

BURNLEY COUNCIL
LOCAL PLAN TO 2032 EXAMINATION

Inspector: Kevin Ward BA(HONS) MRTPI

Examination Hearings Action List

| Hearing Matter & Date | Issue/Action required | Action by | Date Completed |
|--|--|---------------------------------|--------------------------|
| <p>1. Opening & Procedural Matters 07.11.2017 AM</p> | <p>Council to liaise with Historic England regarding agreement before Matter 10 Hearing session on 5th December</p> <p>BBC Update 20.11.2017: Meeting held and document recording outcome provided by Historic England. EL3.021</p> <p>BBC Update 04.12.2017: Further Information received from Historic England EL3.065</p> | <p>BBC</p> | <p>20.11.2017</p> |
| <p>2. Opening & Procedural Matters 07.11.2017 AM</p> | <p>HRA – Council to chase up Natural England for their views and updated report by 17th November</p> <p>Update 24.11.2017: An extra hearing session is to be scheduled on the Habitats Regulation Assessment. Council to chase up Natural England for possible attendance and/or input.</p> <p>BBC Update 27.11.2017: An updated (November 2017) HRA has been provided along with a letter from Natural England stating their concerns have been satisfactorily addressed. EL3.033 EL3.033a</p> <p>Hearing session Scheduled for 06.12.2017</p> | <p>BBC</p> | <p>27.11.2017</p> |
| <p>3. Matter 2 Development Strategy 07.11.2017</p> | <p>On behalf of rep. 1152 Emma Stubbs, Cllr. Anne Kelly provided a copy of a Planning Decision notice for land south of Halifax Rd.</p> <p>Electronic copy required for upload to website.</p> <p>Uploaded EL3.006</p> | <p>Programme Officer</p> | <p>07.11.2017</p> |
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| <p>4. Matter 3 Overall Provision for Housing. 08.11.2017</p> | <p>Council to produce a table containing actual figures to correspond with Fig 6.1 in the 2016 SHMA. The figures to be updated using the 2017 forecast</p> <p>BBC Update 20.11.2017:</p> <p>Figures provided and added to the Examination Library EL3.022</p> <p>Council also added; As the two projections indicate slight differences in the historical data, we have also included Experian's Frequently Asked Questions, which provides the reasoning behind Experian's occasional adjustment to past historical data to ensure that their evidence is as robust and accurate as possible.</p> | <p>BBC</p> | <p>20.11.2017</p> |
| <p>5. Matter 3 Overall Provision for Housing. 08.11.2017</p> | <p>For the record, Council to provide a brief note confirming the figure, in the 2017 Addendum for the Experian Growth Scenario, should be 200 dwellings rather than the 220 stated. Therefor the OAM range should be 103 – 200</p> <p>Update 20.11.2017:</p> <p>Council confirmed as discussed in the Hearing Session, the 2017 SHMA Addendum Scenario Ei Experian Forecast Jobs Growth +PCU indicative annual average figure should read 200 dpa not 220 (Paras 3.21, 3.22, 3.68, 4.19, 4.20, 4.23, 4.29-4, Table 3.3 , Table 3.10 and Figure 4.1).</p> <p>The resulting OAN should therefore read as being equivalent to 103-200 dpa (para 4.29-5) Please also note that para 3.22 should be corrected to state... "This would require a population growth figure of 5,333" as is correctly set out in Table 3.3. The 4,510 quoted relates to the net migration growth required, with a further 823 through natural change (4,510 + 823 = 5,333).</p> <p>Update 06.12.2017:</p> <p>Council to check and verify above figures</p> | <p>BBC</p> | <p>20.11.2017</p> |
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| <p>6. Matter 3 Overall Provision for Housing. 16.11.2017</p> | <p>The data for scenarios D & Di was not included in the SHMA Addendum. Is it possible for Lichfields to run the data for scenarios D and Di within a short timeframe. BBC Update 20.11.2017: Lichfields confirmed they can undertake this additional work and will commence this week. Anticipate it will be completed by w/c 27 November and no later than 1December. BBC Update 01.12.2017: The council provided the updated Natural Change Scenario modelling and results in relation to the 2017 SHMA Addendum, together with an overall summary table comparing all the scenarios set out in the 2016 SHMA and 2017 SHMA Addendum. In order to be consistent with the sensitivity scenarios for the other updated demographic Scenarios, Lichfields have provided 4 versions of the natural change scenario. Examination Library Ref EL3.041</p> | <p>BBC</p> | <p>01.12.2017</p> |
| <p>7. Matter 3 Overall Provision for Housing. 16.11.2017</p> | <p>Council to produce a note responding to the detailed points raised in the statement from Barton Willmore on behalf of Junction Property by 1st Dec at latest. BBC Update 01.12.2017: The Council will not be able to undertake a detailed response by 1st December due to officers' attendance at the other Hearing Sessions and Lichfields' commitments to other clients. Working with Lichfield's we would however be able to provide a short note addressing the main points raised by the 1st December deadline. Could the Inspector advise whether this is acceptable or he would prefer a fuller response to an extended deadline? Council would need to know asap so I can instruct Lichfields to undertake this additional work. BBC Update 06.12.2017: Work is part completed. Agreed completion date will be <u>13.12.2017</u>.</p> | <p>BBC</p> | |

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| 8. Matter 4 Economy & Employment 09-10.11.2017 | <p>Council to do note clarifying position in Pendle regarding supply of employment land against identified need i.e. confirming whether or not there is a shortfall or an excess of supply</p> <p>BBC Update 04.12.2017: Note Provided Examination library Ref: EL3.067</p> | BBC | 04.12.2017 |
| 9. Matter 4 Economy & Employment 09-10.11.2017 | <p>Council to do note providing data on actual job densities for recent employment developments in Burnley (making clear what basis figures are on and any assumptions used).</p> <p>BBC Update 04.12.2017: Note Provided Examination library Ref EL3.066</p> | BBC | 04.12.2017 |
| 10. Matter 4 Economy & Employment 09-10.11.2017 | <p>Council to produce note setting out all individual sites identified through SHLAA which are in employment use but where Council considers that employment use of land will be lost to other uses. To include status of site, area and whether included in list of sites to be protected for employment use. Also to explain how land expected to be lost to employment use for housing has been factored into the calculation of potential housing land supply.</p> <p>BBC Update 06.12.2017: Work is underway. Agreed completion date will be <u>13.12.2017.</u></p> | BBC | |
| 11. Matter 4 Economy & Employment 09-10.11.2017 | <p>Council to produce table updating figures from Policy SP3 to take account of completions and commitments as of March 2017</p> | BBC | |
| 12. Matter 4 Economy & Employment 09-10.11.2017 | <p>PO to add documents handed in by Council on Green Belt Review parcels 3a, 16 and 24</p> <p>PO Update 17.11.2017: Examination Library Items EL3.014 EL3.015 EL3.016</p> | PO | 17.11.2017 |
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| 13. Matter 3 Overall Provision for Housing 17.11.2017 | The Council to provide the following by early next week (20-21.11.2017), if possible: Figures for the re-occupation of vacant dwellings by each year from 2012-2017 and total in that period BBC Update 17.11.2017: Figures provided EL3.018 | BBC | 17.11.2017 |
| 14. Matter 5 21/11 Housing Site Allocations West Burnley | Burnley Wildlife Conservation Forum submitted questions regarding HRA process Council to respond to points raised. BWCF Questions: EL3.024 Council Response Received Examination Library Ref: EL3.071 | BBC | 06.12.2017 |
| 15. Matter 5 21/11 Housing Site Allocations West Burnley | HS1/4 – Council to submit listing description for Buttercross https://historicengland.org.uk/listing/the-list/list-entry/1274582 | BBC | 21.11.2017 |
| 16. Matter 5 21/11 Housing Site Allocations West Burnley | HS1/1 – Council to submit development brief for site BBC Update 27.11.2017: Document provided Examination library Ref EL3.027 | BBC | 27.11.2017 |
| 17. Matter 5 21/11 Housing Site Allocations West Burnley | HS1/18 – Council to provide information from Education Skills Funding Agency regarding new school BBC update 27.11.2017: Information Notice Provided Ref EL3.034 | BBC | 27.11.2017 |
| 18. Matter 5 21/11 Housing Site Allocations West Burnley | HS1/30 – Council to check situation regarding date that PP would lapse BBC update 27.11.2017: Council provided relevant decision notice detailing the granting of outline planning permission on 12 th December 2014. EL3.035 Reserved Matters covering landscaping needs to be submitted by 12 th December 2017. To date, no reserved matters application has been submitted. | BBC | 27.11.2017 |
| 19. Matter 5 21/11 Housing Site Allocations West Burnley | HS1/34 – Council to check what information can be made available regarding plans for the site and suggest wording for a more flexible policy wording regarding suitable uses EL3.064 EL3.064a | BBC | 04.12.2017 |

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| 20. Matter 5 22/11 Housing Site Allocations Padiham | HS1/5 – Council to suggest policy wording change to make specific reference to flood alleviation scheme needing to be in place. Update 06.12.2017: Agreed completion date of 13.12.2017 . | BBC | |
| 21. Matter 5 22/11 Housing Site Allocations Padiham | HS1/19 – Council to check if indicative layout can be made available BBC update 27.11.2017: The Council is unable to provide the indicative layout submitted as part of the pre-application enquiry due to its current confidentiality. BBC Update 01.12.2017: The information is included in the sales particulars on Petty's website. EL3.040 Examination Library Ref EL3.040 | BBC | 01.12.2017 |
| 22. Matter 5 23/11 Housing Site Allocations East Burnley | HS1/15 and HS1/36 – Council to provide information regarding bus times BBC Update 23.11.2017: Timetable provided | BBC | 23.11.2017 |
| 23. Matter 5 23/11 Housing Site Allocations East Burnley | HS1/15 – Council to check what information regarding Stage 1 Ground Condition survey can be made available. BBC Update 04.12.2017: Information Provided. Examination Library: EL3.057 EL3.058 EL3.059 EL3.060 EL3.061 EL3.062 | BBC | 04.12.2017 |
| 24. Matter 5 23/11 Housing Site Allocations East Burnley | HS1/10 – Junction Property to confirm date of species/habitat survey in response to query from Mr Hornby Barton Willmore Update 01.12.2017 for Junction Property Ltd.: Response EL3.068 Supporting documents EL3.047 EL3.048 EL3.049 | Junction Property Ltd | 01.12.2017 |
| 25. Matter 5 24/11 Housing Site Allocations Hapton & Worsthorne | HS1/3 – Council to provide plan showing larger permitted site and decision notice Update 24.11.2017: Provided. Examination Library: EL3.026 EL3.026a EL3.026b | BBC | 24.11.2017 |

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| 26. Matter 5 24/11 Housing Site Allocations Hapton & Worsthorne | HS1/20 – Council to consider amended wording to policy to include potential for mill building to be retained and more flexible approach to housing mix. Update 06.12.2017: Amended wording provided Examination Library EL3.069 | BBC | 06.12.2017 |
| 27. Matter 5 24/11 Housing Site Allocations Hapton & Worsthorne | HS1/31 – Council to provide plan for most recent outline application Update 24.11.2017: Council provided the submitted location plan for Planning Application APP/2017/0397 and a copy of the printed minutes from Development Control Committee on the 16 th November 2017 when the application was considered. Examination Library: EL3.035 EL3.036 | BBC | 27.11.2017 |
| 28. Matter 4 (cont) 29/11 Economy & Employment | EMP1/9 – Council to suggest amended policy wording which would make it clear that development requiring a planning application would need to exclude development on the Biological Heritage Site Update 06.12.2017: Agreed completion date of 13.12.2017 | BBC | |
| 29. Matter 6 28/11 Supply & delivery of Housing Land | <ul style="list-style-type: none"> • Council to produce note confirming position on trajectories for a) small sites with PP in light of acceptance that Bank Hall Nursing Home site is C2 use b) Former Hameldon Schools site in light of acceptance that completions would occur one year later and c) Brampton House, 500 Colne Road, in light of acceptance that completions would occur two years later. Also confirming position that vacant dwellings re-occupied since 2014 should be counted as net additional dwellings. • Council to produce amended version of overall trajectory taking account of the above. <p>BBC update 01.12.2017: Council provided relevant notes and housing trajectory.</p> <p>Examination Library: EL3.042 EL3.043</p> | BBC | 01.12.2017 |

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| 29. Matter 6 28/11 Supply & delivery of Housing Land CONT. | Cont; <ul style="list-style-type: none"> Council to produce note setting out how figures for OAN in the SHMA Addendum of Oct 2017 would be affected by using the same reduced vacancy rate that the Council used in arriving at its housing requirement of 209 dwellings per year <p>Update 06.12.2017: Agreed calculation will be produced for all scenarios in the addendum. Figures to be ready for 13.12.2017</p> | BBC | |
| 30. Matter 7 29/11 Housing Policies | <ul style="list-style-type: none"> Council to consider amended wording to Policy HS2 to make clearer the circumstances justifying off site provision/contributions. Council to consider amended wording for Policy HS3 to apply bullet points to density as well as mix and to apply a threshold of 10 dwellings/0.4ha to the housing mix requirements. <p>BBC Update 06.12.2017: Amended Policy wording Provided EL3.070</p> | BBC | 06.12.2017 |
| 31. Matter 8 30/11 Gypsy, Traveller & Travelling Showpeople's Provision | <ul style="list-style-type: none"> Council to submit document setting out how the 18 sites considered prior to additional sites consultation were assessed <p>BBC Update 04.12.2017: Update and associated documents provided. Examination library EL3.063 EL3.044 EL3.045 EL3.046</p> <ul style="list-style-type: none"> Council to submit e mails with National Grid from 2015 regarding Local Plan and their land holdings <p>BBC Update 04.12.2017: Emails Provided: EL3.063a EL3.063b EL3.063c EL3.063f (EL3.063d & EL3.063e yet to be loaded)</p> <ul style="list-style-type: none"> Council to provide National Grid response to Preferred Options stage (handed in at Hearing) Policy HS8 – Council to consider amended wording to deal with situations where there was no need identified or it had been satisfied <p>Update 06.12.2017: BBC to provide .pdf versions of EL3.063d & EL3.063e for upload to website.</p> | BBC | 04.12.2017 |

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| 32. Matter 9 01/12 Town Centres, Retail & Leisure | <ul style="list-style-type: none"> Policy TC5 – Council to suggest amended policy wording to clarify that the threshold of 1,000sqm would apply | BBC | |
| 33. Matter 10 05/12 Other Policies | <ul style="list-style-type: none"> Council to submit summary information provided to Historic England in November 2017 and minor modifications relating to HE policies BBC Update 06.12.2017: Document “<i>supplemental information for Historic England 20 November 2017</i>” is that which is referred to as “Summary Information for Historic England 20 November 2017” in the letter of the 4th December. EL3.072 The second attachment “<i>Schedule of Minor Modifications – Version 2 – 14 November published for Historic England</i>” is that which is referred to as the “proposed modifications” in the letter of the 17th November 2017. EL3.073 Council to suggest amended wording to Policy IC3 to include separate clause on vehicle charging points BBC Update 12.12.2017: Suggested wording provided. EL3.075 Council to reconsider objectives of Policy IC7 and suggest amended wording BBC Update 12.12.2017: Suggested wording provided. EL3.074 | BBC | 12.12.2017 |
| 34. HRA 06/12 | <ul style="list-style-type: none"> Council to clarify the following liaison with Natural England qualifying features for the SPA in terms of bird species. | BBC | |