</p>	The Retail Office and Leisure Study assessed potential sites within the Town centre and concluded that the site on Curzon Street was the most appropriate location to provide a comprehensive comparison retail and leisure extension to the Town Centre given its location in

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			<p>activities. The allocation states specifically that (our emphasis):  " ... A minimum of 1,500sqm (net) of A1 comparison retail must be included within the mix of uses ... "  We consider that this requirement could be detrimental to the vitality and viability of Burnley Town Centre.</p> <p>The allocation seeks to draw support from the quantitative assessment provided in the Council's 'Retail, Office and Leisure Assessment' 2013, which suggested limited scope for comparison floorspace in the longer term. Specifically, it was suggested that they might be scope for approximately 3,390 sqm of additional comparison goods floorspace by 2026 (RAL 2013 §12.7).</p> <p>The 'Retail Office and Leisure Assessment' was quite clear that proposals outside the Primary Shopping Area should remain subject to the sequential test and impact assessment set out in the National Planning Policy Framework, and also that vacant units could also help accommodate the growth (RAL 2013 §12.17).  At this point, it is appropriate to briefly review the assessment's methodology and the way in which this limited quantitative capacity was identified. The assessment first follows a fairly standard approach to identify the amount of expenditure available to support retail floorspace. This takes account of population growth and expected trends (i.e. growth) in expenditure per capita.</p> <p>It then goes on to estimate the turnover of existing town centres based on the findings of a household survey undertaken in 2012. This suggested that Burnley town centre retained 55% of the available expenditure within the study area (RAL 2013 Table 4.3). This level of expenditure is then applied to existing retail floorspace to calculate the 'existing' (i.e. 2013) 'benchmark turnover' of the town centre. To calculate the corresponding turnover in future years, a floorspace efficiency factor is applied, in the order of 1.7% per annum. This accounts for the more efficient use of existing floorspace by retailers.</p> <p>The extent of any capacity for additional floorspace is then calculated by subtracting the benchmark turnover of existing centres, from the amount of expenditure available to support them. Having undertaken this exercise, the Retail, Office and Leisure Assessment identified capacity for 607sqm of net additional comparison goods floorspace in 2018; rising to 2,104sqm in 2023; and 3,390sqm in 2026.</p> <p>It is this calculation that appears to form the basis of the Council's allocation in Policy TC4 and the suggestion that a minimum of 1,500sqm of comparison floorspace should be provided at Curzon Street.</p>	<p>relation to the existing retail core and its availability in the short term.</p> <p>The Council do not agree that development in this location will have a detrimental impact on the Town centre's vitality and viability. In fact, it is considered that the development of this site for a mixed use development in conjunction with the opening of the new Primark store on the neighbouring site on Curzon Street will act as a catalyst for the Town Centre leading to increases in footfall not only in this location but through the centre as people travel to the new retail stores and leisure uses.</p> <p>Whilst the Council accepts that numerically the constituent parts of the potential supply are above the need identified, the three elements - better use of existing stock, new provision within the existing shopping centre and new retail as part of a mixed use redevelopment make up the most appropriate strategy for maintaining and enhancing town centre vitality and viability. In addition the total supply identified does allow for an element of flexibility to cater for those retailers who may have differing locational or floor plate requirements.</p>

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			<p>The remaining balance is to be provided for within Charter Walk. In this respect, the Local Plan refers to the provision of 863sqm through works already undertaken; and the potential to deliver a further 1,800sqm of additional comparison floorspace in the centre. Together, these would provide for an additional 2,663sqm. However, this allocation would result in an oversupply of comparison floorspace, as the combined total of net additional comparison floorspace would be 4,163sqm (1,800sqm at Charter Walk + 1,500sqm at Curzon Street) exceeds the capacity (3,390sqm) identified in the Council's retail study. Given that the Council's allocation of Curzon Streets suggests a minimum of 1,500sqm floorspace, the extent of surplus provision could be even greater.</p> <p>The suggested provision of a surplus floorspace at Curzon Street will have significant implications for the vitality and viability of the town centre. Given its location to the north of the Primary Shopping</p>	
Environment Agency	Policies - Town Centres, Retail and Leisure	TC4	<p>- General comment – The Urban River Enhancement Scheme has been successful in facilitating fish movement through Burnley. We would support any proposals to continue this scheme at additional locations through the town.</p> <p>- The Old Theatre, St James Street, Burnley. This derelict site has not been identified as a proposed development site. The site is above a culverted section of the River Calder that flows round a sharp bend. Should the site be identified for demolition, it would provide the opportunity to open up the culvert, removing the current risk of blockage and associated flood risk.</p>	Comments noted.
Cllr Cosima Towneley	Policies - Town Centres, Retail and Leisure	TC4	<p>Encourage more individual shops as the town centre has little to differentiate it from countless others.</p> <p>Development of the Stanley/Curzon St area as 'specialist' small business area with a difference.</p>	The Town Centre and Business Support teams are working to try and diversify the current town centre offer, and attract a greater range of businesses into the town. Recent improvements to the public realm are one of the ways in which the Council and its partners are trying to attract people and businesses into the town centre, and Policy TC4 provides support for the continuation of this work, as well as the opportunity for a range or retail, leisure and businesses uses around Curzon Street.
Environment Agency	Policies - Town Centres, Retail and Leisure	TC4/1	<p>TC4/1 – Former Pioneer, Curzon St. We support the proposal to open up the culverted section of the River Brun. We would recommend that the developer engages with the Environment Agency at the earliest opportunity.</p>	Support noted.
Environment Agency	Policies - Town Centres, Retail and Leisure	TC4/2	<p>TC4/2 Thompson Centre – See comments on EMP1/8.</p>	Comment noted. Information relating to the culvert and contaminated land has been included

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	Leisure			in the site allocation policy.
Canal & River Trust	Policies - Town Centres, Retail and Leisure	TC5	We support the broad principles of the policy which seeks to revitalise a key urban location within Burnley whilst aiming to conserve and enhance the rich heritage of the area.	Support noted
Historic England	Policies - Town Centres, Retail and Leisure	TC5	<p>The NPPF requires that Plan policies contain a positive strategy for the conservation and enhancement of the historic environment.</p> <p>The NPPF requires that Plans should contain strategic policies to deliver the conservation and enhancement of the historic environment and to guide how the presumption in favour of sustainable development should be applied locally (Para 15).</p> <p>The Local Plan needs to be amended to ensure that at submission stage it is not considered unsound, as currently drafted it would fail to meet the requirements of the NPPF regarding these issues.</p> <p>It is expected that this Policy should be amended to demonstrate how it will meet the requirements of the NPPF in terms of the historic environment. The policy as drafted only makes reference to the viable future of a heritage asset and does not demonstrate how proposals will be required to conserve and enhance the significance of heritage assets and their setting.</p>	<p>The Local Plan should be read as a whole. Conservation and enhancement of heritage assets is covered by Policies HE2, HE3 and HE4. It is not considered necessary to repeat the requirements in Policy TC5 Weavers' Triangle.</p> <p>The purpose of Policy TC5 is to set out the criteria to be used to assess applications for uses within the Weavers' Triangle that depart from the sequential approach for main town centre uses. Paragraph 5.3.46 as drafted, makes clear the need to conserve and enhance the significance of heritage assets and their setting in accordance with relevant Historic Environment policies. This being the case, rather than include specific heritage criteria (which at best would repeat and can have the effect of confusing or watering down other policies), it is considered more appropriate to make explicit, within the policy the need for proposals to meet relevant historic environment and design policies.</p> <p>Whilst paragraph 5.3.48 makes explicit that the policy only addresses uses within the Weavers' Triangle, to aid clarity the policy title has been changed from "Weavers' Triangle" to "Uses Within the Weavers' Triangle".</p> <p>In addition TC5 a new clause (4) has been added which reads "In all cases proposals will be expected to be consistent with relevant design and heritage policies."</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Sapphire (Burnley) Nominee Limited	Policies - Town Centres, Retail and Leisure	TC7	<p>Sapphire (Burnley) Nominee Limited objects to the restrictive approach set out in Policy TC7.</p> <p>Policy TC7 seeks to restrict the introduction of hot food takeaways within Primary Shopping Frontage (although it is unclear whether Policy TC7(2) would allow them in the Primary Shopping Frontage subject to the various considerations referred to).</p> <p>While we recognise the need to manage such uses, a flexible approach is still be appropriate and a prohibition on such uses in primary shopping frontages may be unnecessary. As noted above, the town centre has low representation within the food and drink sector, and such uses should be allowed in order to maintain diversity and generate a healthy balance of uses.</p> <p>We would further note that many food and drink uses might combine a mix of different uses, and emerging formats do not directly correspond to the use classes order. For example, coffee shops often comprise both A1 and A3, and other uses may include both A3 and A4 uses. Similarly A5 uses may be incorporated into other restaurant formats. This should be taken into account when applying planning policies based on single use classes.</p> <p>We consider that a more flexible approach should be considered under Policy TC7, and that any absolute prohibition on hot food takeaways within the primary shopping frontage is unnecessary.</p>	<p>It is considered that the restriction of hot food takeaways within Primary Shopping Frontages is necessary to maintain an appropriate balance of uses within the Primary Shopping Frontages and allow for the proper management of such uses.</p> <p>Since the 2013 ROL study was undertaken the number of food and drink premises within the Town Centre has increased.</p>
British Sign and Graphics Association	Policies - Town Centres, Retail and Leisure	TC8	<p>These representations are submitted on behalf of the British Sign and Graphics Association (BSGA) in-response to Policy TCB and supporting text in the above draft DPD.</p> <p>The BSGA represents 65% of the sales of signage throughout the UK and monitors development plans throughout the country to ensure that emerging Local Plan Policies do not inappropriately apply more onerous considerations on advertisements than already apply within the NPPF, Planning Practice Guidance (PPG) and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).</p> <p>The BSGA would firstly point out that, in line with section 3 of the PPG, a local plan does not have to contain advertisement control policies; and that, if such policies are considered necessary to protect the unique character of a particular area, these should be evidence based. This is as we advised at Issues and Options stage. But even if acceptable in principle (which is doubtful), the proposed advertisement control policies and supporting text in the Preferred Options draft are significantly defective.</p> <p>First, there is no mention whatsoever of "amenity" and "public safety" which are the only</p>	<p>The Council considers Policy TC8 to be necessary and valid. TC8 is consistent with the controls of advertisements legislation which requires applications to be judged in terms of "amenity" and "public safety" taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors (Regulation 3). This has been clarified in the supporting text at 5.3.60 and with reference to Town and Country Planning (Control of Advertisements)(England) Regulations 2007.</p> <p>TC8(g) has been amended to reference amenity and public safety as suggested by the respondent however the overall design of individual advertisements, their size, material, illumination, host building, positioning, surrounding local</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>considerations which apply to advertisement control. There is no mention of the Control of Advertisements Regulations, the NPPF or PPG. This results in a series of statements in both Policy TCB and supporting text which are wholly at odds with both the law and national policy and practice guidance.</p> <p>We suggest that the whole section on advertisements must be reconsidered and re-written to reflect the requirements of the law and national policy. It should first state that advertisements must be considered on individual merit and on the basis only of their impact on amenity and public safety. It should introduce the requirements of national policy and practice in the NPPF and PPG. It should then explain why Burnley in particular needs other than the national requirements. We can see no reason why it should and the Preferred Options draft certainly presents no "evidence". We therefore suggest that all of Policy TC8 (g) and (h) be deleted and replaced simply by a reference to amenity and public safety and the NPPF (references to the Regulations, the PPG and the Department's advisory booklet "Outdoor Advertisements and Signs - A Guide for Advertisers" could be in a footnote). The text could simply introduce this policy.</p> <p>If, somehow, the Council can produce evidence that the Local Plan needs policies and advice over and above the national, then this should be explained in the supporting text. All the restrictions in paragraphs 5.3.62 and 5.3.63 should be deleted. Some of this advice is anyway ridiculous and without any justification. Why should signs "normally position within the fascia"? This is acceptable for a fascia sign; but what about signs on pilasters, stallrisers, windows, doors etc. And what about buildings which do not have a "fascia"? What is the difference between a "wall mounted" and a "hanging" sign.? Are they not both "wall-mounted"? What does "of the highest quality" mean? All these issues are controllable simply through the application of impact on amenity.</p> <p>As to paragraph 5.3.63, what does "considered acceptable" mean? "Considered acceptable" by whom? It is not for the Council to determine need. If illumination is proposed, then it must be considered on merit and not on some predetermined idea of "acceptability". "Halo" illumination is internal, not external! And what is wrong with suitably designed and positioned internally illuminated box signs. They are commonly seen above modern shopfronts (where a "traditional" hand-painted wooden sign would look totally out of place). Modern signs are slimline, often recessed into the fascia or contained within the projection of pilasters/console brackets. There should be no presumption against such signs on some mistaken "principle". What is a "large" spotlight? On a retail park superstore,</p>	<p>characteristics and cumulative effect are all relevant factors that determine the impact of a single advert on amenity and public safety and as such TC8(g) is considered necessary to ensure that those matters considered fundamental to amenity and public safety are met.</p> <p>Policy TC8 will be supplemented by a Shopfront and Advertisement Design Guide SPD which will elaborate on the guiding principles and provide clarity on how the Council will approach advertisement in different scenarios. The SPD will clarify many of the issues raised by the respondent such as the importance of positioning within the fascia (where one exists) and what is considered high quality.</p>

## Section 5.4 – Historic Environment

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Historic England	Policies - Historic Environment	General	<p>One of the twelve principal objectives of planning under the NPPF is the conservation of heritage assets for the quality of life they bring to this and future generations (NPPF, Paragraph 17). Conservation means maintaining what is important about a place and improving this where it is desirable. It is not a passive exercise. It requires a Plan for the maintenance and use of heritage assets and for the delivery of development within their setting that will make a positive contribution to local character and distinctiveness.</p> <p>Policies Local Plans should include strategic policies to conserve and enhance the historic environment of the area and to guide how the presumption in favour of sustainable development should be applied locally. It is vital to include strategic policies for the historic environment in the local plan as the plan will be the starting point for decisions on planning applications and any Neighbourhood Plans that come forward are required to be in general conformity with the strategic policies of the Local Plan. In terms of development management policies, it is clear that the NPPF expects plans to include detailed policies, which will enable a decision maker to determine a planning application.</p> <p>The policies for the historic environment will derive from the overall strategy to deliver conservation and enjoyment of the area's heritage assets for generations to come. These may be policies that concern themselves specifically with the development of types of heritage asset. But delivery of the NPPF objective may also require policies on use, design of new development, transport layout and so on. Indeed every aspect of planning conceivably can make a contribution to conservation. Plan policies in all topics should be assessed for their impact on the strategic conservation objective.</p> <p>In the Local Plan for Burnley (Preferred Options Stage), we have the following comments to make on the policies.</p>	Introductory comments noted.
Canal & River Trust	Policies - Historic Environment	HE1	We welcome and support the policy which seeks to safeguard and enhance the heritage assets associated with and that contribute to the character of the Leeds & Liverpool Canal, including canal- related infrastructure such as bridges, wharfs and warehouses.	Support noted.

National Trust	Policies - Historic Environment	HE1	<p>Overall the Policy is supported; however, in several places in the Policy the terminology "built heritage" is used and in the Trust's view the word 'built' is, inappropriate, superfluous and confusing.</p> <p>For example, Conservation Areas can often include important open spaces with a consequent expectation that those spaces, and, for example, the views that they afford, will be protected and enhanced, e.g. they can capture designed or pleasant unintentional but now valued views, and the settings of key Conservation Area buildings such as a church or major dwelling. In addition the key significances of Historic Parks and Gardens often relate to their layout, design and planting - all elements that do not include 'built heritage'.</p> <p>The removal of the word 'built' from the Policy would not diminish, but rather would enhance, it.</p>	<p>Removal of the word "Built" when referring to "Historic Environment" and "Heritage" is agreed on the basis that this encompasses all aspects of heritage, for example designed landscapes, open spaces and the less tangible cultural heritage. The policy wording has been changed to substitute "built historic environment" and "built heritage" with "historic environment" and "heritage" to ensure the widest possible application of the policy.</p>
Historic England	Policies - Historic Environment	HE1	<p>The NPPF requires that Plan policies contain a positive strategy for the conservation and enhancement of the historic environment.</p> <p>The NPPF requires that Plans should contain policies to deliver the conservation and enhancement of the historic environment and to guide how the presumption in favour of sustainable development should be applied locally (Para 15).</p> <p>The Local Plan needs to be amended to ensure that at submission stage it is not considered unsound, as currently drafted it would fail to meet the requirements of the NPPF regarding these issues.</p> <p>It is expected that this Policy should be amended to demonstrate how it will meet the requirements of the NPPF in terms of the historic environment. The policy as drafted only makes reference to the built historic environment (paragraph 1) and does not demonstrate how proposals will be required conserve and enhance the significance of heritage assets and their setting (paragraph one only refers to recognise and reinforce the significance). Whilst the rest of the paragraph appears to be drafted as the starting point being to allow proposals to accommodate changes, without meeting the tests of the NPPF in terms of justifying harm.</p>	<p>NPPF 126 and 157 requires that the local plan, as a whole, sets out a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment. It is considered that the Plan as drafted has an active, positive effect in promoting the conservation and enhancement of the Historic Environment. Policies throughout the plan are considered to help deliver the conservation and enjoyment of the Historic Environment with appropriate references as necessary. At the same time a specific strategic Historic Environment policy (HE1) is considered necessary to help emphasise and implement the positive strategy required by the NPPF and to underpin the spatial vision.</p> <p>Policy HE1 sets out aspects of Burnley's historic environment that are of special importance to the distinct identity of the borough and advocates the proactive and informed management of the historic environment in a way that fully realises its contribution to regeneration and sustainable economic development. This policy is intended to provide clarification on how the Council will deliver the conservation and enhancement of the Historic Environment in ways other than taking decisions on development proposals, including issues such as Heritage at Risk and enforcement. The implementation of Policy HE1 will play a fundamental role in achieving the positive strategy for the Historic Environment.</p> <p>Policy HE1 is complemented by more detailed development management policies (HE2, HE3 and HE4) setting out how development affecting Heritage Assets will be assessed. This being the case, amending Policy HE1 as suggested is not</p>

				<p>considered appropriate to its strategic purpose. Policies HE2, HE3 and HE4 as drafted provide the level of detail required to assess proposals affecting heritage assets and their setting in accordance with the NPPF including the tests in terms of justifying harm. However given the confusion HE1 appears to have generated, for reasons of clarity and usability the policy and supporting text have been amended to reinforce the strategic purpose of Policy HE1 as follows:</p> <p>Paragraph 5.4.8, additional text as follows:  “Policy HE1 sets out aspects of Burnley’s historic environment that are of special importance to the distinct identity of the borough and advocates the proactive and informed management of the historic environment in a way that fully realises its contribution to regeneration and sustainable economic development. The implementation of Policy HE1 will play a fundamental role in achieving the positive strategy for the conservation and enhancement of the historic environment, which meets both statutory obligations and policy requirements. In addition to its development management function, the Council will continue to seek not only to protect, but to enhance and promote the historic environment, raising awareness and understanding so it can be enjoyed by residents and visitors now and in the future.</p> <p>Paragraph 5.4.9 additional text as follows: Policy HE1 is complemented by more detailed policies (HE2, HE3 and HE4) setting out how development affecting Heritage Assets will be assessed.”</p> <p>Policy wording in HE1 (1) amended to reflect the strategic nature of the policy as follows:  “The Council will proactively manage and work with property owners and other stakeholders to ensure positive, well-informed and collaborative conservation that recognises and reinforces the significance of the historic environment, its contribution to local identity distinctiveness and its potential as a driver for economic growth, attracting investment and tourism, and providing a focus for successful regeneration”</p>
Historic England	Policies - Historic Environment	HE2	<p>The NPPF requires that Plan policies contain a positive strategy for the conservation and enhancement of the historic environment.</p> <p>The NPPF requires that Plans should contain policies to deliver the</p>	<p>Policy HE2 provides a development management policy for applications affecting listed buildings; conservation areas; registered parks and gardens and their settings and sets out principles to be followed, where appropriate, in order to avoid or</p>

		<p>conservation and enhancement of the historic environment and to guide how the presumption in favour of sustainable development should be applied locally (Para 15).</p> <p>The Local Plan needs to be amended to ensure that at submission stage it is not considered unsound, as currently drafted it would fail to meet the requirements of the NPPF regarding these issues.</p> <p>Title The title of the policy makes reference to designated heritage assets, yet the policy itself does not cover all of them, which is quite confusing. The policy should be amended so that it is clear to the decision maker and applicant what type of asset it covers.</p> <p>Paragraph 2 Substantial harm and unsubstantial harm should be dealt with together in the policy. It is not clear why this is separate to the content of Paragraph 5. This paragraph should be combined with Paragraph 5.</p> <p>Paragraph 3 The content of this section, is not about assessing harm. Harm is assessed using the tests of the NPPF. This section includes a list of 'items' which proposals should have regard to. It is not a checklist of "harm".</p> <p>The assessment of proposals affecting registered parks and gardens, conservation areas, and listed buildings differs, and in view of the requirements of the NPPF and primary legislation on these different asset types, this policy should be amended. Preference would be for the policy to have separate sections on these.</p> <p>Paragraph 4 See comments on Paragraph 3.</p> <p>Paragraph 5 Substantial harm and unsubstantial harm should be dealt with together in the policy. It is not clear why this is separate to the content of Paragraph 1. This paragraph should be combined with Paragraph 1.</p>	<p>minimise harm to significance. The Council has tested HE2 against different scenarios for each designated heritage asset type covered and considers that the policy and supporting text, as drafted, meets the requirements of primary legislation and the NPPF in relation to the heritage assets covered by the policy and is deliverable and in line with the NPPF.</p> <p>The supporting text has been amended to provide clarity on the type of designated heritage assets covered by HE2: Conservation Areas, Listed Buildings and Registered Parks and Gardens.</p> <p>Paragraph 2 and Paragraph 5: It is considered that the policy, as drafted, reflects the decision making process in NPPF 133 and 134 which deals with total loss of and substantial harm to significance separately from less than substantial harm. The policy deals with both types of harm in consecutive, but not combined, paragraphs.</p> <p>Paragraph 3 and Paragraph 4: Policy relating to Conservation Areas, Listed Buildings and Registered Parks and Gardens has been consolidated and streamlined as the NPPF introduces the same principles and tests when assessing harm to or total loss of significance of such assets. As such the Council consider a combined policy is less repetitive and better aligned with the approach of the NPPF.</p> <p>HE2 and its supporting text (which deals separately with each asset type) has been carefully worded to reflect issues that are most relevant to the types of designated heritage assets covered by the policy. The Council does not agree that it is necessary to expand the policy to encapsulate more specific aspects relating to individual designated heritage asset types. It is considered that the policy should be kept succinct with the more specific aspects remaining in the supporting text.</p> <p>NPPF 133 and 134 is not a test to establish harm, this is a matter of judgement for the decision taker, but rather it is a test to be applied when it is considered that a development proposal will lead to harm to or total loss of significance to a designated heritage asset or its setting. It is not intended that Policy HE2(3) and (4) is a test of harm rather it sets out principles that proposals should have regard to in order to avoid or minimise harm to significance. The Supporting text has been enhanced in order to</p>
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				provide greater clarity on the issues and considerations that are most relevant to the types of designated heritage assets covered by the policy.
Mr Barrie Sharpley	Policies - Historic Environment	HE2	<p>[Comment made in relation to 3 preferred housing sites at Worsethorpe and Brownside]</p> <p>As noted in the comprehensive Local Plan (Appendix 4) Worsethorpe-with-Hurstwood form key areas of local heritage and should be suitably protected as conservation areas. (Butchers Farm was especially unsuitable in this context).</p>	<p>Comment noted.</p> <p>The Policy for site HS1/31 specifically acknowledges the sites proximity to the Worsethorpe conservation area, and stipulates that development proposals must satisfy the requirements of Policy HE2 (Designated Heritage Assets).</p>
Historic England	Policies - Historic Environment	HE3	<p>The NPPF requires that Plan policies contain a positive strategy for the conservation and enhancement of the historic environment.</p> <p>The NPPF requires that Plans should contain policies to deliver the conservation and enhancement of the historic environment and to guide how the presumption in favour of sustainable development should be applied locally (Para 15).</p> <p>The policy could be further enhanced with an additional bullet point which would deal with the loss of an undesignated asset, which would include the need for the survey and recording of the asset including where appropriate, an archaeological investigation. The results of which should be deposited with the HER.</p>	<p>HE3(5) has been added as follows:</p> <p>“Where the loss of the whole or significant part of a non-designated heritage asset is determined to be acceptable, the applicant will be expected to secure building recording to the appropriate level which may also include archaeological investigation, the results of which should be deposited with the Council.”</p>
Historic England	Policies - Historic Environment	HE4	<p>The NPPF requires that Plan policies contain a positive strategy for the conservation and enhancement of the historic environment.</p> <p>The NPPF requires that Plans should contain policies to deliver the conservation and enhancement of the historic environment and to guide how the presumption in favour of sustainable development should be applied locally (Para 15).</p> <p>This policy does not provide sufficient detailed guidance to enable those proposing schemes likely to affect scheduled monuments, archaeology of national importance and undesignated archaeology in Burnley, to determine their likely degree of success.</p> <p>Historic England recommends that the policy be amended to ensure that the Plan when submitted is not unsound on these matters.</p> <p>The NPPF considers scheduled monuments to be of the highest significance. Any development should not be permitted where it would cause unacceptable harm to the significance of a scheduled monument or a non-scheduled site of national importance or their setting.</p>	<p>Policy HE4 is considered to be the most appropriate and workable approach for managing Scheduled Monuments and non-designated Heritage Assets of archaeological interest that are demonstrably of equal significance to Scheduled Monuments in the borough. It is considered that archaeology is adequately covered by the Policy HE4 and its supporting text but we are receptive to the inclusion of any elements of policy that Historic England feels have been omitted.</p> <p>Paragraph 1 and 2: NPPF 133 and 134 is not a test to establish harm, this is a matter of judgement for the decision taker, but rather it is a test to be applied when it is considered that a development proposal will lead to harm to or total loss of significance to a designated heritage asset or its setting. It is not intended that Policy HE4(1) is a test of harm.</p> <p>Physical in-situ preservation is considered the most appropriate means of sustaining and managing the significance of archaeological remains within a development (ie. To do no harm).</p>

			<p>Paragraph 1 The opening paragraph of the policy should clearly set out the Council's position on this matter. Preservation in situ, is not normally the method of assessing an application affecting these assets, the starting point should be the tests of the NPPF in terms of justifying the harm and public benefits. This should not be the opening paragraph of the policy affecting these assets.</p> <p>Paragraph 2 This policy does not deal with less than substantial harm to a scheduled monument or that of equal significance, therefore it should be amended.</p> <p>Paragraph 3 This could be further enhanced through reference to: opportunities to promote and interpret the assets will be supported.</p>	<p>As such, setting out this expectation was considered an appropriate opening paragraph for the policy, followed by the NPPF test to be applied when a development proposal is found to harm significance.</p> <p>However given the confusion HE4(1) appears to have generated, for reasons of clarity and usability the policy and supporting text have been amended to reinforce the requirements in the NPPF as follows:</p> <p>HE4(1) has been deleted and in-situ preservation included in HE4(4) and HE4(2) is now the opening paragraph and has been amended to reflect the comments received.</p> <p>Paragraph 3 The Council recognise the importance of engaging local people in discovering, presenting and conserving the borough's heritage, see HE1(3)(f). Whilst not using the form of words suggested by Historic England, the HE4(2) and the supporting text has been amended to strengthen this position.</p>
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## Section 5.5 - Natural Environment

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Lancashire Wildlife Trust	Policies - Natural Environment	General	The Trust is pleased to see, and supports the inclusion of, section 5.5 Natural Environment, in particular reference to Sites of International and National Importance, Regional and Local Sites, Local Nature Reserves, Protected Species, Priority Habitats and Species, and Ecological Networks.	Support noted
Environment Agency	Policies - Natural Environment	NE1	8) – We support the inclusion of this Policy regarding the intention to retain and enhance features, and to provide an alternative corridor along defined Ecological Networks	Support noted
Lancashire Wildlife Trust	Policies - Natural Environment	NE1	The Trust is pleased to see, and supports the inclusion of, Policy NE1: Biodiversity and Ecological Networks, and supporting text.	Support noted
Burnley Wildlife Conservation Forum	Policies - Natural Environment	NE1	Regarding Policy NE1: Biodiversity and Ecological Networks, page 161's No 1) should be more robust by explicitly referring to compliance with NPPF's para 9 and accordingly replaced by 'to comply with the NPPF paragraph 9 requirement for sustainable development to involve moving from a net loss of biodiversity to achieving net gains for nature, all development proposals should at least maintain the present level of biodiversity and where possible enhance it'	The wording of Clause 1) is considered to be consistent the the NPPF paragraph 9. It is not national policy that each and every development must achieve no net loss of, or indeed gains in, biodiversity. This is a requirement of the Plan as whole and individual developments and actions will contribute to achieving this as appropriate to their nature and scale. The wording has however been amended to further encourage biodiversity enhancements.
Natural England	Policies - Natural Environment	NE1	Protected species is detailed in the plan. Natural England has produced standing advice that you will find helpful, it is available on our website Natural England Standing Advice to help the local planning authorities to better understand the impact of particular developments on protected or BAP species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, the local planning authority may need to undertake further consultation with Natural England.  While protective wording in the policy may mitigate some adverse effects upon the environment, it will be important to ensure the potential adverse impacts of the proposed level of growth on the built and natural environment are fully understood, and that appropriate avoidance, mitigation and, where necessary, compensation measures are in place to off-set adverse impacts.	Advice noted.  The SA/SEA and HRA process assesses the environmental impacts, including cumulative impacts and 'significant effects' of the plan proposals.
Environment Agency	Policies - Natural Environment	NE2	The policy states "...should be enhanced for recreational, amenity, biodiversity or other benefits they provide". We would recommend that this policy is linked to policy SP6 – Green Infrastructure, to provide reference to "other benefits", such as GI Functions. In particular would we encourage reference to potential SUDS, slowing the flow of water and water quality benefits that may be offered in areas of open space.	Clause 2) has been amended to read "Protected Open Spaces should be maintained and enhanced for the recreational, amenity, biodiversity or other benefits they provide as an important component of Burnley's green infrastructure network"  The supporting text, cross references Policy SP6 Green Infrastructure and no further reference is considered necessary. The supporting text to SP6 paragraph 4.6.9 has been amended to cross reference to

				Policy NE2.
Perseverance Area Residents Association	Policies - Natural Environment	NE2	<p>3. Why is the Greenway not designated as Protected Open Space ?</p> <p>Other</p> <p>1. We strongly support the designations of Biological Heritage Site, Local Nature Reserve and surrounding areas of Protected Open Space in and around the area named Green Brook within Map reference square 8032. We consider that complete area to be an extremely important environmental area as it stands. While that may perhaps be beyond question insofar as the BHS and LNR designated areas are concerned, we emphasise that we believe it is equally important to preserve, at least as Protected Open Space or perhaps part of the LNR , the adjacent surrounding areas as designated in green on the plan - without which the quality and effectiveness of the BHS and LNR areas would be diminished; this whole area constitutes a very important open green-space/ amenity area for the large local resident population, users of the Greenway and general public, as well as being a relief and buffer between the surrounding Employment and housing zones</p>	LNRs are declared by a statutory process separate from the Local Plan process. The shortfall of the recommended quantity of LNRs is noted at 5.5.11. Work on identifying and declaring LNR is being led by the Council's Green Spaces Team and as this work has not yet been completed it is not considered appropriate for new LNRs to be identified on the Policies Map until such time as they exist. The areas of search identified at Issues and Options stage in early 2014 are however, all either Protected sites/Open Spaces under Policy NE1 and NE2, or are in the open countryside protected under Policy SP4; and as such they would be protected by the Plan should they be declared.
Lancashire Wildlife Trust	Policies - Natural Environment	NE2	The Trust is pleased to see, and supports the inclusion of, Policy NE2: Protected Open Space, in particular that development will not be permitted within the Protected Open Spaces, and that Protected Open Spaces should be enhanced for the benefits they provide, which includes biodiversity.	Support noted
Natural England	Policies - Natural Environment	NE2	<p>Natural England welcomes this policy and recommends protected and maintained is included in the wording below.</p> <p>2) Protected Open Spaces should be enhanced for the recreational, amenity, biodiversity or other benefits they provide.</p>	'Maintained' has been added to policy clause 2) as suggested. It is not considered necessary to add 'protect' as this is within the Policy title.
West End (Burnley)	Policies - Natural Environment	NE2	<p>1. The former car park adjacent to Hargher Clough Park is intended to be added to the footprint of the park when Keepmoat move off. This is for a major food growing project in conjunction with Burnley Community Forum. (ref Simon Goff/Bea Foster). This is a key part of our food poverty strategy and I believe the space should be protected (subject to the formal decision at Cabinet).</p> <p>2. Sports grounds like Lowerhouse Cricket Club should be protected as green spaces to restrict opportunities for development.</p> <p>3. All sites entered into the Council's register of assets of community value should be protected from development through this plan.</p> <p>4. All sites included in the Council's Green Spaces Strategy including playgrounds, should be protected as part of this plan.</p>	<p>Sports grounds such as Lowerhouse Cricket Club and playgrounds are covered by policy IC5 (Protection and Provision of Community Infrastructure).</p> <p>The sites now proposed as Protected Open Space were identified using a bespoke appraisal of all the Council's greenspaces scored against criteria relating to their scarcity, quality, visual amenity and GI functions. This work will be published as an addendum to the Council's green spaces strategy. It could be used by communities to help identify Local Green Scape on non- Council owned land in Neighbourhood Plans.</p>
Lancashire	Policies - Natural Environment	NE2	NE2 Protected open Space	Support noted. See response to EA comment ref 1362.

County Council	Environment		The LLFA supports the Environment Agencies comments on the above policies.	
Perseverance Area Residents Association	Policies - Natural Environment	NE2	<p>Bedford Park</p> <p>1. We strongly support the designation as Protected Open Space of the area which we have marked as "Bedford Park" on our attached extract copy Map. For information, we have initiated and, in conjunction with Burnley Parks Dept, are currently progressing a scheme (for which plans and part funding are already in place) to improve this area, which is, we believe, a recognised park area owned and maintained by the Council; it currently includes a small football pitch and a childrens' play park as well as a large open park area and a woodland/stream area; it is of considerable, and increasing, importance as the principal semi-formal Park serving this end of Padiham. We would suggest that it be named on the Map as Bedford Park, which we believe is now its recognised name (please check with Parks Dept, Simon Goff).</p>	Support noted. Individual protected open spaces are not named on the Policies Map (except where these already appear on the OS Map base). The naming suggestion has been accepted by the Council's Green Spaces Team.
H F Eccles & Sons	Policies - Natural Environment	NE3	There is support for the acknowledgement at paragraph 5.5.41 that development in the open countryside (that accords with SP4) can still respect the existing landscape character, for example by respecting, existing contours, retaining key field boundaries such as dry stone walls or hedgerows, following historic and traditional development patterns, for example, addressing village road/green or verge frontages, retaining and incorporating mature trees and avoiding overly urbanised form of development.	Support noted
Wayne Obrien	Policies - Natural Environment	NE3	<p>Map error – gardens of nos 41/43 Lowerhouse Crescent, Burnley</p> <p>I am writing to request a formal change to the Local Plan Proposals Map, which I understand is in the process of being amended by an updated Local Plan for the Borough.</p> <p>I live at No. 43 Lowerhouse Crescent in Burnley and the garden of my house [] has been incorrectly included within a policy designation in the Local Plan that is not relevant to the land as it is the private garden space of our houses.</p> <p>I have provided below evidence of the current and proposed Local Plan Proposals Maps that I hope shows how this error can be corrected before the new Local Plan is adopted.</p> <p>The Base Map on which the Proposals Map is drawn correctly shows the boundary of the gardens of the houses at No's 41 and 43, but for some reason they are covered by Policy designation CF3 – 'PROTECTION OF EXISTING PUBLIC PARKS, INFORMAL RECREATION AREAS, MAJOR OPEN AREAS, PLAY AREAS AND OTHER AREAS OF OPEN SPACE'. (See the plans below).</p>	<p>Whilst most of the proposed Protected Open Spaces in the new Local Plan are in the Council's ownership, it is not a prerequisite for their inclusion. Protected Open Space does not need to be publicly accessible. These open spaces are Protected from inappropriate development because of their value and are not necessarily public open spaces.</p> <p>The red dots referred to on the new Policies Map show the extent of the Woodland Ecological Network. The Ecological Networks run over a large number of properties as species may pass through or over them to get to other sites and is considered necessary to seek to protect these networks where they do so. This is unlikely to adversely affect homeowners and would not affect their permitted development rights.</p>

			<p>Policy CF3 forms part of a larger area to the north that is an appropriate designation for that land, but the designation on the Proposals Map should clearly not include my garden or that of my neighbour.</p> <p>My garden is not public open space and should never have been designated as such. I have marked the plan above to show the extent of our gardens that should be excluded from the designation.</p> <p>Draft proposals for the Local Plan from 2014 (shown below) seem to draw the CF3 designation as a new 'Local Nature Reserve – Lowerhouse Lodges'. I have copied the map below and helpfully this proposal actually looks to exclude my garden and that of my neighbour from this designation.</p> <p>I note now that the Local Plan Preferred Option Proposals Map (shown below) shows a woodland designation on the land (red dots) so would like to formally object to this proposal. This should be amended back to the designation on the 2014 draft, so that my garden is within the urban area.</p>	
Lancashire Wildlife Trust	Policies - Natural Environment	NE4	The Trust is pleased to see, and supports the inclusion of Policy NE4: Trees, Hedgerows and Woodland and supporting text.	Support noted
The Woodland Trust	Policies - Natural Environment	NE4	<p>We welcome the strong protection given to aged or veteran trees and to ancient woodland in para 1 of Policy NE4. These habitats are irreplaceable, so it is vital that they are given the strongest possible level of protection from damage or destruction as a result of development.</p> <p>In para 6, we welcome the commitment to replace trees removed as a result of development. However, the phraseology in relation to the number of trees to be planted is a little ambiguous. We would prefer it to say that replacement of trees should be on a 2 for 1 or even 3 for 1 basis. A newly planted tree will take many decades to grow and provide the same biodiversity or amenity value as a mature tree which has been removed. Also, particularly in harsh street environments, a proportion of newly planted trees may not survive.</p> <p>The policy is deficient in that it talks about protection of trees and woods but does not make any commitment to seeking opportunities to plant new trees or create new areas of woodland or expand existing ones. We are aware of the Forest of Burnley initiative which created a large amount of new woodland in the Burnley area from 1997 onwards and it would be good if the new Local Plan could make some commitment to continuing this expansion of woodland cover. There is a reference in Policy NE3 to extending tree cover where practical but it would be good to see this included in more detail in Policy NE4.</p>	<p>Support for clause 1) noted.</p> <p>With regards to clause 6) the suggested replacement ratio for trees to be lost that are not of a type identified under clause 1), ie requiring a minimum of 2:1 or 3.1 is considered unduly onerous and prescriptive. The policy as worded allows the ratio to be lower of higher than 1:1 having regard to the age, number and size of trees or length of hedgerows to be lost. Additional wording has been added to also take into account 'their environment and likely survival rate'.</p> <p>Policy SP6, NE1 and NE3 as drafted support new woodland creation for all the benefits it can deliver. In particular woodland creation is identified as a key element of green infrastructure provision and natural open space and this is reflected in the strategic policy SP6: Green Infrastructure.</p> <p>The NPPF states at para 154 that Local Plans should 'only include policies that provide a clear indication of how a decision maker should react to a development proposal.</p> <p>Policy NE4 is a development management policy and as such it is not considered appropriate to set out aspirations or targets for the expansion of woodland cover in the policy.</p>

			<p>We would like to see the Council adopt a target for expansion of woodland cover. Woodland Trust has developed an Access to Woodland Standard which aspires that everyone should have a small wood of at least 2 hectares within 500 metres of their home and a larger wood of at least 20ha within 4km of their home. It is possible to derive from these standards targets for the amount of new woodland which is needed in a particular area and we would be pleased to discuss with your officers how to do this, if it is of interest. Currently our figures show that 45% of people in Burnley have a small wood within 500 metres of their home, so the Council is already performing quite well against the standard: the average for England is only 16%.</p>	
Canal & River Trust	Policies - Natural Environment	NE5	<p>We welcome and support the policy in relation to ensuring that new development will not be permitted to adversely affect the quality of watercourses and waterbodies which include the Leeds &amp; Liverpool Canal.</p>	Support noted
The Coal Authority	Policies - Natural Environment	NE5	<p>Representation No.1</p> <p>Site/Policy/Paragraph/Proposal – Policy Omission, Unstable Land</p> <p>[Table]</p> <p>Objection – The Coal Authority in answering questions at the issues stage identified that the most appropriate answer is was to ensure that where contamination or unstable land is suspected suitable site investigation and assessment should be carried out and remediation measures of a suitable standard proposed. We further stated that The Coal Authority had no specific preference for whether the land stability and pollution should be in a separate or combined policy within the plan.</p> <p>Unfortunately for some reason the plan does not address land instability at all. As we identify above the defined Coal Authority Development High Risk Area covers some 23.28% of the plan area. In that area coal mining legacy features pose a significant risk to new development. Land instability is a locally distinctive issue which covers a very substantial part of the plan area.</p> <p>Issues of coal mining legacy need to be adequately addressed in Local Plans line with the requirements of the NPPF, paragraphs 109 and 120-121 and Section 45 of Planning Practice Guidance. At present the Local Plan must be considered unsound.</p> <p>The text in the introduction to Policy NE5 does make reference to land instability but the matter is not contained within Policy NE5.</p> <p>Change Requested – Amend Policy NE5 to include a section on Land</p>	<p>Land instability was not included within policy NE5 (which included contamination and pollution) at Preferred Options as it should have been. This was noticed too late to be added to the Plan at that stage. The Policy and supporting text have now been amended to include this along similar lines as suggested by the Coal Authority.</p>

			<p>Instability to read as follows:  “Unstable Land  9) On sites that are known to be or potentially unstable, applicants will be expected to carry out an appropriate assessment by a suitably qualified and experienced specialist. The assessment should form an appropriate geo-technical report or a Coal Mining Risk Assessment that demonstrate that the proposed development is safe and stable or can be made so. Prior to the commencement of development (or in accordance with an alternative programme agreed), any necessary remediation, treatment or mitigation works shall be carried out to make the site safe and stable and to protect public safety.”</p> <p>Reason – To ensure that issues of coal mining legacy are adequately addressed in line with the requirements of the NPPF, paragraphs 109 and 120-121</p>	
Environment Agency	Policies - Natural Environment	NE5	<p>The policy states that, “Development will not be permitted where it would have an adverse effect on the quality or quantity of groundwater resources or watercourses and water bodies”, which we support. A reference could also be made in the policy to the role appropriate SUDS can play in protecting and improving water quality.</p>	<p>Support for clause 8) is welcomed. SUDS are dealt with in a separate policy, CC5, and paragraph 5.6.51 discusses how SUDS can help improve water quality.</p> <p>The Council has tried to avoid duplicating policy and instead highlighting important cross references in the supporting text.</p>
Lancashire County Council	Policies - Natural Environment	NE5	<p>The LLFA supports the Environment Agencies comments on the above policies.</p>	<p>Support noted. See response to EA comment ref 1363.</p>
CLlr Cosima Towneley	Policies - Natural Environment	NE5	<p>Suggested policy: Light pollution &amp; new development - Housing &amp; Employment Areas</p> <p>There does not seem to be a policy concerning the control of light pollution which is an undoubted problem in the area.</p> <p>There is no Burnley night sky whether in the urban centres or the surrounding landscape. It would be useful to develop a policy for future developments to limit the lighting of any development, but especially those taking place in the countryside or as 'add ons' to present development.</p>	<p>Applications for lighting in relation to shopfronts and advertisements will be addressed under Policy TC8 and the forthcoming Shopfront and Advertisement Design SPD. Other proposals for involving outdoor lighting will be addressed using policies SP4 and SP5 and Policy NE5 which specifically addresses light pollution. The relevant policy clause (5) has been amended and strengthened to reflect the concerns raised.</p>
Burnley Wildlife Conservation Forum	Policies - Natural Environment	Para 5.5.24 - 5.5.25 (NE1)	<p>In the final part of the last sentence of page 161’s para 5.5.24 ‘right for the species and the area’ is too vague and should be more specific and replaced by ‘appropriate for the range of habitats present and the flora and fauna species likely to be found in them.’</p> <p>In the following para 5.5.25’s last sentence it would be better to remove ‘free or paid’ from its beginning and simply state ‘advice on certain developments is available from Natural England’ so that developers are not deterred from making initial enquiries to Natural England.</p>	<p>The text of 5.5.24 has been amended to reflect the response.</p> <p>5.5.25 is factually correct and will not necessarily deter applicants from seeking advice.</p>

Burnley Wildlife Conservation Forum	Policies - Natural Environment	para 5.5.43 (NE3)	In the Landscape Character section in page 165's para 5.5.43 the following should be added to the end of the final sentence: 'to maintain or where possible enhance biodiversity.'	The text has been amended as suggested.
Burnley Wildlife Conservation Forum	Policies - Natural Environment	para 5.5.45 (NE4)	In the Trees, Hedgerows and Woodland section, page 166 para 5.5.45, in the second sentence remove 'can often be taken for granted but,' a generalized assumption /impression which is too negative, out of place and not needed in a section devoted to positively valuing and protecting trees, hedgerows and woodland.	The text has been amended as suggested.
Burnley Wildlife Conservation Forum	Policies - Natural Environment	Policy Omission - Local Nature Reserves	Local Nature Reserves: Omission of Search Areas – Reasons for Objection Burnley has only 2 LNRs at the Deerpond and Lowerhouse Lodges, designated in 1997 and 2000 respectively, and further LNR designations are overdue. The Green Infrastructure Strategy, page 32 refers to Burnley's LNR provision being below the Natural England recommendation of 1ha per each 1,000 population and identifies 4 LNR 'search areas' for new designations (identified on the basis that they can also form part of the biodiversity network, are of high biodiversity value and are close to areas of population) at Towneley Park/Timber Hill, River Calder washlands, River Brun and River Don including Brun Valley Forest Park and a Lowerhouse Lodges LNR extension. Although the Preferred Options 'Natural Environment' section devoted to LNRs, page 24 para 2.7.14 to 16, states that 'the land area of LNRs in Burnley totals 8.27 ha, far short of the 87ha recommended for Burnley's population,' it fails to mention the Green Infrastructure Strategy's 4 LNR 'search areas' and whilst the Issues and Options map illustrated the 4 LNR 'search areas' these have been removed from the Preferred Options map. Further LNR provision will contribute positively to enhancing biodiversity conservation, environmental sustainability and climate change mitigation and should be an important aspiration of the New Local Plan and the 4 LNR 'search areas' should be referred to and individually listed in an addition to the two LNR sections, page 24 para 2.7.14 to 16 and page 159 para 5.5.12, and these 4 LNR 'search areas' should be reinstated on the Preferred Options Map.	LNRs are declared by a statutory process separate from the Local Plan process. The shortfall of the recommended quantity of LNRs is noted at 5.5.11. Work on identifying and declaring LNR is being led by the Council's Green Spaces Team and as this work has not yet been completed it is not considered appropriate for new LNRs to be identified on the Policies Map until such time as they exist. The areas of search identified at Issues and Options stage in early 2014 are however, all either Protected sites/Open Spaces under Policy NE1 and NE2, or are in the open countryside protected under Policy SP4; and as such they would be protected by the Plan should they be declared.

## Section 5.5 – Climate Change

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Environment Agency	Policies - Climate Change	CC1	We support the principle of the policy in that it support renewable a low carbon energy and these will help to mitigate against the effects of climate change.	Support noted
Lancashire County Council	Policies - Climate Change	CC1	CC1 Renewable and Low Carbon Energy  The LLFA supports the Environment Agencies comments on the above policy.	Environment Agency comment 1364 supports the principle of policy CC1. LCC support noted.
National Trust	Policies - Climate Change	CC1	There is a general concern that the approach to all energy developments (i.e. also including Policies CC2 and CC3) has not adequately the addressed the potential for adverse impacts upon the historic environment, including upon the settings of heritage assets. All types of energy developments have the potential to impact upon the significances of heritage assets in a variety of ways, not least through visual impacts.  Whilst the reference to 'townscape' is noted this is not a suitable proxy for the historic environment.  It is requested that an additional is criterion is added as follows:  "do not have an unacceptable adverse effect on buildings or sites of heritage importance or their wider settings"	The suggested additional criteria wording is not consistent with the NPPF or the proposed policy wording of HE2 to HE4 which allow for harm to significance only where it is outweighed by the public benefits of a proposal.  The Local Plan should be read as a whole. Conservation and enhancement of heritage assets is covered by Policies HE2, HE3 and HE4 and it is not considered necessary to repeat the requirements in Policy CC1. Repetition can weaken rather than strengthen policies.  Policy CC1 (1) also makes explicit the need for proposals to satisfy the requirements of other relevant plan policies alongside criteria a) to e), and the supporting text in para 5.6.17 has been amended to strengthen the cross referencing of this important issue.
Burnley, Pendle and Rossendale Green Party	Policies - Climate Change	CC1 - CC5	Climate Change and Renewable Energy  The Plan has a section on climate change and renewable energy. The issue of climate change should not be sectioned off. It is not a discrete issue. It should run through the entire Plan and each section, house building, employment land requirements, transport etc should have at its core how it will tackle climate change.  The Plan does not mention COP21 or the Paris Agreement at all.  The Plan's Policies on climate change say that renewable and low carbon development will be supported where it complies with the remainder of the Plan. There is no equivalent requirement for other policies to comply with Policies CC1- CC5, even though there is significant risk of flooding at a number of the sites identified for residential development for example.	Climate change is one of many issues which are cross-cutting. The approach of addressing these cross-cutting issues in detail in each relevant policy was considered but it is felt that such repetition can weaken policy rather than strengthen it and this approach would make the Plan cumbersome.  Climate change mitigation and adaptation are however addressed throughout the Plan: In the Key Challenges, Vision and Objectives; in the Strategic Policies and other Policies on the Natural Environment, Climate Change and Infrastructure chapters.  Strategic Policies including Development Strategy (SP4) Design and Sustainability (SP5) and Green Infrastructure (SP6) influence all proposed development and are also reflected in the site specific allocation policies.

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>There is no mention of or investigation into public support for renewable energy. The public are generally supportive of renewable energy as opposed to fracking for example. This is particularly important where views from Pendle Hill are being considered – does that mean that no fracking sites should be in view from Pendle Hill also? Or white elephant industrial sheds? Public consultation needs improvement generally in the Plan but not more so than in relation to Renewables and fracking.</p> <p>The majority of the Renewable Energy section is focused on excluding the majority of the Borough from becoming potential sites for onshore wind. This is particularly frustrating given that the Plan is easily able to identify Green Belt which should be built on with warehouses. The Plan needs to identify proposed sites for onshore wind and take further advice as currently the Plan's policies seem to be based on evidence from just one consultant.</p> <p>Onshore wind policy is particularly important as the current Government has moved the goal posts such that if a local plan doesn't mention a site as suitable for onshore wind then planning can't be granted for such site. The Plan should, therefore, make it a priority to identify as many suitable sites as possible.</p> <p>Paragraph 94 of the NPPF says that planning plays a key role in securing radical reductions in greenhouse gas emissions. The climate change and renewables policies in the Plan fall far short of radical.</p> <p>The Plan should be ambitious and aim for Burnley to lead the way so that it is the number one urban area for meeting energy demand with renewable energy by 2032.</p>	<p>The supporting text (para 5.6.1) has been updated to include reference to the Paris Agreement.</p> <p>The Plan is to be read as a whole and all relevant development proposals are subject to Policies CC4 and CC5 relating to flood risk along with other any other policies in the Plan which may apply. Sites allocated in areas at risk of flooding (from rivers or other sources eg surface water) have been subject to Strategic Flood Risk Assessment which forms part of the plan's evidence base.</p> <p>Policies CC1 and CC2 take a positive approach to renewable and low carbon energy development, including wind energy, subject to wider environmental and amenity considerations and other relevant plan policies. Most of the borough is identified as Areas Suitable for Wind Energy Development in principle. The proposed policy on wind energy development is consistent with national policy in the NPPF and Written Ministerial Statements and informed by the Council's evidence base. Policy CC3 does state that in assessing wind energy proposals, the Council will give positive weight to community-led initiatives or where there are direct benefits to community through their involvement. The Plan has been subject to extensive consultation.</p> <p>Applications for 'fracking' development are determined by Lancashire County Council considered against the Minerals and Waste Local Plan as these are County Matters. Their potential landscape impacts would be considered by LCC. Landscape impacts of employment development are addressed in policy NE3 which requires planning applications to be supported by a landscape analysis and management plan in appropriate cases. The Plan does not seek to exclude most of the borough as a suitable area for wind energy development. On the contrary, Policy CC2 identifies the majority of the borough as a suitable area where it can be shown to be acceptable according to landscape sensitivity evidence and where it satisfies criteria set out in Policy CC3 and other local plan policies. The Local Plan identifies suitable areas for wind energy development in line with the Written Ministerial Statement June 2015 which stated</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
				that wind energy development would only be permitted where it was within an area identified as suitable in Local or Neighbourhood Plans. Previous consultation responses including those from renewables industry clearly favoured criteria based policy approach over identification of suitable areas or individual sites which the developer is best placed to propose. Responding positively to the WMS, the Council's chosen approach to identification of suitable areas is based on a landscape character and sensitivity evidence base in common with neighbouring South Pennine authorities provided by leading consultants in the field.
National Trust	Policies - Climate Change	CC2	<p>There is a general concern that the approach to all energy developments (i.e. also including Policies CC1 and CC3) has not adequately the addressed the potential for adverse impacts upon the historic environment, including upon the settings of heritage assets. All types of energy developments have the potential to impact upon the significances of heritage assets in a variety of ways, not least through visual impacts.</p> <p>It is requested that an additional is criterion is added as follows:</p> <p>"2 f) in all areas avoid siting turbines in locations where they would have an unacceptable adverse effect on buildings or sites of heritage importance or their wider settings"</p>	<p>The suggested additional criteria wording is not consistent with the NPPF or the proposed policy wording of HE2 to HE4 which allow for harm to significance only where it is outweighed by the public benefits of a proposal.</p> <p>The Local Plan should be read as a whole. Conservation and enhancement of heritage assets is covered by Policies HE2, HE3 and HE4 and it is not considered necessary to repeat the requirements in Policy CC2. Repetition can weaken rather than strengthen policies.</p> <p>The supporting text in para 5.6.17 has been amended to strengthen the cross referencing of this important issue and specific reference to 'heritage' has been added to CC2 1) to make clear the need to meet the requirements of the Historic Environment Policies.</p> <p>Depending on their scale, design and prominence a wind turbine sited within the setting of a heritage asset may cause harm or substantial harm to the significance of the asset. Proposals will therefore need to assess the nature, extent and importance of a heritage asset and the contribution of its setting.</p>
Lancashire Wildlife Trust	Policies - Climate Change	CC3	The Trust is pleased to see, and supports the inclusion of item d), i.e. that "Measures are taken to avoid and where appropriate mitigate any negative effect of the development in terms of ecology, geology or hydrology, including; impacts of the development on deep peat areas, nature conservation features, biodiversity and geodiversity including habitats and species", in Policy CC3: Wind Energy Development.	Support noted.

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Natural England	Policies - Climate Change	CC3	<p>5.6.21 refers to Pendle Hill but it is suggested that this is widened to include the AONB and its setting rather than a specific location. It is good to see the LPA are implementing the Written Ministerial Statement and Natural England broadly welcome the approach to identifying areas suitable for wind based on landscape sensitivity.</p> <p>There is an opportunity within the policy to be more proactive around avoiding deep peat potentially, especially where there is blanket bog. For example, if there are areas of deep peat/blanket bog in Burnley, these could be identified as part of this policy. Policy CC3 could be strengthened with regard to blanket bog e.g. wind development on blanket bog would not normally be acceptable. In general nature conservation should be more prominent.</p>	<p>This paragraph (now 5.6.22) has been amended to add reference to the wider the wider Forest of Bowland AONB.</p> <p>Broad support for approach to identifying suitable areas based on landscape sensitivity is noted.</p> <p>The rationale for referring to one specific irreplaceable habitat in this Policy rather than relying on Policy NE1 is not understood. Wider ecological/nature conservation issues are addressed by Policy NE1.</p> <p>It is not considered it appropriate to identify areas of blanket bog on the Proposals Map or to exclude them from areas identified as suitable for wind energy development. Suitable Areas have been identified on the basis of landscape sensitivity evidence and it is felt that the introduction of specific ecological impacts to remove areas would conflict with this approach.</p>
National Trust	Policies - Climate Change	CC3	<p>There is a general concern that the approach to all energy developments (i.e. also including Policies CC1 and CC2) has not adequately the addressed the potential for adverse impacts upon the historic environment, including upon the settings of heritage assets. All types of energy developments have the potential to impact upon the significances of heritage assets in a variety of ways, not least through visual impacts.</p> <p>It is requested that an additional is criterion is added as follows:</p> <p>"k) the development would not have an unacceptable adverse effect on buildings or sites of heritage importance or their wider settings"</p>	<p>The suggested additional criteria wording is not consistent with the NPPF or the proposed policy wording of HE2 to HE4 which allow for harm to significance only where it is outweighed by the public benefits of a proposal.</p> <p>The Local Plan should be read as a whole. Conservation and enhancement of heritage assets is covered by Policies HE2, HE3 and HE4 and it is not considered necessary to repeat the requirements in Policy CC1. Repetition can weaken rather than strengthen policies.</p> <p>The supporting text in para 5.6.17 has been amended to strengthen the cross referencing of this important issue.</p> <p>Depending on their scale, design and prominence a wind turbine sited within the setting of a heritage asset may cause harm or substantial harm to the significance of the asset. Proposals will therefore need to assess the nature, extent and importance of a heritage asset and the contribution of its setting.</p>
The Woodland Trust	Policies - Climate Change	CC4	<p>With reference to Policies CC4 and CC5, we would also like to see some mention made of the important role which trees and woods can play in helping to reduce or alleviate certain types of flooding.</p>	<p>The supporting text in relation to Policy NE4 Trees, Woodland and Hedgerows (5.5.45) acknowledges the role of trees in helping to alleviate flood risk.</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>Trees and woodland can reduce localised flooding and alleviate the effects of larger floods in a variety of ways, including:</p> <ul style="list-style-type: none"> <li>• Water penetrates more deeply into the woodland soils (higher infiltration rates) leading to less surface run-off.</li> <li>• Trees, shrubs and large woody debris alongside rivers and streams and on floodplains act a a drag on flood waters, slowing down floods and increasing water storage.</li> <li>• Trees protect soil from erosion and reduce the sediment run-off, which help the passage of water in river channels, reducing the need for dredging.</li> <li>• The greater water use of trees can reduce the volume of flood water at source.</li> <li>• Trees slow the speed at which rain reaches the ground, with some rain evaporating into the atmosphere - even in winter native deciduous trees intercept up to 12% of rainfall.</li> </ul>	See also response on this issue in relation to Policy CC5 below.
Environment Agency	Policies - Climate Change	CC4	There may be instances where some flood risk management measures are not necessary now but may be in the future. This is a 'managed adaptive approach', for example, setting a development away from a river so it is easier to improve flood defences in the future. We would suggest that the policy is amended to reflect this.	Policy CC4 has been amended with an additional of cause at 6) b) iv) to reflect the managed adaptive approach recommended by the EA and supporting text added at para 5.6.39.
Lancashire County Council	Policies - Climate Change	CC4	<p>CC4 Flood Risk</p> <p>The LLFA supports the Environment Agencies comments on the above policies.</p>	<p>(See EA Comment 1365)</p> <p>Policy CC4 has been amended with an additional of cause at 6) b) iv) to reflect the managed adaptive approach recommended by the EA and supporting text added at para 5.6.39</p>
NFU North West	Policies - Climate Change	CC4-CC5	<p>"At a time when farmers and landowners along the length of river catchments are being asked to play an increasing role in catchment management and 'slowing the flow,' work which will benefit communities along the catchment in reducing flood risk, the NFU feels that it is important to stress the importance of the alignment of plans, strategies and projects dealing with climate change adaptation and flood risk management. This is to ensure that increasingly vital work right along the catchment by farmers (e.g. tree planting, leaky dams, flood water storage, changed farm practices) which all work to protect communities, are not compromised or undermined by planning policies and poorly designed and sited urban developments. Unsustainable development up and down the catchment as well as disconnected plans and priorities can contribute to devastating consequences caused by flooding in rural and urban communities. There should also be adequate compensation or incentive for providing these 'services'. However, it is appreciated that this is currently outwith the remit of local planning</p>	The Plan is informed by the Council's Strategic Flood Risk Assessment which is itself informed by Environment Agency (EA) and Lancashire County Council (Lead Local Flood Authority (LLFA)) plans and strategies in relation to fluvial and other sources of flood risk. Relevant EA plans include River Basin and Catchment Flood Management Plans and the Burnley, Nelson and Colne Flood Risk Management Strategy. In terms of local flood risk the LLFA's Lancashire and Blackpool Flood Risk Management Strategy 2014-2017 forms part of the Plan's evidence base. Any future updates of these plans/strategies will be used to inform the Local Plan as it is reviewed. Plan policies CC4 and CC5 seek to ensure development contributes to reduced risk of flooding generally, including in areas where agricultural livelihoods may be impacted.

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>policy.</p> <p>The Preferred Options paper also references the joint Lancashire and Blackpool Local Flood Risk Management Strategy 2014-2017. This document will soon expire. The NFU feels that it is essential, given the opportunity to further strengthen planning policies at this stage of the plan process that deal with climate change adaptation, resilience and flood risk that there is alignment with any replacement strategy. It is essential that policies, strategies and plans are themselves future proofed and resilient, supportive of one another, are compatible, consistent and work in order to benefit all communities.</p> <p>The NFU has already set out its broad headline commitments dealing with flooding prior to the publication of its new Flooding Manifesto later this year. These are:</p> <ul style="list-style-type: none"> <li>- The Importance of protecting agricultural land</li> <li>-Climate Change</li> <li>- Investment in flood risk management</li> <li>- Planning for flood and coastal risk management</li> <li>- Internal Drainage Boards</li> <li>- Agriculture's role in reducing flood risk</li> <li>- Planning For Urban Runoff</li> <li>- Natural Flood Management</li> <li>- Flooding and Compensation</li> <li>- Lessons Learned from the Netherlands</li> <li>- Flood Resilience &amp; Preparedness</li> </ul>	<p>Policies CC4: Development and Flood Risk and CC5: Surface Water Management and Sustainable Drainage Systems (SuDS) relating to flood and water management.</p>
Lancashire County Council	Policies - Climate Change	CC5	<p>CC5 Surface Water and SUDs</p> <p>The LLFA supports the Environment Agencies comments on the above policies. In addition, the LLFA are pleased to note the inclusion of a proposed maintenance regime for the lifetime of the development within the requirements of Policy CC5 however we would request that this should include the word 'management' too. This ensures that not only is the maintenance plan robust and approved but also who is going to maintain the features is clearly identified. As management responsibilities can change over time some protection on how these will be managed going forward to cover the lifetime of the development is fundamental.</p>	<p>Policy CC5 clause 3) has been amended to add reference to QBar (mean annual greenfield peak flow) rates as suggested by the EA (Comment ref 1366) and footnotes added with links to a government publication which explain these and a free web based tool for their calculation.</p> <p>Policy CC5 clause 3) d) has also been amended to refer to management as suggested by LCC.</p>
United Utilities	Policies - Climate Change	CC5	<p>United Utilities is pleased to see emphasis on the need to encourage new development to explore all methods for minimising surface water run-off. We welcome the inclusion of the text within this policy requiring all new</p>	<p>Support noted.</p> <p>For major development applicants are required to demonstrate</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>development to discharge surface water in accordance with the surface water drainage hierarchy.</p> <p>We request that developers/applicants clearly demonstrate with evidence how they have applied the surface water drainage hierarchy as part of the consideration of development sites.</p>	<p>how they comply with the surface water drainage hierarchy set in Policy CC5.</p>
The Woodland Trust	Policies - Climate Change	CC5	<p>With reference to Policies CC4 and CC5, we would also like to see some mention made of the important role which trees and woods can play in helping to reduce or alleviate certain types of flooding.</p> <p>Trees and woodland can reduce localised flooding and alleviate the effects of larger floods in a variety of ways, including:</p> <ul style="list-style-type: none"> <li>• Water penetrates more deeply into the woodland soils (higher infiltration rates) leading to less surface run-off.</li> <li>• Trees, shrubs and large woody debris alongside rivers and streams and on floodplains act a a drag on flood waters, slowing down floods and increasing water storage.</li> <li>• Trees protect soil from erosion and reduce the sediment run-off, which help the passage of water in river channels, reducing the need for dredging.</li> <li>• The greater water use of trees can reduce the volume of flood water at source.</li> <li>• Trees slow the speed at which rain reaches the ground, with some rain evaporating into the atmosphere - even in winter native deciduous trees intercept up to 12% of rainfall.</li> </ul>	<p>Policy CC5 starts by emphasising that: 'In order to minimise surface water run off from sites: a) existing green infrastructure should be retained and integrated and where possible enhanced in line with Policy SP6'. The supporting text in relation to Policy NE4 Trees, Woodland and Hedgerows (5.5.45) acknowledges the role of trees in helping to alleviate flood risk.</p>
Junction Property Ltd.	Policies - Climate Change	CC5	<p>Our Client is generally supportive of the approach to this policy and supports the need for sustainable drainage techniques in reducing the risk of flooding and harm to the environment.</p> <p>Notwithstanding this, the Local Plan should not be seek to a) unnecessarily replicate the role of the Environment Agency through its policies or b) require developers to incorporate unnecessarily onerous drainage measures that go above and beyond what is necessary for each site on its own merits. As we highlighted above [see separate comments], the burdens of combined policy requirements can impact upon the viability of development.</p>	<p>General support noted.</p> <p>Policy CC5 reflects national policy and advice in relation to surface water and SUDS along with the advice of the Lead Local Flood Authority who have responsibility for surface water flood risk. The policy also reflects EA advice resulting from December 2015 floods in Burnley, Padiham and neighbouring boroughs, specifying 'greenfield' run off rates from development in order to minimise overall flood risk.</p> <p>The implications of combined Local Plan policies on development viability has been the subject of detailed assessment as part of the Plan's evidence base (Plan Viability Assessment March 2017).</p> <p>Where viability considerations mean that the meeting of other policy requirements is not possible then the Council would</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
				need to decide whether the development in question could be supported when judged against the policies in the plan as a whole.
Environment Agency	Policies - Climate Change	CC5	<p>In light of the recent flooding events in Burnley, Padiham and downstream Whalley, we would recommend that Policy CC5 is changed so that major developments will not increase flood risk by increasing surface water runoff. The current wording refers to greenfield rates but does not quantify the rate. We would suggest that QBar (mean annual greenfield peak flow) is used. This is a method supported by current guidance:</p> <p>“3) In respect of major developments, SUDs will be required and surface water runoff from developed and undeveloped greenfield sites should be restricted to Greenfield Qbar rates...”</p>	Policy CC5 clause 3) has been amended to add reference to QBar (mean annual greenfield peak flow) rates and footnotes added with links to a government publication which explains these and a free web based tool for their calculation.

## Section 5.7 – Infrastructure and Connectivity

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Lancashire County Council	Policies - Infrastructure and Connectivity	IC1	<p>(Comments on SHLAA sites at Worsthorne and Brownside)</p> <p>Access to the village is restricted to three routes, two of which are single track in places with a 60mph (derestricted) speed limit. The third route is via Brownside Road which has a length over which traffic is restricted to one way working at two locations due to parked vehicles where residents have no alternative parking facilities. If development proposals do come forward, we would expect significant investment to overcome some of these issues in the interests of public safety, sustainable access and amenity. In view of the various sites proposed for the Worsthorne area there are concerns that the cumulative impact of multiple developments may be severe on each of the 3 possible access routes into the village, but especially impact on junction capacity at C661 Brownside Road / C660 Brunshaw Road roundabout is a major concern. Specifically 5 year growth will likely see capacity issues for any development (or group of developments) resulting in between 75-100 residential units by 2021. Any additional numbers will accelerate the capacity problem. Mitigation is likely to be required to increase junction capacity. Most likely form will be signalling the junction.</p>	In response to the County Council's response to the SHLAA, the Council has liaised with LCC to identify suitable mitigation measures. The need for a signalised junction has been agreed and contributions may be sought for sites HS1/15 HS1/20, HS1/31 HS1/36 and HS1/38 as appropriate and allowable under Policy IC4 and legislation.
Canal & River Trust	Policies - Infrastructure and Connectivity	IC1	We support the broad aims of the policy to promote sustainable travel options, especially walking and cycling. The canal towpath provides an ideal environment for such forms of travel and we welcome that the policy seeks to promote and improve sustainable travel routes.	Support noted. The canal towpath is identified as part of the borough's green infrastructure network.
Burnley, Pendle and Rossendale Green Party	Policies - Infrastructure and Connectivity	IC1	Policy IC1 (Sustainable Travel) establishes a hierarchy of sustainable modes of travel. Private vehicles are placed at the bottom of this hierarchy. This is in direct contradiction to the Plan's policies on housing, which calls for building new suburban semi detached houses with off road parking over reinstating empty housing stock without off road parking and is justified by supposed personal preference of hypothetical purchasers.	<p>The housing sites identified in the Proposed Submission Plan are all considered to be in sustainable locations where residents will not be reliant for their everyday needs on the private car. This was a key criteria in the SHLAA assessment that has been applied to all sites. As such there is not considered to be a fundamental conflict between the housing allocations and Policy IC1.</p> <p>Whilst the plan encourages the use of sustainable methods of transport for social and environmental reasons, (and also supports greater electric car use) it is not considered appropriate to allow/prevent development including adequate parking facilities. Requirements to improve opportunities for sustainable travel to and from the housing sites has been included within the housing site allocation</p>

				<p>policies where appropriate.</p> <p>The plan is required to meet the Objectively Assessed Need for housing, both in qualitative and quantitative terms. The housing requirement includes an allowance for the re-use of Empty Housing Stock as explained in Policy SP2.</p>
Highways England	Policies - Infrastructure and Connectivity	IC1	<p>Highways England is supportive of the policies (IC1 and IC2) which seek to encourage new developments to; promote sustainable travel; provide safe and convenient access; and contribute towards the provision or improvement of on or off-site infrastructure to ensure that developments will not materially reduce highway safety or reduce the highway network.</p> <p>Highways England would expect to work alongside Burnley Borough Council and Lancashire County Council to plan improvements to infrastructure where there is an interface with the SRN.</p>	<p>Support welcomed.</p> <p>The Council has been liaising with Highways England with regard to likely impacts on the SRN. The Council in partnership with Lancashire County Council has commissioned a Highways Impact Assessment, in consultation with Highways England to assess the impact of the proposed new housing and employment developments identified in the Local Plan Preferred Option on both the Strategic and Local Road Network. The study assesses the impact of additional traffic at 11 key junctions. Mitigation proposals have been agreed with Highways England and included in the Draft Infrastructure Delivery Plan.</p> <p>Highways England have also been consulted on a draft of the IPD and their comments have been included in the Draft to be published alongside the Proposed Submission Plan.</p>
Highways England	Policies - Infrastructure and Connectivity	IC2	<p>Highways England is supportive of the policies (IC1 and IC2) which seek to encourage new developments to; promote sustainable travel; provide safe and convenient access; and contribute towards the provision or improvement of on or off-site infrastructure to ensure that developments will not materially reduce highway safety or reduce the highway network.</p> <p>Highways England would expect to work alongside Burnley Borough Council and Lancashire County Council to plan improvements to infrastructure where there is an interface with the SRN.</p>	<p>Support welcomed.</p> <p>The Council has been liaising with Highways England with regard to likely impacts on the SRN. The Council in partnership with Lancashire County Council has commissioned a Highways Impact Assessment, in consultation with Highways England to assess the impact of the proposed new housing and employment developments identified in the Local Plan Preferred Option on both the Strategic and Local Road Network. The study assesses the impact of additional traffic at 11 key junctions. Mitigation proposals have been agreed with Highways England and included in the Draft Infrastructure Delivery Plan.</p> <p>Highways England has also been consulted on a draft of the IPD and their comments have been included in the Draft to be published alongside the Proposed Submission Plan.</p>
Metacre Ltd.	Policies - Infrastructure and Connectivity	IC3	<p>Appendix 9 'Car Parking Standards' states that electrical vehicle charging points (EVCP) will be required for every detached dwelling for schemes over 10 houses.</p>	<p>NPPGF paragraph 206 is not relevant here. Policy requirements are not conditions attached to planning permissions. The relevant issue is whether the policy</p>

			<p>NPPF paragraph 206 states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. With regards to being necessary PPG confirms that the key question in this regard is whether it would be appropriate to refuse planning permission without the requirements imposed by the condition.</p> <p>A condition requiring EVCPs for every detached dwelling fails the tests of being necessary and reasonable for the following reasons.</p> <p>Nowhere in NPPF does it stipulate that EVCPs are necessary to make residential development acceptable and sustainable. Furthermore whilst specific electrical charging points may be beneficial in terms of reducing the time taken to recharge a vehicle and making the process easier, they are not a pre-requisite for the future occupiers of the dwellings to own and use an electrical vehicle. Furthermore these EVCP can be retrospectively fitted if a future occupier so desired and there is no basis to suggest that the absence of an EVCP would be a disincentive to persons purchasing an electric vehicle. Furthermore the fitting of EVCP to each dwelling is unlikely to provide any real incentive to purchase an electric vehicle as there are far greater influencing factors for such a purchase.</p> <p>One of the tests for conditions is that they are reasonable. It is unreasonable to require a developer to incur the costs of fitting EVCPs to every detached house as it is highly unlikely that the occupiers of all of the proposed dwellings would own an electric vehicle and it is unrealistic to suggest that the provision of EVCPs will be a strong determining factor in influencing occupiers to purchase such a vehicle.</p> <p>This requirement in Appendix 9 is therefore unjustified and should be deleted.</p>	<p>requirements are 'sound'.</p> <p>The NPPF states that 'plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles'.</p> <p>It is contended therefore that the NPPF does support in principle policies to encourage and or require electric vehicle charging points.</p>
Canal & River Trust	Policies - Infrastructure and Connectivity	IC4	<p>We welcome that new development will be required to contribute to address the impacts on off-site infrastructure. For example, canal infrastructure such as bridges and the towpath may require works to ensure that they fit for purpose due to increased usage associated with adjacent development. In the case of towpaths, a new residential scheme linked to the towpath would increase usage of the towpath and lead to more wear and tear. Depending on the current state of the towpath, works to improve the towpath funded by the developer may be appropriate to ensure that it continues to fulfil its role as green</p>	<p>Support noted. Policy IC4 requires contributions towards the provision or improvement of off site infrastructure where necessary and reasonably related to the development in scale and kind.</p>

			infrastructure.	
H F Eccles & Sons	Policies - Infrastructure and Connectivity	IC4	<p>Policy IC4: Infrastructure and Planning Contributions</p> <p>We would reinforce the need to ensure that any planning obligations required as part of new developments are CIL compliant and meet the tests set out at paragraph 204 of the NPPF.</p> <p>It is also important that the viability of schemes is taken into account when determining the level of contributions to be required as part of new schemes. Paragraph 205 of the NPPF re-iterates that sufficient flexibility should be provided to ensure that developments are not stalled due to onerous obligations impacting upon the deliverability of the site.</p> <p>Any future policies relating to planning obligations should be sufficiently flexible to take viability matters into account.</p>	<p>The Council has not yet committed to the introduction of CIL. Policy IC4 states that where contributions are requested or unilaterally proposed and the viability of development proposals is in question, applicants should provide viability evidence through an 'open book' approach to allow for the proper review of evidence submitted and for reason of transparency. Where viability considerations mean that the provision of infrastructure (either directly by a developer or through contributions towards its provision) or the meeting of other policy requirements is not possible then the Council would need to decide whether the development in question could be supported.</p> <p>The Council is intending to prepare an SPD on Planning Contributions where further detailed advice and information will be developed, in consultation.</p>
Metacre Ltd.	Policies - Infrastructure and Connectivity	IC4	<p>Policy IC4 'Infrastructure and Planning Contributions' criterion 4) refers to contributions being sought for the on-going running and maintenance costs of services and facilities, whilst criterion 6) refers to the types of obligations which may be sought. This policy is not 'sound' as it seeks obligations for matters which would not comply with National Policy or the Community Infrastructure Levy (CIL).</p> <p>As the policy itself notes, any obligations must pass a number of tests which includes the obligation being necessary to make the development acceptable in planning terms; being directly related to the development and being fairly and reasonably related in scale and kind to the development.</p> <p>Planning obligations should not be used to secure contributions to the achievement of wider planning objectives that are not necessary to allow planning permission to be given for a particular development. The NPPF and CIL confirm that obligations must only be requested where they are needed to make a development acceptable in planning terms. PPG confirms under the heading 'When can planning obligations be sought by the local planning authority?' that "Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms." In other words, obligations can only be compliant with CIL and NPPF where development would have to be refused planning permission without them. Planning Practice Guidance</p>	<p>Policy IC4 states that the Council will seek planning contributions where development creates a requirement for additional or improved services and infrastructure and/or address the off-site impact of development to satisfy other policy requirements. As a result, any development which creates a requirement for new or improved infrastructure will be subject to policy IC4, in line with national policy. The circumstances in which contributions will be sought are clearly set out under policy IC4, bullet point 5.</p>

			<p>also confirms that planning obligations should not be sought to contribute to pooled funding 'pots' intended to fund the provision of general infrastructure in the wider area.</p> <p>The Council have not provided any robust justification to demonstrate how seeking obligations for matters such as public realm improvements, public art, improvements to Heritage Assets, waste management, policy infrastructure etc. would meet the above tests. Similarly it is considered that obligations towards on-going running and maintenance costs of existing services and facilities which serve the wider community may not comply with the above tests.</p>	
Junction Property Ltd.	Policies - Infrastructure and Connectivity	IC4	<p>Policy IC4 of the Local Plan seeks to secure developer contributions towards the provision of infrastructure and infrastructure improvements which are necessary to make development acceptable.</p> <p>Whilst footnote 96 of the Preferred Options document refers to the restrictions placed on funds received through Section 106 contributes, this needs to be made clear within the Policy itself.</p> <p>The Government's proposed changes to the CIL regulations outlined in paragraph 3.2 of the CIL: Consultation of further Regulatory Reforms (October, 2013) document will see a limit on the pooling of planning obligations collected through Section 106 from April 2015 or upon the local adoption of the charging schedule, whichever is sooner. The limitations will restrict the pooling of developer contributions from more than five sites for any individual infrastructure project or type of infrastructure. Any mechanism that attempted to fund significant infrastructure across more than five sites will need to be through CIL. As drafted the Policy does not make reference to this nor that Burnley do not have CIL.</p> <p>Our Client suggests that the last sentence of the second paragraph of Policy 3 should be amended as follows:</p> <p>"2) ... Planning contributions may be sought to fund a single item of infrastructure or to part of an infrastructure project or service in accordance with Circular 5/2005, Community Infrastructure Levy regulations or successor"</p>	The Council has not yet committed to the introduction of CIL. With regards to the restrictions pooling of contributions this information is referenced within the footnote and in national policy/legislation and therefore does not need to be repeated within the policy itself. It is entirely possible that these restrictions may change over the lifetime of the plan so it is important that the Policy is worded with longevity in mind.
Sport England	Policies - Infrastructure and Connectivity	IC4	<p>Sport England welcomes and supports the inclusion of sport and open space within policy IC4. However, it is unclear whether playing fields, including Artificial Grass Pitches would be included under the sport or open space types. Sport England would welcome some clarity within the policy.</p>	Whilst Policy IC4 lists number of appropriate matters that may be required to be funded by planning contributions, it makes clear that the list does not preclude other matters. Whilst playing fields, including artificial grass pitches are not specifically mentioned in the list they are clearly within the

				category of sport, leisure, recreational, cultural and other social and community facilities which are.
Sport England	Policies - Infrastructure and Connectivity	IC5	<p>Housing growth results in an increase in population with a corresponding increase in demand for sport from certain sections of that population. It is important existing sites are enhanced to create the capacity required to take that additional demand or provide new pitches where necessary. Sport England has developed a new strategic planning tool to estimate the demand for pitch sports arising from housing growth to be used alongside the Playing Pitch Strategy.</p> <p>There is a similar strategic planning tool that can be used to estimate the demand generated for other sports facilities (sports halls, swimming pools, bowling, and Artificial Grass Pitches. Please contact the Regional Sport England Planning Manager for information on its use and application.</p>	<p>The Council has prepared a Playing Pitch Strategy jointly with Rossendale and Pendle Borough Councils to provide a strategic framework for the provision, management and development of new playing pitches and ancillary facilities between 2016 and 2026. Sport England has been involved in the development of the strategy.</p> <p>An Indoor Sports Facilities Study has also been produced using the Sport England planning tool referred to and upon which Sport England were invited to comment. This concludes that existing facilities are sufficient to meet current and projected need.</p> <p>Policy IC5 seeks to protect sports provision subject to a continued need and/or require new or improved provision if a new need arises as a result of new development. Contributions for this may be sought under Policy IC4.</p>
University of Central Lancashire	Policies - Infrastructure and Connectivity	IC5	<p>UCLan do not object to the general wording of Policy IC5 and generally support the policies aim of promoting social and community infrastructure in appropriate locations. However, UCLan believe that the policy should be more positively worded in respect of the provision of, or extensions to, educational facilities within the borough. It is recommended that an additional criterion under the heading 'The Council will, where possible:' be added to read:</p> <p>'Support the provision of, and extension to, new educational facilities in sustainable locations that are able to serve the identified demand'</p> <p>Providing positive wording supporting such as this will help to deliver the vision and objectives (objective 10) of the Local Plan.</p>	<p>Educational facilities are considered to be social/community facilities and therefore covered by the policy. This policy is concerned with facilities that are required to support new development rather than the setting out the policy against which specific proposals for new or improved social and community infrastructure would be judged. Such new or improved provision will be determined using other relevant policies of the Plan e.g. SP4.</p>
Lancashire County Council	Policies - Infrastructure and Connectivity	Infrastructure - Education	<p>In response to the consultation on Burnley's Local Plan to 2032 – Preferred Options, I would like to thank you for the opportunity to be involved in this process.</p> <p>Overall Summary</p> <p>Section 14 of the education act 1996 dictates that Lancashire County Council's statutory obligation is to ensure that every child living in Lancashire is able to access a mainstream school place in Lancashire. Some children have Special Educational Needs for which they access</p>	<p>Comments noted and welcomed. The Council has further discussions with the LCC Education Team in preparing the Proposed Submission Document and the IDP.</p>

		<p>school provision outside of Lancashire.</p> <p>The team produces an Education Methodology document which outlines the Lancashire County Council methodology for claiming education contributions against housing developments.</p> <p>The impact of any housing development is assessed, with Primary school aged pupil accessing a school within 2 miles and a secondary school aged pupil within 3 miles. This is reflected within Lancashire County Councils Home to School Transport Policy. Pressure for additional school places can be created by an increase in the birth rate, new housing developments, greater inward migration and parental choice of one school over another. If local schools are unable to meet this demand, a new development can have an adverse impact on the infrastructure of its local community.</p> <p>Planning Obligations will be sought for education places where Lancashire primary schools within 2 miles and/or Lancashire secondary schools within 3 miles of the development are:</p> <ul style="list-style-type: none"> <li>• Already over-subscribed, or</li> <li>• Projected to become over-subscribed within 5 years</li> </ul> <p>If a large new housing development is proposed (more than 150 houses), it may not be feasible to expand existing schools. In such cases, Lancashire County Council will undertake an initial assessment on whether a site may be required, taking into account the existing provision in the area. If the development is large enough to justify the possibility of a new school, the developer may be asked to contribute a suitable school site as part of the development. The size of this site would be determined in accordance with DfE guidance.</p> <p>Within the preferred options local plan the housing trajectory showing the distribution of development planned for Burnley to 2032 is included, as follows:</p> <p>[Table provided]</p> <p>Depending on the position and feasibility of expansion of existing schools at the time of delivery of these developments there is a potential requirement for additional primary sites and an additional secondary school site. Given the scale of development and the need to assess the feasibility of existing sites for expansion there may be a need</p>	
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		<p>to identify additional primary school sites.</p> <p>Given the scale of development in Burnley we would welcome the opportunity to enter further discussion with the possibility of securing additional primary school sites in these areas, or if there are any groupings of small sites which could have an impact.</p> <p>Lancashire County Council would need to assess these developments to measure the impact on the local schools within the area to ascertain whether an education contribution would be required. An education contribution could include a school site.</p> <p>However, any developments which already have planning permission or developments where a planning application has been submitted and our assessment already sought will have already been counted, therefore, this position is expected to represent our maximum requirement.</p>	
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## Section 6 – Monitoring

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Lancashire County Council	Monitoring	Implementation	<p>Specific amendment requests to the Preferred Option document</p> <p>Chapter 6: Monitoring I note that Section 6 of the Local Plan includes a summary of the Infrastructure Delivery Plan (IDP) which is being produced alongside the Local Plan.</p> <p>The IDP will hold out of date information from when LCC last responded in 2014, therefore, please can you confirm that an updated IDP will be consulted upon in the near future, so amendments can be made?</p>	Ongoing engagement has and is taking place with Lancashire County Council regarding infrastructure and the IDP who have also been sent a draft for comment. The County Council will also be formally consulted on this at Proposed Submission stage
Lancashire Wildlife Trust	Monitoring	Monitoring	The Trust is pleased to see, and supports the inclusion of, indicators for NE1 Biodiversity and Ecological Networks in Table 10 (page 207). However, the Trust would also like to see indicators and targets for the designation of Local Nature Reserves, especially in light of Local Nature Reserve Options has been removed from the Preferred Options Map.	<p>Comment noted.</p> <p>Targets are a matter for policy not monitoring - the monitoring framework reports against the targets set out in policy. Given that the declaration of LNRs site outside of the Local Plan process it is not considered appropriate to add a policy target. The Plan, through its GI, Protected Open Space policies (SP6 and NE2) and Policy NE1 will help protect land which could be declared as further LNRs.</p>
Home Builders Federation Ltd	Monitoring	Monitoring	The monitoring section identifies a wide range of indicators against which the plan will be monitored. There is, however, no clarity upon what will happen if the plan fails to meet its targets and what would trigger a full or partial review of the plan. In terms of housing these could include the lack of a five year supply or a significant deviation away from the trajectory.	It is not proposed to set a formal trigger for a review as many different factors could signal a need for this. The Government has set out its intention in the Housing White Paper of Feb 20156 to legislate for local plans to be reviewed at least every 5 years and it is sensible await the outcome of this proposal.
Natural England	Monitoring	Monitoring and Indicators	<p>Under the Natural Environment Section in Table 10: Monitoring Framework it is recommended the following are also included:</p> <ul style="list-style-type: none"> <li>• Number of planning applications with conditions to ensure works to manage/enhance the condition of SSSI/SAC/SPA/Ramsar features of interest.</li> <li>• Area of SSSIs in adverse condition as a result of development (available from Natural England website). Information on the condition of designated sites can be obtained at SSSI unit level by selecting condition of SSSI units from County downloadable data. Relevant component SSSI Units for international nature conservation designations can</li> </ul>	These have been added to the Monitoring Framework as suggested, apart from the Protected Species suggestion which would be onerous to collect and it is not considered would not give a meaningful result. Such matters are not always dealt with through specific conditions attached to planning permissions.

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>be identified from the nature on the map website. There is Public Service Agreement (PSA) target for 95% of SSSIs to be in favourable or recovering condition. Development should not result in the loss/damage to features of interest, either indirectly or directly. Favourable condition should be maintained where appropriate or measures taken to enhance the units to achieve favourable condition. In relation to the PSA target the conditions are simplified into 2 categories: Favourable ('Favourable' and 'Unfavourable recovering') and 'Adverse' (the remaining unfavourable and destroyed categories).</p> <ul style="list-style-type: none"> <li>• Protected species – Quantified data might include numbers of applications where protected species are considered, numbers with conditions imposed to ensure working practices and works to protect/ enhance protected species, and numbers of planning applications which result in need for protected species licence in order to be carried out . This will indicate that protected species are being given appropriate consideration within the planning system and begin to build up information on their occurrence within the plan area. Updated information following the publication of the Conservation of Habitats and Species Regulations 2010 is available from our website.</li> <li>• BAP habitat - created/ managed as result of granting planning permission (monitored via planning obligations) and which meet Biodiversity Action Plan targets.</li> </ul> <p>Under Housing it is recommended Natural England's Accessible Natural Greenspace Standard (ANGSt) is included as a helpful measure.</p> <p>Natural England's Accessible Natural Greenspace Standard (ANGSt) provides a set of benchmarks for ensuring access to places near to where people live. ANGSt can be used as an indicator to monitor the quality of green space and is accessibility. There are also other national standards such as Green Flag for parks and open spaces and the County Park accreditation schemes.</p> <p>ANGSt outlines the following:</p> <ul style="list-style-type: none"> <li>- that no person should live more than 300m from their nearest area of natural greenspace of at least 2ha in size;</li> <li>- provision of at least 1ha of Local Nature Reserve per 1,000 population;</li> <li>- that there should be at least one accessible 20ha site within 2km from home;</li> <li>- that there should be one accessible 100ha site within 5km;</li> <li>- that there should be one accessible 500ha site within 10km.</li> </ul>	

## Consultation

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
Residents Against Hollins Cross Farm Development	Consultation	Consultation	<p>4.0 – Statement of Opposition to the Development of Hollins Cross Farm Site</p> <p>4.4 "We the Residents" require that Burnley Borough Council provide answers to ALL our questions in this document about what surveys and investigations have been done, with accompanying proof and documentation in writing to be submitted to our appointed representative Coun. Gordon Birtwistle and made available online for public viewing along with this opposition document, this assures transparency.</p> <p>4.5 - If the Council ignore any part of this document, fail to answer satisfactorily any query, question or request for information or if it is deemed by the "Residents" that that there is still reason for proof or clarification on any point relating to the Hollins Cross Farm site. Then "We the Residents" require that the Hollins Cross Farm site be struck off the list of sites in the Burnley for development.</p> <p>4.6 Should the council refuse to remove the Hollins Cross Farm Site after failing to satisfy all and everything in this document then 'We the Residents' demand there be an extension to the consultation period and "We the Residents" give notice that we demand the council provide funds to us to employ independent experts or bodies to assess the viability of the Hollins Cross Farm Site. Upon the results of such surveys we will then abide by the information supplied by the relevant experts and appointed bodies.</p> <p>4.12 - Should the Council refuse to remove the Hollins Cross Farm Site from the list of viable development sites in Burnley after failing to or refusing to satisfy all and every question in this document and this includes nondisclosure of information, avoidance of direct answers, claims of not the councils responsibility to provide resources/allocate funding or any noncommittal political answer then "We the Residents" will Take Legal Action through a Judicial Review to stop the sanctioning of this land as viable for development.</p> <p>21 - Comments and conclusions</p> <p>Local Residents attended a meeting with Council Staff and Planning Staff at Cog Lane Methodist Church 20/07/16.</p> <p>Can the Council comment on why has there has been no advertisement of these plans to build on Green Field Sites? No Leaflets through doors.</p> <p>Can the Council comment on why the Councils Communications Officer openly admitted to residents that he needs to improve communications. Do</p>	<p>The council has endeavoured to answer all the relevant points and questions raised in the opposition document in so far as they are reasonable and relevant.</p> <p>The decision not to send correspondence to every home and business in the borough as set out in the SCI was taken .based on a balance between the substantial costs of doing this at each plan-making stage, the level of interest/response and the availability of information issued by other means.</p> <p>Information was put in the annual Council magazine in both 2015 and 2016, sent to every household in the borough. Additionally, press releases were issued in July 2016 to the Burnley Express, Lancashire Telegraph, Radio Lancashire, 2BR, BBC NW TV and Granada TV. Front page articles appeared in the Burnley Express (01/07/16) and the Lancashire Telegraph (27/07/16), listing all the preferred housing sites and consultation events. There were subsequent newspaper articles on sites included in the Preferred Options. Although it is recognised that not all people have access to the internet, the Council notified the public of the consultation via a variety of media.</p> <p>Additionally, copies of the preferred options we made available to parish council's and libraries, who were also given leaflets to display which contained consultation information. Comments forms were also made available to parish councils to be distributed as seen fit (resources permitting). The Council does rely on 'word of mouth' to spread news of the consultation.</p> <p>For those who do have access to the internet, information was also put on the Council's website and social media accounts.</p> <p>The consultation generated a good level of response overall from residents through a variety of mediums, which indicates some level of success in reaching out to people; although we may not have been able to reach everyone who may have been interested in the plan.</p> <p>It is important to remember that there is no requirement to prepare or consult on a preferred options draft of the local plan.</p> <p>Given the tight deadlines that the Council has to meet in preparing the plan, there was little option but for the consultation period to take place when it did, which largely coincided with the school holiday period. However, the public had six weeks to comment on the plan, and were able to do so via a number of means. The Council held seven 'drop-in' consultation events spread throughout the consultation period where the public could meet Council staff to discuss the plan, including one at the town hall to allow those who could not attend more localised meetings another chance to meet staff. Additionally, there were two public</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>they need to get a new communications officer?</p> <p>Can the Council comment on why the consultancy period was not openly advertised?</p> <p>Can the Council comment on why the consultancy period was planned in the school holidays when most people will be away and unable to respond?</p> <p>Can the Council comment on why the consultancy period started on a Friday so losing at least 3 days off the consultancy period before people found out about it?</p> <p>Can the Council comment on council staff being asked at the Cog Lane Methodist Church why planners with local knowledge were not employed on the decision to include the Hollins Cross farm?</p> <p>Can the Council comment on being asked at the Cog Lane Methodist Church - are these Green Field Sites being used to try and attract young professional "Manchester Money" to live here and commute back to Manchester?</p> <p>Can the Council comment on being asked at the Cog Lane Methodist Church what surveys have they done to think that Young Professional Manchester Money would entertain living North of Manchester when they really would want to be in the South of Manchester in places such as Didsbury, Alderly Edge and Stockport that have better communication links?</p>	<p>meetings held in the evening at Cog Lane Burnley and at Worsthorne. Considering the reasonable levels of attendance at these meetings, and the volume of responses the Council has received, it is not felt that the timing of the consultation period has been detrimental to people's ability to comment on the plan.</p>
Padiham Community Action	Consultation	Consultation	<p>Procedural Issues.</p> <p>PCA is concerned and disappointed that the six week consultation period coincided with the July/August holiday season when people are away on holiday and organisations do not meet. This will have reduced the number of comments/objections made and limited the content of those that were submitted. This is especially disappointing given that it was a lengthy twenty-eight months since the consultation on the Issues and Options Document.</p> <p>PCA requests that any comments/objections, especially those from organisations, received after the deadline be given due consideration and reported in the Responses Report for the Preferred Options Consultation or similar document. The plan making process is not static and public participation and stakeholder consultations cannot be frozen in time.</p> <p>PCA has reviewed the Issues and Options Consultation: Schedule of Comments and Recommended Responses Document. This only includes comments/objections raised during the six week consultation. To our knowledge important submissions were made within days of the deadline and other significant submissions have been made over the last 28 months from statutory organisations, such as Simonstone Parish Council, Padiham</p>	<p>The Council has undertaken consultation in excess of the statutory requirements by undertaking three rounds of consultation with the public prior to the formal Proposed Submission Stage (Issues and Options, Issues and Options Additional Sites and Preferred Options) and has held multiple drop-ins and public meetings at each stage. At Preferred Options, the Council held seven drop-in seasons and two public meetings. These are always spread throughout the consultation period to give people many opportunities to attend.</p> <p>It is necessary to have set consultation periods to effectively manage the process and this would be the case even if the Council did not have the limited resources it has. Any comments received late or in-between consultations are always considered by officers but are not responded to formally as duly made comments within the consultation period are. The Proposed Submission Consultation starting on 31 March will allow people another opportunity to comment but they must make comments within the 6 week period for these to be sent to the Inspector.</p> <p>The Preferred Options Comments :</p> <p>All comments from Specific, General and Other consultees and from groups of residents specifically formed to respond to the plan are also set out verbatim and a</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>Town Council, etc, and others objecting to various suggested proposals.</p> <p>The process is not transparent. We do not know what has been submitted and what account, if any, has been taken of the issues raised. The public, elected members and other interested parties are being denied a fuller view of the reaction to the issues, options and suggested sites.</p> <p>Submissions listed in the Responses Report generally are of two types; those from individuals and those from named organisations. Those from individuals are more generally amalgamated, and extensively summarised but those for organisations are listed individually and are more verbatim. PCA, with a membership in excess of 500 adults, should be given more significance and not just listed and lost with those made by individual people.</p>	<p>recommend responses to each comment is set out</p> <p>All comments from individuals, agencies and companies not relating to specific sites are also set out verbatim and a recommended responses to each comment is set out</p> <p>All comments on sites from site owners/promoter are also set out verbatim and a recommend responses to each comment is set out</p> <p>All comments from other individuals relating to sites are grouped by site and the number of respondents is set out and each unique relevant point raised is set out and responded to</p>
Cllr Cosima Towneley	Consultation	Consultation	<p>It should be noted that residents in general felt this has not been an open or transparent consultation. The Community keenly felt they have been 'railroaded' through the brevity of the consultation process and the lack of time in which they could have clear sight of the documentation and time to discuss and digest it.</p> <p>Hard copies of the document have not been easily available to those, of which there are many in Cliviger and Worsthorne, who are not computer literate or have other problems which prevent them from accessing the document online.</p>	<p>It is disappointing that people feel the consultation hasn't been transparent. Whilst there has been criticism of particular aspects of the process (responded to separately) it is not accepted that the process was not open or transparent.</p> <p>Officers are acutely aware of how impenetrable and complicated the Plan making process is and that development proposal can generate fear, anger and distress. They make themselves available throughout the consultation period to answer questions and help people understand the Plan.</p> <p>The Council has undertaken consultation in excess of the statutory requirements by undertaking three rounds of consultation with the public prior to the formal Proposed Submission Stage (Issues and Options, Issues and Options Additional Sites and Preferred Options) and has held multiple drop-ins and public meetings at each stage. At Preferred Options, the Council held seven drop-in seasons and two public meetings. These are always spread throughout the consultation period to give people many opportunities to attend. Due to the anticipated level of interest and undertakings given at the last plan-making stage in 2014 (at a packed public meeting at the Thorntons Arms) a drop in and public meeting were held in Worsthorne on 11 August 2016. The drop-in and public meeting were well attended. Officers remained at and after the public meeting until all the questions 'dried up'. A drop-in was also held in Cliviger.</p>
Home Builders Federation Ltd	Consultation	Duty to Cooperate	<p>Thank you for consulting with the Home Builders Federation (HBF) on the Local Plan. The HBF is the principal representative body of the house building industry in England and Wales and our representations reflect the views of our membership of multinational PLCs, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year including a large proportion of the new affordable housing stock.</p> <p>The HBF is keen to work with the Council in order to achieve an adopted local plan which enables an increase in the rate of house building across</p>	<p>A Duty to Cooperate Background Paper is being prepared for the Proposed Submission Consultation due to start on 31 March 2017.</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>Burnley. It is pleasing to note that the Council has modified the plan since the last stage of consultation in response to some of our previous concerns.</p> <p>There are, however, a number of key areas where our concerns remain and it is considered that the plan would benefit from further evidence prior to the next stage of consultation. The following comments are provided based upon our substantial experience of local plan examinations across the country.</p> <p>Duty to Co-operate The plan, paragraph 1.4.6, identifies that Burnley has undertaken joint working with neighbouring authorities. The primary concern of the HBF is in relation to housing matters. In this regard it is noted that work upon a joint Strategic Housing Market Assessment was undertaken with neighbouring Pendle. This is considered a positive step.</p> <p>To ensure that the Council adequately demonstrate its compliance with the duty it is recommended that consideration be given to the production of a background paper prior to the next stage of consultation. This paper should identify the issues of cross boundary significance, the engagement which has taken place and the material actions which have effected plan preparation.</p>	
Lancashire County Council	Consultation	Duty to Cooperate and General	<p>As part of the ongoing consultation on the emerging Burnley Local Plan we acknowledge the attendance of Burnley officers at a number of meetings as part of the Duty to Co-operate. These meetings have proved very informative for both parties and we thank Burnley officers for taking the time to visit.</p> <p>As part of these meetings there have been discussions relating to potential highways impacts on the strategic road network, in light of the housing proposals presented in the emerging Local Plan. We acknowledge that work is currently underway with a number of partners to resolve these matters and officers at Lancashire County Council will work with partners to provide the evidence needed.</p> <p>I am pleased to note that the East Lancashire Highways and Transport Masterplan is referenced throughout the draft Local Plan and the objectives of both documents are firmly aligned.</p> <p>At all meetings there has been support for the proposals outlined in the emerging Local Plan and I can confirm that Lancashire County Council is in broad support for the aspirations presented. In this regard we look forward to working with officers at Burnley throughout the lifespan of the Local Plan to bring these aspirations to fruition.</p> <p>Colleagues from Education, Flood Risk Management and Health have been</p>	<p>Comments and support noted.</p> <p>The Council will continue to liaise with Lancashire County Council as the plan progresses.</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			<p>asked if they have any comments and they may respond separately to the consultation directly.</p> <p>Thank you again for inviting comments and we look forward to further discussions as your Local Plan progresses.</p>	
Home Builders Federation Ltd	Consultation	General	I would be pleased to be kept involved in the Local Plan preparation process as well as the development of other planning documents. I trust the Council will find the comments useful and the HBF would be happy to discuss them further prior to the next stage of consultation.	The Home Builders Federation will be notified at the next stage of the plan and invited to comment
Rossendale Road Urban Plan Residents	Consultation	HS1/ 4 and HS1/28 Consultation	The Objectors wish to point out that although the consultation period is set by statute, Rossendale Road Urban Plan Residents Group believe that a 6 week period is not only insufficient for quantified objections to be raised by people who work full time and have no experience of planning but is actually discriminatory, adding additional stress and workload to residents. We would like this comment bringing to the attention of the Full Council.	<p>Whilst the Council is sympathetic to the stress caused to Local residents who are concerned by the location of proposed housing allocations, it does not consider that the consultation period was discriminatory.</p> <p>The Council has undertaken consultation in excess of the statutory requirements by undertaking three rounds of consultation with the public prior to the formal Proposed Submission Stage (Issues and Options, Issues and Options Additional Sites and Preferred Options) and has held multiple drop-ins and public meetings at each stage. At Preferred Options, the Council held seven drop-in sessions and two public meetings. These are always spread throughout the consultation period to give people many opportunities to attend.</p> <p>It is necessary to have set consultation periods to effectively manage the process and this would be the case even if the Council did not have the limited resources it has. Any comments received late or in-between consultations are always considered by officers but are not responded to formally as duly made comments within the consultation period are. The Proposed Submission Consultation starting on 31 March will allow people another opportunity to comment but they must make comments within the 6 week period for these to be sent to the Inspector.</p> <p>The consultation generated a good level of response overall from residents through a variety of mediums, which indicates some level of success in reaching out to people; although we may not have been able to reach everyone who may have been interested in the plan.</p> <p>It is important to remember that there is no requirement to prepare or consult on a preferred options draft of the local plan.</p>
There were approximately 76 comments from individual member of the public on the Plan consultation	Consultation	Consultation	Insufficient notification of consultation; adjoining residents not specifically contacted; no leaflets sent out; reliance on internet which not everybody has	<p>The arrangements for public consultation on the local plan are set out in the Council's Statement of Community Involvement (SCI). In line with this, letters and emails were sent to all those on the consultation database, including all who had commented at earlier consultation plan stages, notifying them of the new round of consultation.</p> <p>The decision not to send correspondence to every home and business in the</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
74 critical and 2 supportive				<p>borough as set out in the SCI was taken .based on a balance between the substantial costs of doing this at each plan-making stage, the level of interest/response and the availability of information issued by other means.</p> <p>Information was put in the annual Council magazine in both 2015 and 2016 which is sent to every household in the borough. Additionally, press releases were issued in July 2016 to the Burnley Express, Lancashire Telegraph, Radio Lancashire, 2BR, BBC NW TV and Granada TV. Front page articles appeared in the Burnley Express (01/07/16) and the Lancashire Telegraph (27/07/16), listing all the preferred housing sites and consultation events. There were subsequent newspaper articles on the sites included in the Preferred Options. Although it is recognised that not all people have access to the internet, the Council notified the public of the consultation through a variety of media.</p> <p>Additionally, copies of the preferred options we made available to parish council's and libraries, who were also given leaflets to display which contained consultation information. Comments forms were also made available to parish councils to be distributed as seen fit (resources permitting). The Council does also rely on 'word of mouth' to spread news of the consultation.</p> <p>For those who do have access to the internet, information was also put on the Council's website and social media accounts.</p> <p>The consultation generated a good level of response overall from residents through a variety of mediums, which indicates some level of success in reaching out to people; although it is always possible that we may not have been able to reach everyone who may have been interested in the plan.</p> <p>It is important to remember that there is no requirement to prepare or consult on a preferred options draft of the local plan.</p>
	Consultation	Consultation	Consultation meetings held in holiday period	<p>Given the tight deadlines that the Council has to meet in preparing the plan, there was little option but for the consultation period to take place when it did, which largely coincided with the school holiday period. However, the public had six weeks to comment on the plan, and were able to do so via a number of means.</p> <p>The Council held seven 'drop-in' consultation events spread throughout the consultation period where the public could meet Council staff to discuss the plan, including one at the town hall to allow those who could not attend more localised meetings another chance to meet staff. Additionally, there were two public meetings held in the evening at Cog Lane Burnley and at Worsthorne. Considering the reasonable levels of attendance at these meetings, and the volume of responses the Council has received, it is not felt that the timing of the consultation period has been detrimental to people's ability to comment on the plan.</p>
	Consultation	Consultation	The information posted through my letter box as two sheets of paper, one of which can hardly be read as it is a very poor quality Photocopy showing what	Burnley Borough Council did not send out the information described and it is likely that this was posted by a local resident or resident's group.

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
			I assume is proposed areas which the BBC are considering allowing building of houses to take place in Worsthorne. There is no adequate information in the letter stating what is being proposed and is virtually a complete waste of time.	The full Preferred Options document and associated Plans were available online, at the libraries or in hard copy on request. Copies were sent to the Parish Councils and were taken to the drop-ins.
	Consultation	Consultation	As so far every Public consultation I know about has resulted in the Public's views being ignored.	The Council does the views of residents seriously, and consultation is an important part of the plan making process. However, it is important to note that whilst the Council (or the Inspector in due course) will always consider any relevant comments, it will not always be possible or appropriate to decide the matter in accordance with the comments received. There may be other material considerations, such as requirements of legislation, or national or other local policies to which the Council or Inspector must adhere and there will always be differing views.
	Consultation	Consultation	I visited the consultation at Worsthorne School and met your very helpful planning officers.  My wife and I recently attended your local meeting in Cliviger Village Hall where we met and talked to your representatives who, I must say, were all extremely helpful.	Comments welcomed
	Consultation	Consultation	More information is needed to be provided, instead of the cloak and dagger attitude displayed.	Whilst there has been criticism of particular aspects of the process (responded to separately) It is not accepted that the Council has adopted a 'cloak and dagger' attitude to consultation.  The Council has undertaken consultation in excess of the statutory requirements by undertaking three rounds of consultation with the public prior to the formal Proposed Submission Stage (Issues and Options, Issues and Options Additional Sites and Preferred Options) and has held multiple drop-ins and public meetings at each stage. At Preferred Options, the Council held seven drop-in seasons and two public meetings. These were spread throughout the consultation period so people could attend.  Officers make themselves available at the drop-ins, public meeting and throughout the consultation period to answer questions and help people understand the Plan.
	Consultation	Consultation	Insufficient notice period under Regulation 18	The Council has undertaken consultation in excess of the statutory requirements by undertaking three rounds of consultation with the public prior to the formal Proposed Submission Stage (Issues and Options, Issues and Options Additional Sites and Preferred Options). Each one has been open for 6 Weeks. Many of the sites have been included in the Plan since 2013 and it is not accepted that residents have had insufficient opportunity to comment on these or attend events or talk to officers to understand the Plan or plan-making process.  Regulation 18 only require the Council to consult "about what a local plan with that subject ought to contain" It does not require the Council specifically to produce a draft document or site information. The Council committed to a two stage process under Regulation 18 (Issues and Options and Preferred Options). A further Issues

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
				and Options Additional Sites was also held before Preferred Options.
	Consultation	Consultation	<p>Smithyfield Ave was not included in Phase 1 or referred to in Preferred options document July 2016. Therefore, I am given to understand it has been added in the last few weeks, therefore has not been included in the preferred options document 2016, other than on an attached map. There is no other mention of it anywhere in any of the whole of the Burnley's Local Plan: Preferred Options July 2016. Thus there is no rationale or explanation of suitability of this land. I believe this gives us a disadvantage in producing an informed response to the proposals. Each other proposed development has clear Policy requirements, design principles and supporting information linked to policy for residents to consider. Not a single mention of Smithyfield, it appears to be confusingly attached to Heckenhurst reservoir (HS1/15). Suitability and rationale not provided for Smithyfield and not included in SHMA as it is not in the Heckenhurst reservoir. We have not been given 6 weeks to make 'representations' on the plan, its sustainability and supporting evidence was not provided this is contrary to regulations 18, 19 and 20 of Burnley LDS 2016, we will be taking this up with the Planning Inspector.</p>	<p>The Preferred Option proposed allocation Heckenhurst Reservoir HS1/15 was a combination of land from two separate SHLAA sites - Land West of Smithyfield Avenue HEL/105 and the Heckenhurst Reservoir land (United Utilities ownership) HEL/33.</p> <p>A large site at Heckenhurst Reservoir was included in the earlier Issues and Options Additional Sites Plan having been put forward by its owner United Utilities. The land West of Smithyfield Avenue was put forward by its owner subsequently and both sites were considered for inclusion in the Preferred Options draft. Only parts of both SHLAA sites were considered suitable and being adjacent they were amalgamated for inclusion in the Plan. This did appear inadvertently to have cause some confusion initially for some, but all residents adjacent to the site who were not aware did become specifically aware of the land's inclusion in the Preferred Options draft during the consultation period and many have commented.</p> <p>It is incorrect to say that the site does not appear in the plan, policy HS1/15 is for the whole site, as marked on the map, and named 'Former Heckenhurst Reservoir'. The site did therefore have the Policy requirements, design principles and supporting information as for the other sites for residents to consider.</p> <p>Both sites are included in the Proposed Submission Plan (with revised boundary for Heckenhurst Reservoir) and have been identified separately as Heckenhurst Reservoir HS1/15 and HS 1/36 Land West of Smithyfield Avenue.</p> <p>The Council apologises if the naming of the site has caused confusion.</p> <p>The comment on the regulatory requirements is responded to separately.</p>
	Consultation	Consultation	<p>Drop-ins and Public Meetings were arranged or when people at work. A 6 week period is not only insufficient for quantified objections to be raised by people who work full time and have no experience of planning but is actually discriminatory, adding additional stress and workload to residents. We would like this comment bringing to the attention of the Full Council</p>	<p>The Council has undertaken consultation in excess of the statutory requirements by undertaking three rounds of consultation with the public prior to the formal Proposed Submission Stage (Issues and Options, Issues and Options Additional Sites and Preferred Options) and has held multiple drop-ins and public meetings at each stage. At Preferred Options, the Council held seven drop-in sessions and two public meetings. These were spread throughout the consultation period so people could attend.</p> <p>Officers made themselves available at the drop-ins, public meeting and throughout the consultation period to answer questions and help people understand the Plan. These drop ins extended into the early evening, generally 7pm and the two public meetings held in the evening at Cog Lane Burnley and at Worsthorne.</p> <p>Considering the reasonable levels of attendance at these meetings, and the volume of responses the Council has received, it is not felt that the timing of the consultation period has been detrimental to people's ability to comment on the</p>

Organisation or Consultee	Preferred Options Plan Section	Preferred Options Policy Para	Preferred Options Comments	Recommended Response
				plan.
	Consultation	Consultation	<p>In particular, I challenge BBC's adherence to its Statement of Conformity Involvement 2015 document. Point 1.11 refers to everyone's opportunity to review the Local Plan. Particularly hard to reach groups.</p> <p>At the Drop In session at the Town Hall on Monday 22 August I was told that copies of the Local Plan document need not be made available to residents in the 60,70, 80 age group as they would not be able to understand it. Worsthorne, Brownside, Lindsay Park, Pike Hill and the surround affected areas have a large number of people in this age group.</p> <p>At the Council Offices in Parker lane the previous week I was told that printed copies of the 250 page document would not be available to take away to read due to the costs involved.</p> <p>I was not offered the opportunity to buy a copy. The total volume of documents is in excess of 1000 pages. These two incidents show that BBC has not met its duty set out in its SCI.</p> <p>The BBC SCI section 2.44 states that a planning advise service is available to community groups and individuals at <a href="http://planningaid.custhelp.com">http://planningaid.custhelp.com</a>, or on an Advice Line 0330 123 9244. The web site no longer exists and the phone Advice Live is currently suspended. This leaves local residents without access to the free and independent planning service as is stated in the document. These errors further hamper residents ability to understand and be involved in the process. There has been poor communication with affected Burnley residents. We were not directly informed and only found out about the proposals in the week before the deadline for comments. Given the volume of documents to read the feedback process has been severely hampered.</p>	<p>It is not accepted that the Council has failed to make proper provision for hard to reach groups.</p> <p>The comment referred to if made, was clearly made in jest. Retirees are often those most likely to engage with plan making. Council officers went out of their way to help residents who needed assistance including in one case a home visit.</p> <p>It is unfortunate if the respondent was told that the document would not be available to take away to read due to the costs involved. The Council's policy as set out in the SCI is that for consultation drafts of the a Local Plan itself, copies are given free of charge on request to members of the public or local groups in response to reasonable requests.</p> <p>At the Town Hall drop-in copies of the plan document were available and many were given to residents. At all the drop ins, copies of the most popular chapters e.g. housing and employment were stacked on the tables to take away.</p> <p>The two respondents who made these points did manage to submit comments.</p>
	Consultation	Consultation	Additional time requested	As set out above the Council has undertaken three rounds of consultation under Regulation 18 and allowed 6 weeks at each stage. It is necessary to have set periods to effectively manage the process and would be the case even if the Council did not have limited resources. Any comments received late or in-between consultations are always considered by officers but are not responded to formally as duly made comments within the consultation period are. The Proposed Submission Consultation starting on 31 March will allow people another opportunity to comment but they must make comments within the 6 week period for them to be sent to the Inspector.



## **General**

To Follow

## **Other**

To Follow

## **Site Allocations (including Omissions)**

To Follow