

Appendix 4 – changes / actions made from 'Consultation Draft' representations

Hyndburn DM DPD

Consultation Statement (Regulation 22)

January 2017

Hyndburn DM DPD Publication version

Action / change made from Consultation Draft comments - ordered by RepID.

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
1	National Trust - NW Regional Office	Alan	Hubbard	No comment	Confirmed in writing that the National Trust has no comments to make	Noted	
2	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Support	Considers Policy DM27 generally sound	Noted	
3	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Support	Considers Policy DM28 generally sound	Noted	
4	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	GN4 is unnecessary and excessively detailed and prescriptive. GN4 should be totally removed from the document as policy advice in DM27 is adequate for the control of advertisements	Further work required	GN4 to be retained however various changes made in line with other comments and in consultation with DM Officers and Conservation Officer
6	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Parts of GN5 relating to advertisement displays overlap with advertisement control, are misplaced, repeat and partly contradict GN4. These should be removed from the document.	Further work required	Majority of references to Advertisements either removed or moved from GN5 into GN4 to avoid repetition and contradiction.
7	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Delete statement that 'signs should be displayed at the normal fascia height of the building' as it is a generalisation and other types of signs and advertisements may commonly be seen on buildings	Further work required	Added 'normally' into statement in consultation with DM Officers and Conservation Officer to recognise fact that there may be situations where this is not the case

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8	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Amend to state that 'traditional-style hanging signs may be acceptable above ground floor level where they can be successfully related to the building and street scene'	Further work required	proposed wording incorporated into GN4 text
10	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Replace final sentence with 'advance signs to individual premises must be very carefully designed and sited so as not to adversely affect the appearance of the surroundings. Proliferation of such signs will be an important consideration (see C1)'	Further work required	proposed wording incorporated into GN4 text
11	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	No justification for the restriction on box signs in Conservation Areas or on Listed Buildings. Modern internally illuminated signs can be designed without any adverse impact on amenity. Final sentence referencing colours should be explained or deleted.	Further work required	Amendments made to paragraph E2 in consultation with the Conservation Officer and DM Officer to resolve objection
12	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	There is no reason why properly designed internally illuminated signs should not be as acceptable as externally illuminated signs.	Further work required	E2 amended to clarify position on illuminated signs
13	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	The meaning of the statement 'colours unrelated to the overall local colour scheme' should be clarified or removed.	Agree - make changes	Reference removed
14	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	The generalities in these paragraphs are wholly unjustified and should be deleted.	Further work required	Amendments made to paragraphs F1 and F2 in consultation with DM Officer and Conservation Officer to resolve concerns

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15	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	General Comment	All advice on advertisements should be moved to GN4 (or deleted) with a simple cross-reference to GN5	Further work required	Section moved into GN4 to ensure all advertisement guidance contained in on eplace, with cross-reference made from GN5
16	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Paragraphs referencing advertisement consent and planning permission should be removed and reference made to the DCLG booklet 'Outdoor Signs and Advertisements - a guide for advertisers'	Further work required	Reference to DCLG booklet added and clarification made to paragraph 4 and para 8 incorporated into bullet list in 4
17	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	These paragraphs are out of place, solely concern advertisements and not the structural elements of the shopfront so should be moved to GN4 or deleted.	Further work required	Section moved into GN4 to ensure all advertisement guidance contained in on eplace, with cross-reference made from GN5
18	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Clarify the meaning of 'large panel fascias'	Further work required	updates to GN4 and GN5 made to help address this objection
19	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Reinstatement of corbels on modern shopfronts where no pilaster exists would look dreadful so this sentence should be deleted	Further work required	sentence deleted
20	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Generalities should be explained further or deleted, this advice is totally unacceptable and impractical	Further work required	updates to GN4 and GN5 made to help address this objection

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21	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Statement is contradictory and inaccurate/incorrect	Further work required	statement deleted as not considered to add anything new to the Guidance
22	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Statement should be made more flexible by adding in 'where considered essential' after 'Listed Buildings'	Agree - make changes	text added including footnote referencing consultation with Council's Conservation Officer
23	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	This advice is impractical and unenforceable therefore should be deleted	Further work required	text deleted
24	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	It is beyond the powers of the Council to specific content therefore the text stating that signs should be 'simple and limited to the relevant information' should be deleted.	Further work required	text deleted
25	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	There should be no restrictions on suitable designed, sited and illuminated projecting 'box' sign if it is acceptable in terms of amenity and public safety.	Further work required	updates to GN4 and GN5 made to help address this objection
26	Chris Thomas Ltd, Outdoor Advertising Consultants	Chris	Thomas	Object	Advice is impractical and should be deleted as all advertisements within buildings are exempted from control or permitted with deemed consent.	Further work required	text deleted

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27	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Support	Support the Council's presumption in favour of sustainable development as per the NPPF and that it will always work proactively with applicants to secure development that improves the environmental conditions in the area	Noted	
28	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Support	Agree that the Council should support the provision of relevant infrastructure, services and facilities required to maintain and enhance the quality of life of local people and the local environment. Also support the Council's intention to seek contributions on a case-by-case basis that can/will include policies DM1(Open Space Provision in New Residential Development), DM1 (Trees, Woodland and Hedgerows) and DM1 (Protection and Enhancement of the Natural Environment).	Noted	
29	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Object	There is no proviso regarding the protection and enhancement of biodiversity (sites, habitats and/or species) and geodiversity (geology and geomorphology). Additional wording could be added to proviso 'e' or a new proviso written as impacts may still be felt on land within the defined urban area.	Agree - make changes	new criteria added into DM1
30	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Reference should be added to include sites of geodiversity as well (geology and geomorphology). In conjunction with this the explanatory text (4.24-4.30) could have broader referencing to the natural environment and providing net gains in line with the NPPF	Agree - make changes	reference added into 1d and additional line in the justification text
31	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Agree with criteria a-d of Policy DM11. However suggested improvements include: - reference ANGSt under criteria a in line with para 6.44 of DM21 - criteria c) and d) should also apply to geodiversity - the policy does not refer to the need to have regard to any ecological networks(s); and - the accompanying explanatory text makes no reference to biodiversity or geodiversity	Agree - make changes	amendments made to the policy and justification text to cover all comments

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32	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Object	An additional criteria should be added referring to no unacceptable harm to the biodiversity and geodiversity of the area	Agree - make changes	additional criteria added
33	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Overall support for the policy however reference to the positive contribution to biodiversity (as well as green infrastructure) would strengthen further.	Agree - make changes	criteria e added onto para 3 of policy text
34	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Generally supportive of the policy. However: - should also cover geodiversity and Geological Heritage Sites - 2c refers to 'UK priority habitat' but not to 'UK priority species' - the Council should be clear what they mean by priority habitats and species, i.e. UK BAP or S41 NERC	Agree - make changes	amendments to policy DM18 made
35	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Generally supportive of policy, however the Species of Principal Importance in England, as listed in S41 of NERC 2006, should be referred to and covered either here or in DM18	Agree - make changes	amendments to policy DM18 resolve this
36	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Support	Support for the requirement of SUDS and tree and woodland planting	Noted	

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37	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Support	Support taking into account the Lancashire Ecological Network, and employing ANGSt to assess provision and accessibility. The Council should also make clear how local communities can identify Local Green Space in Hyndburn.	Noted	
38	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Para 2b - policy should reference NPPF requirement for a net gain in nature which can involve 'enhancement' and not just 'protection'. Extensions and conversions should cross reference to DM18 and/or DM19 to ensure that statutorily protected species are taken account of appropriately.	Agree - make changes	para 2b of policy text strengthened to better reflect NPPF
39	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	the Council should be seeking to 'enhance' not just 'safeguard' the open character and landscape quality including ecology, to ensure net gains in nature	Agree - make changes	para 1d of policy text strengthened
40	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	In order to conform to the requirements of NPPF, there should be 'net gains in nature' e.g. through habitat creation. The provision of open space in new residential development should take account of the presence of ecological networks and/or GI networks.	Agree - make changes	additional text added to para 4b)
41	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Reference should be made to ecological networks (DM18) or Natural England's ANGSt, as referred to in DM21 paragraph 6.44	Agree - make changes	reference to both added into GN1, in paras 1.1 and 3.1b

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42	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Support	Support inclusion of these statements	Noted	
43	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	General Comment	Reference to priority species and habitats are not defined here, in Policy DM18 or anywhere in the DPD as a whole	Agree - make changes	this comment is now covered by changes made in Policy DM18
44	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Support	Agree with statement that 'the integrity of any area of deep peat should not be adversely affected'	Noted	
45	The Wildlife Trust for Lancashire, Manchester and North Merseyside	John	Lamb	Object	Geological Heritage Sites (GHS as identified by GeoLancashire and formerly known as RIGS) should also be shown on the Policy Maps alongside SSSIs, BHS and Local Sites.	Agree - make changes	now added to policy maps
46	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	is the BfL12 reference sufficient to request that developers consider lifetime homes, secured by design, ECO Homes standards and the Code for Sustainable Homes etc?	Noted	
47	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	static caravan sites – does this reference include 'residential park home schemes?'	Agree - make changes	Additional wording added to both Policy text and justification text to clarify position
48	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	Clarity required that viability assessments will be expected where no affordable provision is proposed, not just 'fewer'. Paragraphs 1d and 5 could be combined to achieve this clarity.	Agree - make changes	Clarity provided by merging of paragraphs (deletion of previous point 1d to include in final policy paragraph)

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49	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	The implications of the Government's Starter Homes legislation on Policy DM12 and GN2 need to be considered and incorporated	Agree - make changes	Paragraph added into definition (para 3.1)
50	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	If the Council is supporting affordable housing levels of greater than 20% should this also be referred to in the Policy DM12 text?	Further work required	This is not a specific policy aspiration therefore is not necessary within the Policy text itself. The comment in the Guidance Note provides guidance only in the event that this situation occurs.
51	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	In some instances the LA may want to bring a specific registered provider to the table to discuss processing a planning application e.g in relation to a major regeneration project. Could a reference be made to this please?	Agree - make changes	Para 8.2 amended to clarify this
52	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	If a s106 agreement would also be required for the affordable housing element to be provided by a registered provider then this needs to be clarified in this paragraph.	Agree - make changes	Paragraph removed as doesn't add anything over existing content of Policy DM12 and GN2
53	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	The GTAA makes reference to permanent and transit pitches / sites. A reference should be made to this in this paragraph. Reference should also be made to working collaboratively across boundaries with neighbouring LAs to address the needs of the G&T community and looking at transit site provision (as per key policy conclusion of the GTAA - p55).	Agree - make changes	wording added to para 5.31 to cover both points
54	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	Should the 30% AH provision for elderly or disabled residents also be referred to in Policies DM12 and DM14?	Agree - make changes	cross-reference already exists from DM12 1c, but added from DM14 justification text as well
55	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	There is quite a bit of overlap in content with Policy DM14 should there be some cross references?	Agree - make changes	cross-reference added to DM14 in justification text
56	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	add 'and/or local housing needs assessment'	Agree - make changes	change made
57	Hyndburn Borough Council	Fiona	Goodfellow	General Comment	SHME should be SHMA	Agree - make changes	corrected

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58	Network Rail			General Comment	If there is a potential for impact on railway stations as a result of increased footfall from third party developments, then a developer contribution should be sought towards any necessary enhancements. An additional comment should be added to highlight these potential impacts. It is not reasonable to expect Network Rail to fund infrastructure mitigation measures as a result of third party proposal impacts.	Further work required	Reference added to station enhancements under para 2 of DM33
59	Network Rail			General Comment	Replace 'Network Rail's Asset Protection Team' with 'Network Rail' as it is not the remit of the Asset Protection Team to comment on planning applications, this is undertaken by the Network Rail Planning Team. All applications, consultations etc. should be directed to TownPlanningLNW@networkrail.co.uk	Agree - make changes	reference removed from policy text and reference to Town Planning Team added into justification text
60	Network Rail			General Comment	Network Rail seek support from the Council for a policy statement on level crossings due to the level crossings being impacted in a variety of ways by planning proposals (8 ways provided in full representation). It should state that: 'developments resulting in a material increase or a significant change in the character of traffic using a rail crossing will be refused, unless it can be demonstrated that safety will not be compromised in consultation with Network Rail'.	Further work required	Policy statement on level crossings and safety added into DM33
61	Network Rail			General Comment	Network Rail's policy (and the Office of Rail Regulation) is, wherever possible, to close level crossings to reduce risk. Network Rail consider even a minor increase in usage at a level crossing unacceptable. As such, the DM DPD should include a policy requiring developers to provide funding towards mitigation measures at level crossings. These should fund replacement bridges, diversion of routes or mitigation measures to enhance a level crossing.	Further work required	Additional paragraph added into DM33 policy text to cover this point. Further consultation will take place with Network Rail regarding Site Allocations
62	Network Rail			General Comment	Where proposals include railway stations, consultation by developers and the LPA with Network Rail is requested	Agree - make changes	additional text added into final paragraph of justification text
63	Network Rail			General Comment	Network Rail is a statutory consultee for any development 10m or less from the railway boundary (see Article 16 of the 2015 Development Management Procedure Order). Measurements should be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves as critical infrastructure will be located inbetween.	Agree - make changes	clarification added into justification text

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64	Network Rail			Support	Network Rail welcomes comments on the potential for open spaces to impact upon the railway	Noted	
65	Network Rail			General Comment	A further criteria should be added k) 'open spaces adjacent to railway infrastructure should include suitable trespass proof fencing to prevent accidental or unauthorised access onto operational railway land'.	Agree - make changes	extra criteria added
66	Mike Gee Town Planning Services Ltd	Mike	Gee	General Comment	The owners of Spring Mill, Spring Street Rishton (East Lancs Box Co) acknowledge that the DM DPD contains nothing specific to prejudice the continued use of the site in employment use. They do however confirm their intention to retain and invest in the premises, in addition to significant past and ongoing investment (details provided) and disagree with the categorisation of the site in the latest Employment Land Study as 'poor' quality. This should be reconsidered.	Disagree - no changes	
67	Mike Gee Town Planning Services Ltd	Mike	Gee	General Comment	The owners of Daisy Hill Mill, Ashworth Street Rishton (R E Walsh Investments Ltd) acknowledge that the DM DPD contains nothing specific to prejudice the continued use of the site in employment use. They do however confirm their intention to retain and invest in the premises, in addition to significant past and ongoing investment (details provided).	Noted	
68	The Theatres Trust	Ross	Anthony	Support	The Theatres Tust supports policy DM7 which reflects paragraph 70 of the NPPF	Noted	
69	Arcus Consulting	Darren	Hendley	Support	The commitment to identify areas suitable for wind energy development is supported. The Dean Clough Reservoir Site has been put forward to inform the Site Allocations DPD, supported by feasibility and environmental summary report.	Noted	
70	Arcus Consulting	Darren	Hendley	General Comment	The criteria listed do not include a planning balance, where the benefits are weighed against the impacts. As such an additional criterion should be added i) 'The benefits of wind energy development, in respect of the contribution to renewable energy consumption and reducing carbon emissions, and associated legally binding targets; increasing energy security; providing new energy infrastructure; and providing demonstrable economic and other public benefits, outweigh any of the impacts which may arise from the proposal'.	Further work required	Additional criteria not added as this concept applies to all policies. Additional text has been added to para 2.1 of the DM DPD clarifying this.

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71	Arcus Consulting	Darren	Hendley	General Comment	The weight to be applied / status of Guidance Note 6 should be clarified here or in the supporting policy text.	Disagree - no changes	
72	Arcus Consulting	Darren	Hendley	Support	Support based on consistency with paragraph 91 of the NPPF	Noted	
73	Arcus Consulting	Darren	Hendley	General Comment	It is preferable to leave underground structures in situ when minimising environmental impacts therefore 'underground concrete foundations' and 'underground cables' should be removed from the policy text.	Further work required	Text added into para 3 of policy text and final para of justification text to clarify the position on underground structures in restoration
74	Arcus Consulting	Darren	Hendley	General Comment	Key documents list should include the Climate Change Act 2008 (as amended) and Renewable Energy Directive 2009/28/EC as these set legally binding targets for the reduction of emissions and consumption of energy from renewable resources respectively.	Agree - make changes	referenced to both added into justification text for DM30
75	Arcus Consulting	Darren	Hendley	General Comment	The Council's approach to identifying suitable areas should fully conform to the positive approach to wind energy development set out in NPPF and EN-1 and EN-3 National Policy Statements. Significant supporting evidence has been submitted (and produced by the Council) demonstrating that the Dean Clough Site provides a suitable location.	Noted	
76	NHS Property Services Ltd	Anna	McComb	Object	NHS Property Services object to the overly restrictive nature of the policy, in particular the requirement for surplus facilities (that include health - footnote 37) to be marketed. The NHS estate reorganisation programme is sufficient evidence that a facility is neither needed nor viable as it involves rigorous NHS testing and approval processed to be satisfied. Minor change to policy wording proposed to resolve concern, deletion of 'and' between points 1b and 1c.	Further work required	edits made to policy wording and footnote to provide more flexibility on marketing element if comparable exercise has already taken place in some other form
77	Historic England - NW Office	Emily	Hrycan	Object	Replace 'adverse effect' with 'unacceptable harm'. Replace 'archaeological sites, conservation areas or buildings of architectural or historic interest' with 'heritage assets and their setting'. This will ensure the policy better accords with NPPF	Agree - make changes	reworded as per comments
78	Historic England - NW Office	Emily	Hrycan	Object	Reword criteria 1a to reference 'enhancing local character and distinctiveness' and to replace 'the protection and enhancement of heritage resources' with 'there will be no unacceptable harm to heritage assets and their setting'	Agree - make changes	amended 1a DM10 in line with comments

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79	Historic England - NW Office	Emily	Hrycan	Object	Replace 'to the setting of heritage asset' with 'heritage assets and their setting' to ensure that it is not just the setting that is considered.	Agree - make changes	as per suggestion
80	Historic England - NW Office	Emily	Hrycan	Object	Historic England strongly objects to this policy and suggests the re-writing of the policy to provide sufficient detailed guidance to enable those proposing schemes to determine the level of success where it is likely to affect the different elements of the historic environment, heritage assets and their setting.	Noted	
81	Historic England - NW Office	Emily	Hrycan	Object	Historic England strongly objects to the aspect of the policy on conservation areas. This paragraph of the policy should be re-written to better reflect the focus of the NPPF and to ensure consistency. The policy should clearly put down the expectations of an application affecting a conservation area. Detailed policy re-wording proposed.	Agree - make changes	new first paragraph added to policy to reflect primary aim of NPPF. Conservation Area section completely re-written to reflect comments
82	Historic England - NW Office	Emily	Hrycan	Object	Historic England strongly objects to the aspect of the policy on listed buildings. The starting point for any proposals involving a listed building and/or affecting its setting should be to sustain and enhance its significance and setting. Any harm will only be justified where the public benefits of the proposal outweighs the harm. Detailed policy re-wording proposed.	Agree - make changes	second paragraph amended in line with suggested wording
83	Historic England - NW Office	Emily	Hrycan	Object	The policy on locally listed buildings is unclear and needs to be amended to clarify the Council's position and requirements on applications affecting local listed buildings, e.g. what will/will not be permitted, what will be required if loss of an asset is proposed etc.	Agree - make changes	amendments made to para on locally listed buildings to reflect comments
84	Historic England - NW Office	Emily	Hrycan	Object	Historic England strongly objects to the aspect of the policy on Scheduled Monuments. It needs to be re-written to reflect the requirements of the NPPF and primary legislation on this matter.	Agree - make changes	additional text added to strengthen and reflect NPPF better
85	Historic England - NW Office	Emily	Hrycan	Object	It is unclear as to what the archaeology aspect of the policy refers to - is it archaeology of local importance or a non-designated heritage asset of archaeological interest that is of equal significance to a scheduled monument? The policy should be rewritten to clarify this and to ensure that the latter are appropriately dealt with.	Agree - make changes	Footnote added to provide clarity, otherwise paragraph following archaeology one clarifies outstanding matters

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86	Historic England - NW Office	Emily	Hrycan	Object	Why is there a separate policy on demolition in conservation areas? Could DM23 not be included within DM22: Heritage Assets?	Disagree - no changes	
87	Historic England - NW Office	Emily	Hrycan	Object	There appears to be some incorrect information regarding protected species in bullet point 4	Further work required	comment made in error, no change required
88	Historic England - NW Office	Emily	Hrycan	Object	Reference to heritage assets should be removed as it is confusing and appears to refer to character in terms of the design of new developments, followed by heritage assets as an afterthought.	Agree - make changes	text deleted
89	Historic England - NW Office	Emily	Hrycan	Object	The policy wording should be amended to ensure that it is clear that any applications that affect a designated heritage asset follow the requirements of the NPPF in terms of harm to significance. Alternatively, reference to statutory listed buildings should be removed, and reference made to Policy DM22, to make it clear that this policy applies instead.	Further work required	Sentence added into justification text confirming that the hierarchy of shop fronts to be applied in decision making works in conjunction with the NPPF
90	Historic England - NW Office	Emily	Hrycan	Object	Replace 'retain features of historical value' with 'have no unacceptable harm to elements that contribute to the significance of heritage assets'	Agree - make changes	changes to text made
91	Historic England - NW Office	Emily	Hrycan	Object	GN3 should be amended to ensure that those using it are clear that this does not apply to designated heritage assets.	Agree - make changes	clarification added to first paragraph of GN3
92	Historic England - NW Office	Emily	Hrycan	Object	Any reference to listed buildings should be removed as they will be expected to conserve and enhance the elements that contribute towards its significance and would therefore be subject to listed building consent. This would clarify that the GN does not apply to designated heritage assets.	Agree - make changes	Amendments made in references to Listed Buildings within GN4, including reference to Listed Building Consent
93	Historic England - NW Office	Emily	Hrycan	Object	Any reference to listed buildings should be removed as they will be expected to conserve and enhance the elements that contribute towards its significance and would therefore be subject to listed building consent (as stated in Para 7 of GN5). This would clarify that the GN does not apply to designated heritage assets.	Agree - make changes	Only real references remaining refer to need for Listed Building Consent which the Council believes still has value being stated in the GN therefore is proposed to remain.
94	Coal Authority			Object	Minor policy changes to paragraph 2 are recommended to make the policy fully effective and the meet the requirements of the NPPF. Specific policy wording proposed.	Agree - make changes	specific policy wording proposed added into policy

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95	Coal Authority			Object	There is no cross reference between the Hyndburn Local Plan and the content of the Lancashire Minerals and Waste Local Plan	Agree - make changes	confirmatio added to p181 and context info on DM DPD Policy Maps. Also text added into introduction footnote to ref. LMW LP
96	Coal Authority			Object	The Policy Maps do not indicate that the Minerals and Waste Plan contains allocations and constraints which need to be taken into account in decision making. It could be argued that all of the content of the Lancashire Minerals and Waste Plan plicy maps should also be on the Hyndburn map once adopted (Reg 9 of the T&CP (Local Planning) (England) Regs 2012)	Further work required	text added into both Introduction section of DPD and the Policy Map page clarifying need to consult LMW maps
97	Canal and River Trust	Tim	Bettany-Simmons	Support	The Canal & River Trust support contributions being sought on a case-by-case basis including for sustainable transport infrastructure	Noted	
98	Canal and River Trust	Tim	Bettany-Simmons	General Comment	The Trust supports the Councils proposals to map the GI network in the Site Allocations DPD. This should include the canal corridors, and paragraph 6.16 should be amended to specifically mention the canal network.	Agree - make changes	Reference added to para 6.16
99	Canal and River Trust	Tim	Bettany-Simmons	Support	The Trust supports the policy which appears to be robust and comprehensive and would support the design objectives as set out in the Core Strategy (policies A4, A6 and R3)	Noted	
100	Canal and River Trust	Tim	Bettany-Simmons	Support	The Trust supports criteria (d) of this policy in relation to artificial light and the supporting text at paragraph 7.33 which acknowledges the nuisance to residents. This should also include reference to the potential impact poor lighting can have on wildlife especially along canal corridors/waterways	Agree - make changes	text added into justification text
101	Canal and River Trust	Tim	Bettany-Simmons	General Comment	The Trust is supportive of the general thrust of this policy but considers that both criteria 4c and 4f should specifically reference and include 'along the canal towpath'	Agree - make changes	text added into both 4c and 4f
102	Canal and River Trust	Tim	Bettany-Simmons	General Comment	The Trust is generally supportive of this policy approach and that developer contributions will be sought where necessary towards the improvement of transport infrastructure, particularly to encourage walking and cycling. However specific reference should be made to canal towpaths in the actual policy wording under points 2 and 3.	Agree - make changes	text added to points 2 and 3 of policy text

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103	Canal and River Trust	Tim	Bettany-Simmons	General Comment	Canal towpaths should also be referenced as follows: "Long distance footpaths, bridleways, canal towpaths and cycle routes act as key sustainable transport links..."	Agree - make changes	text added
104	Canal and River Trust	Tim	Bettany-Simmons	Object	The canal should form part of the strategic links identified on the DM DPD Policy Maps under Policy DM33 (Sustainable Transport Infrastructure)	Agree - make changes	layer now added showing the CRT buffer zone and identifying the canal as a strategic link
105	Canal and River Trust	Tim	Bettany-Simmons	Object	Under criteria 4 of policy DM33 this relates specifically to Network Rail. Given the prominence of the canal network in the Borough it is considered that the policy should be expanded to include the role of the Canal and River Trust as a statutory consultee. Specific policy wording is also proposed including a CRT consultation 'buffer zone'.	Further work required	emailed 10/6 re: buffer zone
106	Canal and River Trust	Tim	Bettany-Simmons	Object	The role of the Trust as a statutory consultee should be acknowledged as it has been for Network Rail within the DPD. The Trust would be happy to work with the Council on specific wording.	Agree - make changes	paragraph added into justification text
107	Canal and River Trust	Tim	Bettany-Simmons	General Comment	Within the Core Strategy policy BD1 (c) it is recognised within rural areas the need to include 'promoting leisure and recreational facilities'. This however does not appear to be reflected in DM DPD policy. Specific mention should be made within DM34 to recreation and leisure in the countryside. The promotion of waterways and towing paths as part of green infrastructure and open space network should be acknowledged and embedded within policy. The multifunctional role of the canal network should be recognised as they perform a range of functions - encourage use of waterways for tourism, leisure, recreation and sporting activities.	Further work required	New paragraph added into Policy text and Justification text for DM34 to confirm Council approach to leisure and recreation in these areas.
108	Canal and River Trust	Tim	Bettany-Simmons	General Comment	The Trust are pleased that the canal is acknowledged but the guidance could go further. The Trust would suggest that the guidance note should be amended so that it is consistent with Policies A4, A6 and R3 of the adopted Core Strategy which encourage development to relate positively to the canal and integrate the waterway into the public realm. The canal should not be viewed purely in environmental terms.	Agree - make changes	point 3.1f expanded to address comments
109	Highways England	Warren	Hilton	Support	Highways England supports Policy GC1	Noted	

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
110	Highways England	Warren	Hilton	General Comment	Highways England welcomes Policy GC2, though it should be noted that any required developer-funded improvements to the Strategic Road Network are undertaken by virtue of an agreement under Section 278 of the Highways Act 1980. An additional policy link to the NPPF para 204 which includes the tests for planning obligations should be considered.	Agree - make changes	Policy context table added after GC2 linking to NPPF
111	Highways England	Warren	Hilton	General Comment	Consider including a reference to PPG: CIL 2014 as a development management policy link in GC2	Agree - make changes	Added to context table added after GC2
112	Highways England	Warren	Hilton	Support	Highways England believe that Policy GC3 is fit for purpose and welcomes the link to NPPF	Noted	
113	Highways England	Warren	Hilton	General Comment	Highways England believe that Policy DM1 is fit for purpose and appropriate. We consider that there should be a reference to assessing traffic generation in relation to existing employment sites and any potential change of use.	Agree - make changes	Added new paragraph in DM1
114	Highways England	Warren	Hilton	Support	Highways England believe that Policy DM2 is appropriate and fit for purpose	Noted	
115	Highways England	Warren	Hilton	Support	Highways England welcomes Policy DM3 and considers it fit for purpose. References in 5c and 6b are to access on foot and car parking arrangements are particularly welcomed.	Noted	
116	Highways England	Warren	Hilton	Support	Highways England supports Policy DM32. In particular we welcome the specific policy links to NPPF (32 and 36). This is evidence of a well considered Accessibility and Transport policy and is sufficient in detail.	Noted	
117	Highways England	Warren	Hilton	Support	Highways England supports Policy DM33. In particular we welcome the specific links to the SRN via Core Strategy Policy T3.	Noted	
118	Highways England	Warren	Hilton	General Comment	Highways England have reviewed the Policy Maps and conclude that none of the policy zones identified have any major impact on the SRN.	Noted	
119	Environment Agency	Dave	Hortin	General Comment	Recommend adding Policy DM20 - Flood Risk Management and Water Resources to the list of policies requesting S.106 contributions	Agree - make changes	GC2 para. 3

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
120	Environment Agency	Dave	Hortin	General Comment	Either include the same reference to flood risk as in DM10 (Residential Development - para 1l) or cross reference DM20	Agree - make changes	criteria added into DM1 as per DM10 wording
121	Environment Agency	Dave	Hortin	General Comment	Amend in line with the approach taken to DM1 (Rep ID 120)	Agree - make changes	DM1 amended to reflect wording in DM10
122	Environment Agency	Dave	Hortin	General Comment	Amend policy to state that any Main River (protected under Land Drainage Byelaws) will need to be retained.	Agree - make changes	footnote added to 1c to clarify position of Main Rivers versus other natural features
123	Environment Agency	Dave	Hortin	General Comment	Add 'a watercourse (Main River or Ordinary Watercourse) will only be permitted if the relevant environmental permit/consent is obtained from the Environment Agency or Lead Local Flood Authority, as appropriate'	Agree - make changes	text added to as new criteria for para 2
124	Environment Agency	Dave	Hortin	General Comment	Replace 'areas identified at risk of flooding' with 'Flood Zones 2 and 3'	Agree - make changes	text added
125	Environment Agency	Dave	Hortin	General Comment	Suggest amending to say that major developments in all Flood Zones will require surface water management to be required as part of any flood risk assessment	Agree - make changes	text added
126	Environment Agency	Dave	Hortin	General Comment	recommend adding at the end of the sentence, "e.g. through the application of suitable SUDS where appropriate."	Agree - make changes	text added
127	Environment Agency	Dave	Hortin	General Comment	Suggest amending to reflect the roles in the table attached to representation, to accurately describe the role of the flood risk management authorities	Agree - make changes	first paragraph of justification text amended to reflect and confirm revised roles of LLFA and EA
128	Environment Agency	Dave	Hortin	General Comment	There are several Main Rivers in Hyndburn that are not listed here. These may be useful listed in a table: Lottice Brook; Tinker Brook, Antley Syke; Woodnoook Water; Broad Oak Water; Pleck Brook; River Hyndburn; Hyndburn Brook; Spaw Brook; Harwood Brook; Woodlands; and River Calder	Agree - make changes	full list of main rivers added into justification text
129	Environment Agency	Dave	Hortin	General Comment	For clarity we would recommend expressing the probability of flooding in percentage terms as well as the standard e.g. a 1 in 1000 is a 0.1% annual probability and a 1 in 100 is a 1% probability.	Agree - make changes	confirmation added of % probability

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130	Environment Agency	Dave	Hortin	General Comment	We would recommend referring to the use of SUDS in water quality improvements as outlined against Rep ID 126	Agree - make changes	additional text added to para 4 of policy text
131	Environment Agency	Dave	Hortin	General Comment	We would recommend including climate change under the design criteria to take into account. The Climate Change Allowances (revised February 2016) recommend future flood risk is considered for development. This may include such actions as leaving open space for the improvement or construction of flood defences.	Agree - make changes	addition made to policy text and policy context box linking to Core Strategy Policy ENV4
132	Environment Agency	Dave	Hortin	General Comment	For consistency we would recommend that the waste management arrangement refer to our Local Planning Guidance for Local Authorities (attached to representation)	Agree - make changes	1e reworded and reformatted to reflect comments
133		David	Leitherd	Object	The urban boundary indicated on the Policy Maps around land to the south of Burnley Road Huncoat is incorrect. Documentation provided as part of representation as evidence for correct boundary	Agree - make changes	changes made to urban boundary
134	Ribble Valley Borough Council	Joanne	Macholc	General Comment	Officer comment only, not a formal response/resolution of the Council - the Policy Maps identify a large area of Ancient woodland abutting the boundary of Ribble Valley that appears to be incorrect	Further work required	mapping error resolved
135	Ribble Valley Borough Council	Joanne	Macholc	General Comment	Officer comment only, not a formal response/resolution of the Council - the Policy Maps identify woodland/grassland ecological network (under Policy DM18) that are schematic only and bear no relation to features on the OS base, as such it is difficult to make sense of the policy on the ground in relation to specific sites.	Further work required	additional text added into justification text to explain context of ecological networks from LERN and to aid interpretation and application
136		Michael	Demaine	Support	I fully support the initiative to control the quality of shop front design within the Borough, we have had to endure the industrial style barricades for far too long	Noted	
137	The Home Builders Federation	Matthew	Good	General Comment	The housing requirement (set in the Core Strategy) is based upon the now revoked RSS and as such can be considered out of date. This has implications not only for the forthcoming Site Allocations DPD but also policies within the DM DPD, such as affordable housing. It is therefore recommended that the Council consider reviewing their housing requirement as a matter of urgency. This could either be done through a partial review of the Core Strategy or as part of another DPD.	Noted	

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
138	The Home Builders Federation	Matthew	Good	General Comment	The HBF supports a flexible approach to applying the principles of Building for Life standard. Paragraph 5.7 of the justification text appears to offer such flexibility in that applicants will be expected 'to use the principles' set out in BfL 12, however the policy wording in para 1c is less flexible as worded and implies a rigid mandatory standard. The Council should clarify the flexible approach in the policy text itself.	Agree - make changes	removed 'and addressed' from 1c so that policy text is consistent with flexibility within the justification text
139	The Home Builders Federation	Matthew	Good	General Comment	The requirement for 20% affordable housing provision whilst consistent with the Core Strategy is extremely challenging evidenced by affordable housing delivery rates. The HBF note that a Plan Viability Study is planned and reserve our position upon the threshold and targets set out within the policy until further evidence is provided.	Noted	
140	The Home Builders Federation	Matthew	Good	General Comment	In identifying obligations the Council will need to take account of the need to ensure that the scale of obligations sought do not threaten the ability of the site to be developed viably and the need for a competitive return for a willing land owner and developer. The HBF encourage the Council to work with the development industry in the production of its viability study to ensure that the assumptions utilised are realistic.	Noted	
141	The Home Builders Federation	Matthew	Good	General Comment	The suggested split of housing tenure should not be applied rigidly to all sites as housing needs will vary across a LA area as well as over time. HBF note that this is acknowledged in the Guidance Note. The Council will need to take account of the forthcoming Government requirement for Starter Homes as the DPD progresses.	Further work required	Starter homes added into policy text and reference made to update once secondary legislation is published
142	The Home Builders Federation	Matthew	Good	Support	The HBF supports parts 1d and 5 of Policy DM12 which refer to viability considerations. This is considered an essential element of the policy given that the viability of individual sites will vary considerably	Noted	
143	The Home Builders Federation	Matthew	Good	General Comment	The Planning Practice Guidance clearly indicates that inclusion of access standards must be justified and based on clear evidence. The SHMA fulfils some of these requirements but there are obvious gaps, not least the issue of viability. Issues of accessibility and adaptability of existing stock, how needs vary across different tenures, and the overall impact upon viability all need to be addressed and clarified.	Further work required	The PVS models the access and space standards into the construction costs estimates and demonstrates that development is still viable in many circumstances in Hyndburn. As such the Council are retaining access and space standards within DM16

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
144	The Home Builders Federation	Matthew	Good	General Comment	The Planning Practice Guidance clearly indicates that inclusion of space standards must be justified and based on clear evidence of need, viability and timing. The Council is taking a one-size-fits-all approach. The HBF note that the Council intend to provide further evidence (para 5.40). This should assess the need for, and effects of, adoption of space standards on new-build and conversion, different tenure and house types as their adoption is likely to compromise viability.	Further work required	The PVS models the access and space standards into the construction costs estimates and demonstrates that development is still viable in many circumstances in Hyndburn. As such the Council are retaining access and space standards within DM16
145	Stephen Ward Planning Consultants Ltd	Stephen	Ward	Object	We object to the designation of ABP owned land in Great Harwood as an 'adequate' quality existing employment area as per the latest Employment Land Study. This is contrary to Core Strategy BD1 (para 5.55) and the land should remain undesignated/white land. We submit an alternative site appraisal proforma indicating why the sites are 'poor' quality.	Further work required	no change to policy text - provides sufficient flexibility to challenge site assessments through the DM process where necessary
146	Stephen Ward Planning Consultants Ltd	Stephen	Ward	Object	In the absence of any area specific studies or evidence to suggest ecological value at the specific locations in ABPs ownership covered by the 'Lancashire Woodland Ecology Network', it is considered that the proposed DM18 designation boundaries here are arbitrary. It is therefore requested that this policy layer be adjusted to exclude land within the ownership of ABP.	Further work required	Additional explanation added to justification text for Policy DM18 to explain purpose of network. Boundaries are not 'arbitrary' but are indicative and HBC cannot alter them
147	Stephen Ward Planning Consultants Ltd	Stephen	Ward	General Comment	The floorspace thresholds under para 4 of DM3 should be increased, and also the gross floorspace caps under para 7 in so far as they concern brownfield land that is either referred to in the Core Strategy and/or that is contained within a future Site Allocations DPD. Accordingly, the wording of DM3 should be amended to reference 'brownfield land referred to in the Core Strategy' and/or 'sites for which specific policy provision is set out in a future Site Allocations DPD'.	Further work required	Some thresholds have been increased following the Retail Thresholds Note, and reference to Site Allocations DPD made in 'Outside of Town Centre Locations' policy text to resolve other part of representation
148	Stephen Ward Planning Consultants Ltd	Stephen	Ward	Object	This point should be clarified as it could be interpreted as meaning the Developer must directly fund and be responsible for open space maintenance for 20 years, as opposed to funding the Council to do so if/when they accept responsibility to do so through formally adopting the open space.	Disagree - no changes	
149	Natural England			General Comment	Natural England welcome this policy, but suggest that it is broadened to include 'maintain' Hyndburn's habitats and biodiversity - the potential negative impacts of increased access on sensitive habitats, including designated sites, should be recognised and mitigation measures ultimately identified.	Agree - make changes	added 'maintained' into first line of policy text. Text added into para 6.12 as well.

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
150	Natural England			Support	Natural England welcome the inclusion of National Character Area Profiles for the Lancashire Valleys	Noted	
151	Natural England			General Comment	Natural England welcomes the inclusion of a policy for protected species. Standing advice is available on our website Natural England 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.	Agree - make changes	Details added to policy context table for DM19 and justification text.
152	Natural England			General Comment	Natural England welcome the references to soils, although recommend geodiversity is also covered. Soils form the thin layer of our geodiversity, linking the underlying geology with the land surface and atmosphere. Therefore it is important to make the link between geodiversity, biodiversity and soil resources. Further guidance on soils, including links to important publications such as 'Safeguarding our soils: A strategy for England' (Defra, 2009) can be found on Natural England website.	Agree - make changes	paragraph added to end of Policy DM18
153	Natural England			General Comment	Planning policies should take a strategic approach to the conservation, enhancement and restoration of geodiversity, and promote opportunities for the incorporation of geodiversity interest as part of development. LAs should ensure that appropriate weight is attached to the geodiversity interest of designated sites as well as geodiversity interests within the wider environment, and maximise opportunities to include geodiversity in and around developments as part of the design process.	Agree - make changes	footnote already added under rep 152, additional text also added to justification text.
154	Natural England			General Comment	Green Infrastructure (GI) is covered well in the document and within policies. in order to ensure green infrastructure delivers a wider range of benefits a specific green infrastructure policy is recommended to seek to deliver multifunctional green infrastructure. Natural England considers that the environmental objectives, and some of the social and economic objectives could be improved by further emphasising the importance of GI and its multifunctional benefits, which would assist in the delivery of a range of SA topic areas, e.g. biodiversity, landscape, health and wellbeing and climate change	Further work required	Additional text added into justificaion para however we have the strategic GI policy in the Core Strategy (Env1) and propose policy in the SA DPD, so GI is considered to be sufficiently covered
155	Natural England			Support	Natural England welcomes the Council employing ANGSt to assess open space provision and accessibility	Noted	

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
156	Natural England			General Comment	Natural England remind the Council that the plan must be screened with respect to the Conservation of Habitats and Species Regulations 2010 (as amended) to determine whether an Appropriate Assessment is required.	Further work required	
157		Christine	Coe	Object	I object to the tight restrictions shown in the draft core strategy for new buildings on greenbelt land. Single houses should be able to be built on the curtilage of individual's properties in greenbelt areas as Ribble Valley Council have allowed. This would have so little impact to the greenbelt and its rural environment	Further work required	No change. Ribble Valley policy on green belt (EN1 of the Core Strategy) does not permit such development within the curtilage of existing properties. Points 1a-d of DM34 are considered to provide sufficient flexibility for new buildings whilst protecting the purposes of greenbelt
158		Christine	Coe	Object	<p>It seems unfair that HBC is restricting new builds/replacing buildings for residential use as agricultural/forestry worker occupancy as it is quite common these days for farmers to have diversified. It also seems highly unlikely that these building will be occupied by the intended inhabitants. I would like the Council to support farm buildings made by any structure to be granted planning rather than current policies of just brick or stone buildings to be able to be extended or rebuilt. Many of the portal framework buildings would make excellent conversions to residential properties which would really improve the appearance of an existing structure and enhance the area sympathetically.</p> <p>I therefore ask you to relax this clause and allow new builds/ replacing buildings for other households whom reside in the greenbelt land and particularly on the urban fridges.</p> <p>A single house of quality construction in the correct areas would have very little impact on the rural environment and in many instances the overall appearance would enhance it especially if it has replaced a dilapidated farm building.</p>	Further work required	No change. Paras 4-6 of DM34 and the Permitted Dev Rights (referenced in para 8.10 justification text) are considered to provide sufficient and appropriate flexibility for conversion of existing buildings in green belt areas
159		Christine	Coe	General Comment	I support more development in the greenbelt land especially on urban fridges and within the curtilage of people's properties within greenbelt areas	Noted	

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
160		Dave	Coe	Object	It does seem strange that so many new-build restrictions apply on green belt land even though some of that land is actually on the curtilage of property already with buildings. Also, the restriction to named occupations whose applications would be accepted (paragraph 1 a) is extremely prohibitive. I would like to have seen recommendations where the main consideration was that the building was appropriate to the area, and met all current planning issues in that it was in keeping with the surrounding rural landscape, of good quality and could benefit the area.	Further work required	No change proposed. Points 1b-d of DM34 are considered to provide sufficient flexibility for new buildings (not restricted to occupations) whilst protecting the purposes of greenbelt
161		Dave	Coe	Object	The parameters quoted here are very restricting. Where an existing building is in a state of possible disrepair and because of the age and type of construction materials, regardless of what they may be, it looks fragile, surely it could be converted or better still rebuilt using modern materials, to a much higher specification. As long as the position, the character, the materials used, access and all other relevant criteria can be met and co-ordinated, and the end result is a quality dwelling which is in keeping with the surrounding rural landscape, this achievement would be acceptable rather than a new-build on green belt land.	Further work required	Re-build % increased from 30% to 50% to help address comments. Policy needs to provide a correct balance between protecting the greenbelt and aiding housing delivery in appropriate way
162		Dave	Coe	Support	It is encouraging to see that HBC have formulated this draft to encompass the many and varied planning issues listed and have also welcomed participation and comments from anyone who care to do so.	Noted	
163	Mcateer Associates Ltd	Tony	McAteer	General Comment	The requirement for schemes of 5 or more dwellings to consider and address Building for Life 12 criteria in the design of the scheme in the policy is unclear. The justification text (para 5.7) suggests a flexible approach which Morris Homes supports. However we would encourage the Council to make this more explicit within the text and policy as it was never the intention for this to be a mandatory standard for all developments.	Agree - make changes	removed 'and addressed' from 1c so that policy text is consistent with flexibility within the justification text
164	Mcateer Associates Ltd	Tony	McAteer	General Comment	The policy requires 20% affordable on sites of 15 units or more. Whilst conformity with the Core Strategy is important, it was adopted prior to final publication of the NPPF and the need to undertake a thorough plan wide viability assessment. Until the study is concluded it is difficult to ascertain whether the requirement and threshold remain valid. The Council's poor record of AH delivery suggests that 20% is too high.	Further work required	The PVS recognises that affordable housing provision is viable in certain circumstances and Policy DM12 is flexible enough to respond

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
165	Mcateer Associates Ltd	Tony	McAteer	General Comment	The requirement for landowners and developers to take account of cumulative costs of obligations and policies is usual in most development land transactions, however this should not be used as a reason to either retain or increase the level of contributions sought.	Noted	
166	Mcateer Associates Ltd	Tony	McAteer	General Comment	All references refer to the split in housing tenure being 60:40 between social or affordable rent and intermediate housing or based upon the latest housing needs evidence. It is important the Council does not seek to apply this split rigidly to all sites as needs vary across the area as well as over time. There may be significant implications for viability.	Further work required	No further changes considered necessary as Para 5.19 of justification text states the Council will adopt a flexible approach in negotiating a suitable mix
167	Mcateer Associates Ltd	Tony	McAteer	Support	Morris Homes supports the parts of the policy that refer to viability considerations. This is considered an essential element of the policy given that the viability of individual sites will vary considerably.	Noted	
168	Mcateer Associates Ltd	Tony	McAteer	General Comment	The Planning Practice Guidance clearly indicates that inclusion of access standards must be justified and based on clear evidence. The SHMA fulfils some of these requirements but there are obvious gaps, not least the issue of viability. Issues of accessibility and adaptability of existing stock, how needs vary across different tenures, and the overall impact upon viability all need to be addressed and clarified.	Further work required	The PVS models the access and space standards into the construction costs estimates and demonstrates that development is still viable in many circumstances in Hyndburn. As such the Council are retaining access and space standards within DM16
169	Mcateer Associates Ltd	Tony	McAteer	General Comment	The Planning Practice Guidance clearly indicates that inclusion of space standards must be justified and based on clear evidence of need, viability and timing. The Council is taking a one-size-fits-all approach. Morris Homes note that the Council intend to provide further evidence. This should assess the need for, and effects of, adoption of space standards on new-build and conversion, different tenure and house types as their adoption is likely to compromise viability.	Further work required	The PVS models the access and space standards into the construction costs estimates and demonstrates that development is still viable in many circumstances in Hyndburn. As such the Council are retaining access and space standards within DM16
170	Mcateer Associates Ltd	Tony	McAteer	General Comment	The Policy Map should be updated to relocate the urban boundary to include land south of Foxwood Chase, Huncoat granted planning permission. This would mean the site is located inside the settlement boundary and no longer allocated as a Countryside Area covered by emerging Policy DM34.	Disagree - no changes	

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
171	JWPC Ltd	Matthew	Wyatt	General Comment	It is requested that the Council carefully considers the future requirement to progress CIL charges within the Borough, given the contributions requested from developers via S106s. Persistend records of under-delivery and shortfalls in housing are obvious in the borough. JWPC have experienced CIL requirements elsewhere in northern england discouraging developer activity. Further financial contributions would be conterproductive to wider aims of promoting housing delivery.	Noted	
172	JWPC Ltd	Matthew	Wyatt	General Comment	The policy requirement to meet the minimum requirements of BREEAM may be superseded by other requirements introduced by the Government such as with the Code for Sustainable Homes. The Building Regulations ensure that town planning contributes towards energy-efficiency etc. Planning Officers are unlikely to review submitted info on BREEAM in any depth.	Further work required	BC Regs already provide 'Good' BREEAM rating for energy efficiency. Therefore if want to be aspirational need to go above this. BREEAM covers other aspects though beyond energy efficiency, and DM1 f) has been amended to link with DM26 Design policy (as per DM10 for housing) to cover BREEAM on a plan wide basis as opposed to just employment development. DM26 references Council priorities of Materials and Management within BREEAM categories
173	JWPC Ltd	Matthew	Wyatt	Object	The policy is too strict in requiring new office space to be located only within town and district centres. There is considerable demand for small B1 uses in more rural locations, increasingly following improvements in broadband. The policy should be more flexible to help support a prosperous rural economy as encouraged within Chapter 3 of the NPPF, and in line with recent more flexible PD rights for conversion of redundant rural buildings.	Further work required	additional policy text added
174	JWPC Ltd	Matthew	Wyatt	General Comment	The policy needs to provide much more information on how developers will work alongside Job Centre Plus. Employers are concerned to refuse employment from someone out of the area to avoid discrimination (contrary to equal opportunities legislation). Also an understanding of how planning enforcement would be progressed is required where the local Jobcentre Plus are not able to provide suitable candidates.	Further work required	Policy considered further but no changes made. The policy is seeking to 'encourage' the development of an employment strategy only, it does not insist on employees recruiting from the local area if suitable candidates are not available. The policy as worded leaves flexibility for developers as to how they apply this policy initiative

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
175	JWPC Ltd	Matthew	Wyatt	Object	The policy as stands will inevitably focus new hot food takeaways towards a number of concentrated areas that fall outside the exclusion area. Criteria B and C are therefore in conflict. It is also inherently unsustainable as it forces new proposals towards the fringes of the urban area, rather than towards accessible locations. It will also fail to impact on childhood obesity as most takeaways are closed until early evening and are far too expensive. It would be much more relevant to focus on Class A1 and A3 premises within the vicinity of schools due to opening hours, prices and products they sell.	Further work required	Policy amended to permit new proposals but restrict opening hours - this is considered to provide an appropriate balance between reducing impact on obesity and health, whilst not being overly restrictive on new proposals
176	JWPC Ltd	Matthew	Wyatt	General Comment	The emerging policy sets out that the Council will support proposals for the change of use of public houses to any other A or D1 use classes. This needs to be reworded since planning permission is not required to change the use of such premises to a development falling within Class A	Further work required	First paragraph deleted so comment resolved
177	JWPC Ltd	Matthew	Wyatt	General Comment	The requirements set for justifying demolition or change of use of a public house to any other use class are far too strict and the policy does not reflect the high number of public houses located in urban areas, which is typical of many former mill-towns in the North West. JWPC feel that the criteria should not be applied cumulatively and a change of use should principally be supported if (under Criterion C) the loss of the pub will not result in a shortfall of pub provision in the area. Only if the pub remains the last in the local area, should the remaining criteria be applied	Further work required	amendments made to policy text and justification text resolve these comments
178	JWPC Ltd	Matthew	Wyatt	General Comment	Requirements for marketing should be applied flexibly, bearing in mind that the need for a consistent period of 12 months' marketing would discourage investment on many old, struggling and vacant public houses that are in a rapidly deteriorating state. The Council should also come to their own view as to whether a public house is economically viable and CAMRA's Public House Viability Test is something which may change over the course of the Plan period	Further work required	no changes proposed after further consideration. 12 months is not considered an overly onerous duration and would not cause deterioration in the building fabric if investment was discouraged over such a short time. The CAMRA viability test is also deemed to be a comprehensive set of considerations for planners and unlikely to change significantly
179	JWPC Ltd	Matthew	Wyatt	General Comment	JWPC have no particular objection to the policy however it should be flexible enough to take on-board the significant changes currently being pursued by the Government (e.g. Starter Homes etc.)	Agree - make changes	Starter homes reference added into 1a, and footnote also added clarifying future update

RepID	Organisation	Name	Surname	Type	Summary of comment	Council Response	Action / change made
180	JWPC Ltd	Matthew	Wyatt	Object	JWPC object to the presumption against development within the curtilage of residential properties. The Council has fallen considerably short of targets for housing delivery, and the presumption against falls contrary to wider aims to significantly boost the supply of homes set out in the NPPF. The Council make adequate provision within Policy DM10 and the Council's Householder Design Guide SPD to resist inappropriate garden developments.	Further work required	Policy is proposed to be retained to provide further detail on Core Strategy H1. Due to the numbers of properties covered by this policy representing a small but significant (in townscape and quality of place) element of the housing stock it is not believed that the small contribution to housing supply (that their redevelopment may permit) would offset the negative impacts
181	JWPC Ltd	Matthew	Wyatt	General Comment	In our experience of dealing with such proposals, care providers will often prioritise the proximity and availability of public transport and services over car parking provision and open/space grounds in selecting sites. The location of such developments often focus on enabling occupants to remain an active part of the community and able to access local amenities. The policy needs to be more flexible so that it reflects the needs of future occupants.	Further work required	No change proposed on parking as standards in GN8 are 'maximum' as explained and justified on p169. Additional paragraph added into justification text regarding the open space aspect raised
182	JWPC Ltd	Matthew	Wyatt	General Comment	The requirement to demonstrate and consider Building for Life 12 could become out of date very quickly. Adequate provision is already set out in Parts 1 and 2 of the policy in terms of how new homes should be considered accessible and adaptable which is well within the spirit of intentions for the BfL scheme.	Disagree - no changes	
183	JWPC Ltd	Matthew	Wyatt	Object	The emerging policy should be amended to acknowledge the fact that in granting planning permission for the change of use of sites with former shopfronts, alterations to the principal elevations will often be required. Given that many urban areas are subject to low values, it is felt that such strict requirements for the conservation of shopfronts (of non-statutory listed buildings and outside conservation areas) would be harmful to investment within the Borough	Disagree - no changes	
184	Blackburn with Darwen Borough Council	David	Proctor	Object	Blackburn with Darwen objects to the proposed threshold of 2,000sqm for comparison retail proposals in Accrington because: - evidence has not been made available to support the figure; - it is not clear in the policy how 'Accrington' will be defined in terms of the requirement; and - the threshold is too high and will allow comparatively large retail proposals to be considered without an assessment of impact on existing centres thereby harming vitality and viability	Further work required	lower threshold of 1,000sqm for comparison Accrington applied to policy

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185	NJL Consulting	Nicole	Roe	General Comment	There appears to be no logic to having a different threshold for sequential assessment and impact assessments which will be difficult to apply in a sensible and meaningful manner. The lack of the Retail Thresholds Advice Note at this stage precludes confirmation of whether or not we agree with the approach.	Noted	
186	NJL Consulting	Nicole	Roe	General Comment	Paragraph states that small scale facilities will be acceptable if they contribute to a local parade or local centre. Such a restriction would hinder the delivery of local convenience stores which often stand alone to support a residential community and can equally be appropriate where they are located to serve areas with large numbers of employees such as Greenbank and Whitebirk. Furthermore, local centres and parades should be designated as such, in which case delivery of improvements to them would not be classed as out of centre development and Point 5 a) would not be necessary.	Further work required	local parades will be designated through the Site Allocations process. 'Or' added in between criteria 5a and 5b to resolve representation
187	NJL Consulting	Nicole	Roe	General Comment	We have serious reservations about the 'Outside of Town Centre Locations' element of the policy. If the policy remains in the current form it would have to <ul style="list-style-type: none"> - Clearly define the catchment areas of the settlements to ensure clarity on which threshold should apply; - Explain what would happen if a proposed development would sit on the edge of two catchments; and - Explain the approach that would be taken should a proposed development provide a combination of convenience and comparison goods floor space. E.g. B&M, would such a unit have to provide an impact assessment for purely the convenience goods element or for both? 	Further work required	amendments to policy covered by insertion of new footnote and editing of previous footnote 22
188	NJL Consulting	Nicole	Roe	General Comment	There should be some recognition of the role of the Peel Centre within the retail market and hierarchy of Hyndburn. It plays an important role accommodating largescale retail units which cannot be located within existing centres and provides a valuable facility, including for people who work close by because they can link trips to and from work with using the retail park. Policy should allow for the asset management of the retail park in a way that maximises its potential to provide the people of Hyndburn with a local alternative to retail park facilities within areas such as Bolton and Preston, encouraging more sustainable shopping patterns.	Further work required	no change proposed. The DM DPD is not the place for re-considering the retail hierarchy, and the Peel Centre is an out of centre location and will be treated as such under Policy DM3

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189	NJL Consulting	Nicole	Roe	General Comment	Grouping retail uses together is more sustainable than providing standalone facilities and there should be recognition of this fact through the Local Plan	Agree - make changes	added additional wording into para 3.20
190	NJL Consulting	Nicole	Roe	General Comment	Extending existing facilities should not be subject to the same thresholds as wholly new retail facilities as extensions will not have the same scale of impact as providing a new standalone retail unit e.g. it may be to provide more circulation space.	Further work required	based on vulnerability of centres and lack of quantitative need identified in the Retail Study it is proposed to apply thresholds equally to extensions - footnote added to policy confirming this
191	NJL Consulting	Nicole	Roe	General Comment	Lastly, the type of retailer that locates at a retail park such as the Peel Centre, would more often than not compete with a different level of store and centre than that provided in the lower order centres of Rishton etc. For example, the type of convenience goods shopping that is carried out in small newsagents and convenience stores is very different to the type carried out at larger format national multiple retailers.	Noted	
192	NJL Consulting	Nicole	Roe	Object	With all of the above in mind (set out in Reps 185-191) we would object to the policy as it currently stands and recommend that thresholds be set out which look at operator type rather than location e.g. Foodstores: 1,500sqm, non-food retail warehousing: 2,500sqm	Further work required	no further changes made beyond those covered under separate reps. Thresholds not set by operator type as this would become overly complex
193	NJL Consulting	Nicole	Roe	General Comment	The policy or supporting text should specify that impact assessments should be proportionate to the proposed development	Agree - make changes	wording added into para 3.24
194	Omega Atlantic	Katie	Dent	General Comment	Policy Context and Relationships table should make reference to both Core Strategy Policy A8: Strategic Employment Site at Huncoat, paragraph 5.47 and/or, in the main text, a reference to building on (or release of land from greenbelt) in 'special circumstances' and with reference to Policy 13, NPPF	Further work required	contacted Katie Dent (email 13/6) to seek clarity
195	Omega Atlantic	Katie	Dent	General Comment	Policy Context and Relationships table should make reference to Core Strategy policies T3: Motorway and Trunk Road Improvements and Policy A9: Whinney Hill Link Rd	Agree - make changes	core strategy policy ref added to context table
196	Omega Atlantic	Katie	Dent	General Comment	Policy Context and Relationships table should refer to Core Strategy Policy A8: Strategic Employment Site at Huncoat	Agree - make changes	added link into DM1 context table

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197	Omega Atlantic	Katie	Dent	General Comment	The strategic employment allocation at Huncoat is not identified under DM1 Existing Employment Area Assessment.	Noted	
198	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	Support	LCC is supportive of the DM DPD, and the broad themes and policy direction that it covers in respect of environment, community infrastructure, economy and sustainability. These complement LCC's core objectives expressed through its emerging Corporate Strategy and supporting policy documents. The general principles and strategic issues are also aligned with LCC's published Highways and Transport Masterplan for East Lancashire, specifically with regard to sustainable transport infrastructure and traffic and highway safety. Improvements in order to bring better consistency and clarity in this respect are suggested against specific policies.	Noted	
199	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	LCC suggests minor amendments to the paragraph and additional wording to clarify that contributions will be to address the direct impact of development, and that 'development will not be acceptable if it cannot address its impact on education where this necessitates provision of additional school places'.	Agree - make changes	wording added/amended in para 3 as requested. Additional wording proposed to para 3c revised and included as footnote rather than within the policy test itself
200	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	<p>i) This is a long term projection so we cannot assume that the birth rate will remain low through the lifetime of the plan.</p> <p>ii) LCC recognises that the viability of developments in Hyndburn is a concern but at the same time it must be recognised that a development can only be sustainable if it addresses its infrastructure needs and addressing the impact on school places is a key element of this.</p> <p>iii) there is a clear expectation from Government that local authorities will supplement education capital funding through developer contributions where this can be justified.</p> <p>iv) There are no details about how viability will be assessed. There is also concern that education has specifically been singled out, when there are many factors that influence the viability of a development.</p> <p>v) The County Council would welcome assurance that the Borough Council will consider the sustainability of a development if the impact on school places is not being addressed</p>	Further work required	Additional wording added to para of justification. Other amendments made to the policy also help address this representation

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201	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	LCC is in the process of rationalising its property portfolio through the Neighbourhood Centre review, which will reduce the number of public facing properties by half across Lancashire, providing public facing service provision in newly formed Neighbourhood Centres. It is anticipated the requirements of DM7.1(a) will have been achieved following this process and LCC will be in a position to re-use or dispose of the surplus properties as it sees fit.	Noted	
202	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	Insert 'this includes completing the Huncoat Greenway and improving and extending National Cycle Route 6 from Accrington town centre into Rossendale towards Ramsbottom' between the 3rd and 4th sentences of para 7.68	Agree - make changes	text added into justification text
203	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	The policies map shows both cycle routes that the county council aims to improve in Hyndburn but doesn't refer to the East Lancashire Cycleway. It is suggested that they are labelled 'East Lancashire Strategic Cycleway – 'Huncoat Greenway' and 'National Cycle Route 6'	Agree - make changes	routes added and layer renamed as 'Strategic Cycle Routes'
204	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	LCC's Planning and Public Health specialists should work with HBC planning officers, to undertake a health proofing exercise of the consultation draft policies. This may take the form of a rapid Health Impact Assessment (HIA), will enable any positive or negative health impacts of the neighbourhood plan policies to be identified. Recommendations can then be assessed and if required policy modifications could be made prior to the final submission version of the plan being prepared.	Further work required	Meeting held with LCC health contact. Advised to undertake health proofing exercise - LCC to provide comments/guidance on this to feed into the SA process
205	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	Policy context and relationships table should reference the Lancashire and Blackpool Local Flood Risk Management Strategy 2014-2017 as a material consideration, and this should also be taken into account in the plan making process.	Further work required	Reference added into Policy context table for DM20 so that it will be taken into account as a material consideration
206	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	It is recommended that policies within the DPD are reflective of and incorporate sustainable drainage systems (SuDS), water sensitive urban design and climate change principles from the earliest stage. It is noted that policy DM20 of the DPD does reflect the requirement for SuDS, where appropriate.	Noted	

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207	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	Support	The LLFA is pleased to note that paragraph 6.33 refers to the Water Framework Directive and associated Core Strategy Policy.	Noted	
208	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	LCC as the LLFA strongly recommends that paragraph 6.31 is amended to include the full range of criteria for FRA requirement as set out in the NPPF (paragraph 103, footnote 20)	Agree - make changes	reference to NPPF criteria added but not the detail as this may change over time
209	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	LCC as LLFA strongly recommends that any developer should submit a management and maintenance plan covering the lifetime of the development. This is required to ensure that the sustainable drainage system (SuDS) will not pose a future flood risk as a result of poor maintenance. Minimum requirements are set out in the representation.	Further work required	The PVS takes account of this in the construction costs estimates for the borough. Reference is made within the policy justification text to the ongoing maintenance of any measures implemented
210	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	The EA has updated guidance on how climate change could affect flood risk to new development - 'Flood risk assessments: climate change allowances' was published on gov.uk on 19 February. This guidance replaces previous 'Climate Change for Planners' note. All references should be updated.	Agree - make changes	reference added to context table
211	Lancashire County Council (Strategy and Policy)	Melissa	Sherliker	General Comment	Mineral Safeguarding Areas (MSAs) are defined by Policy M2 of the Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan and the Policies Map, a number of which are in Hyndburn. The Council will need to satisfy itself that the need for development outweighs the need to prevent the possible sterilisation of a possible mineral resource at some point in the future.	Further work required	Introduction re-formatted to clarify need to refer to LMW plan, and additional text added to DM DPD Policy Maps p181
212	Health and Safety Executive	John	Moran	General Comment	HSE recommends that para 172 of the NPPF is included in the links section of the policy context table as it is directly relevant to HSE land use planning policy	Agree - make changes	reference added into context table

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213	Health and Safety Executive	John	Moran	General Comment	It is stated there is only one major accident hazard installation in the Council area which is incorrect. There are 4 establishments within the borough boundary, there are also 2 located in Ribble Valley and Rossendale with consultation zones crossing into Hyndburn. There is also no reference to the consultation zones of major hazard establishments and major accident hazard pipelines (MAHPs). There are 8 MAHPs within Hyndburn. All relevant information on locations is available on HSEs extranet system along with advice on HSE's land use planning policy.	Further work required	Reference now made within the policy to the HSE website
214	Health and Safety Executive	John	Moran	General Comment	HSE advises that you contact the pipeline operators for up-to-date information on pipeline location, as pipelines can be diverted by operators from notified routes. Most incidents involving damage to buried pipelines occur because third parties are not aware of their presence.	Further work required	removed from policy maps and references made to HSE online mapping tool now
215	Health and Safety Executive	John	Moran	General Comment	Replacement of PADHI+. Planning authorities now are advised to use HSE's Planning Advice Web App. The Web App is a software version of the methodology used in providing land use planning advice. It replaces PADHI+. Further information on the Web App is available on HSE's website: http://www.hse.gov.uk/landuseplanning/padhi.htm	Agree - make changes	justification text in para 6.61 amended
216	CPRE Lancashire	Jackie	Copley	Support	CPRE Lancashire is pleased to see that in paragraph 2.3. a definition for sustainable development is given as it is an obvious omission from the NPPF, given it is what it aims to achieve. We are supportive of sustainable development is that 'which meets the needs of the present generation without compromising the ability of future generations to meet their own needs'	Noted	
217	CPRE Lancashire	Jackie	Copley	Support	CPRE Lancashire is pleased to note that where developers claim viability concerns open book appraisal will be required to make decision making concerning developer contributions more transparent.	Noted	
218	CPRE Lancashire	Jackie	Copley	General Comment	CPRE Lancashire believes for the planning system to be effective enforcement must be adequate.	Noted	
219	CPRE Lancashire	Jackie	Copley	Support	CPRE Lancashire is supportive of inclusion of bullet f) relating to energy efficiency and BREEAM technical guidance (www.breeam.com).	Noted	

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220	CPRE Lancashire	Jackie	Copley	Support	CPRE Lancashire is pleased to see the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas.	Noted	
221	CPRE Lancashire	Jackie	Copley	Support	CPRE is pleased to see that the key elements of the housing strategy are set out in the DM DPD	Noted	
222	CPRE Lancashire	Jackie	Copley	Support	We welcome Policy DM26: Design Quality and Materials, and that for 5 or more dwellings, requiring the applicant to demonstrate, through their Design and Access Statement, how they have considered and addressed the requirements of the 'Building for Life 12' assessment criteria in the design of their scheme, nor should schemes be overbearing.	Noted	
223	CPRE Lancashire	Jackie	Copley	Support	We are supportive of the open space and affordable housing policies particularly provision of 'on-site' housing to make sure they are built out in reality.	Noted	
224	CPRE Lancashire	Jackie	Copley	Support	We are supportive of the open space and affordable housing policies particularly provision of 'on-site' housing to make sure they are built out in reality.	Noted	
225	CPRE Lancashire	Jackie	Copley	Support	We commend the strong presumption against the development of housing within the garden or curtilage of residential properties, as we have seen a flurry of applications across Lancashire and arguably an erosion of local character and quality of place where they have been consented.	Noted	
226	CPRE Lancashire	Jackie	Copley	General Comment	Reference to the landscape and visual impact of a proposed housing development should be considered if the site is visible from open countryside to avoid adverse impacts.	Further work required	No change proposed to policy text as Policy Env3 of the Core Strategy covers this in detail, but policy link added into Policy context and relationships table.
227	CPRE Lancashire	Jackie	Copley	General Comment	In section six there is no mention of tranquillity, yet the NPPF references tranquillity in Paragraph 77, and 123, stating 'planning policies should identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.' Areas of notable tranquillity ought to be protected in policies relating to the natural environment.	Further work required	Noise is referenced in DM29 and, combined with the strong environmental policies in Section 6, is considered to adequately cover 'tranquility' in the Hyndburn context.

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228	CPRE Lancashire	Jackie	Copley	General Comment	Policy should refer to Hedgerows Regulations 1997 as a metric for decisions concerning hedgerows. Its omission from the policy is an error as by law the removal of most hedgerows must be prevented in line with the guidance on countryside hedgerows regulation and management	Agree - make changes	reference added into justification text of DM17
229	CPRE Lancashire	Jackie	Copley	Support	Policy DM18: Protection and Enhancement of the Natural Environment must accord with environmental protections set out by European and English courts. We applaud the reference of the National Character Area (NCA) Profile: 35 Lancashire Valleys, which is an important reference document for the landscape of Hyndburn with 36 Southern Pennines to the south and 33 Bowland Fringe & Pendle Hill to the north.	Noted	
230	CPRE Lancashire	Jackie	Copley	General Comment	Policy must accord with environmental protections set out by European and English courts and in accordance to guidelines for Ecological Impact Assessment in the UK, Council of the Institute of Ecology and Environmental Management (CIEEM), 2006.	Further work required	Policy references CIEEM guidance in 1a
231	CPRE Lancashire	Jackie	Copley	Support	With the incidence of flooding set to increase and understanding the disruption to businesses and households wherever they exist, we believe priority action is required to prevent future floods in the way new development is planned, combined with good land management practices and proper investment in flood defences. CPRE Lancashire is therefore pleased to use of a sequential test and exceptions test.	Noted	
232	CPRE Lancashire	Jackie	Copley	General Comment	CPRE hopes this policy helps to enhance local rural character	Noted	
233	CPRE Lancashire	Jackie	Copley	Support	CPRE Lancashire is supportive of renewables but the siting of wind turbine infrastructure is important as not to significantly adversely impact on rural landscapes. We are therefore pleased to note the policy states proposals should not have significant adverse effects, either as a stand-alone turbine or cumulatively, on landscape character and value and that the impacts on public rights of way and bridleways will be duly considered. It is right that the policy expresses the development of wind turbines in the Green Belt constitutes inappropriate development that harms the openness of the Green Belt.	Noted	

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234	CPRE Lancashire	Jackie	Copley	General Comment	CPRE Lancashire agrees that it is important Wind Turbine have an enforceable planning condition concerning decommissioning, restoration and aftercare plan and suggests a bond is agreed to cover the cost of restoration.	Further work required	text added to para 7.49 to reference bond on larger sites
235	CPRE Lancashire	Jackie	Copley	General Comment	CPRE believes in the inclusion of a waste hierarchy to encourage reuse, recycling in advance of waste landfilling.	Further work required	The policy has the waste hierarchy inherently built within it. The justification text also refers to the UK's landfill directive and Lancashire Waste Strategy both of which imply re-use, recycling and composting prior to landfill. As a result there are no changes proposed to the policy
236	CPRE Lancashire	Jackie	Copley	Support	CPRE Lancashire supports the assertion in Paragraph 7.57 concerning reducing reliance and use of the private car, and ensuring that development is located in accessible locations and can be accessed using a variety of modes of transport.	Noted	
237	CPRE Lancashire	Jackie	Copley	Support	CPRE Lancashire is pleased to see Chapter 9 dedicated to Rural Issues, as two thirds of the Borough is classified as rural.	Noted	
238	CPRE Lancashire	Jackie	Copley	Object	The policy refers more to what can be developed rather than heading the presumption against development and exceptional circumstances test. CPRE recommend that the five purposes of Green Belt should be explicitly referenced, with explicit reference to exceptional circumstances in the Local Plan to largely discourage planning applications to keep its openness and permanence.	Further work required	No changes. Policies should be positively prepared and the policy is considered to be structured as such, providing a balance between protecting green belt from inappropriate development whilst setting out acceptable forms of development. The NPPF is a material consideration in all decisions and policies within development plans should not simply repeat national policy set out in the NPPF.
239	CPRE Lancashire	Jackie	Copley	General Comment	Best and Most Versatile land is afforded extra weight against development in the NPPF and this should be explicit in the Local Plan policy wording. CPRE recommends that Policy DM35 should state that Best and Most Versatile land will not be permitted for development, except in exceptional circumstances.	Further work required	added text to criteria 1b of DM35 'except in exceptional circumstances'. Left reference to Best and Most Versatile land in case changes are made during life of the DPD then the policy will still cover this

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240	CPRE Lancashire	Jackie	Copley	General Comment	CPRE recommends the inclusion of wording relating to scale of buildings to fit in the context of local surroundings and not be unduly prominent, especially in Green Belt where the presumption against development to retain openness remains.	Agree - make changes	additional wording added to point 1c of DM36
241	CAMRA (East Lancs Branch)	Philip	Drew	Object	CAMRA object strongly as this would mean no opposition by the Council to change of use from Public House to restaurants, shops, financial/professional offices and 'non-residential institutions' (e.g. chreches, childrens nurseries and places of worship) even where the community value of a pub is recognised. Pubs need to be properly protected from inappropriate A or D1 use class applications. Also, 'other relevant policies' is a bit vague and these should be clearly stated.	Further work required	Deleted first paragraph as PD rights, and the fact that whole DPD should be read together anyway, largely replaces need for this statement
242	CAMRA (East Lancs Branch)	Philip	Drew	Support	This is very good	Noted	
243	CBRE Ltd	Edward	Harvey	General Comment	United Utilities welcomes the inclusion of Policy DM20 in regards to flood risk management and water resources. However, we recommend that the policy is split into three separate detailed policies to deal with flood risk, surface water and water efficiency, independently of each other.	Further work required	Policy not split however it has been expanded and restructured (sub-headings) to resolve representation
244	CBRE Ltd	Edward	Harvey	General Comment	In regards to the surface water drainage policy, we recommend expanding upon the existing Policy DM20, Point 2 to include additional details on the order of priority for surface water discharge, future maintenance and management, and the requirement for betterment in any redevelopment. Specific policy wording is proposed.	Further work required	Proposed wording added into policy text or justification text of DM20
245	CBRE Ltd	Edward	Harvey	General Comment	We welcome the policy reference to efficiency measures, however we recommend expanding upon the existing Policy DM20, Point 4 to create a new standalone policy. Specific policy wording is proposed.	Further work required	Sub-title added for water efficiency within policy and paragraph text amended to include points raised in representation
246	CBRE Ltd	Edward	Harvey	General Comment	United Utilities recommends the following text is included within the body of draft Policy DM25, in relation to health, well-being and residential amenity. "The proposed development of sensitive uses (such as residential) adjacent to existing sources of pollution (e.g. noise, odour, traffic etc.) must demonstrate through the submission of appropriate impact assessments that there would be no detrimental impact on future residential amenity."	Agree - make changes	additional text added into policy

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247	CBRE Ltd	Edward	Harvey	General Comment	United Utilities recommend that a detailed policy is included as part of the DM DPD in relation to infrastructure provision. This would help to ensure that, particularly with regards to large sites in fragmented ownership, that the practical issues of infrastructure strategy and delivery are considered up front. Specific policy text is proposed by UU.	Further work required	Policy GC2 renamed to include 'Infrastructure', new para added into both Policy and Justification text
248	Geolancashire	Andy	Wiggett	General Comment	Paragraph 6.11 refers to one site (Star Delph and Close Brow Quarry) as being recognised for its geological interest. The record held by Geolancashire indicates that there are two such sites, Snipe Rake Accrington SD787 293 and Oswaldtwistle Moor SD737 244.	Agree - make changes	Updated picture obtained and policy and maps amended to reflect other two sites located in Hyndburn
249	Geolancashire	Andy	Wiggett	General Comment	Footnote 66 to Policy DM18 states that the 'ecological network' includes the boundaries as defined by the Lancashire Environment Record Network. The Geoconservation sites are included within LERN and should therefore be notated as such on the Policy Map.	Agree - make changes	Geoconservation sites are now added and identified as a separate layer, though the policy recognises they form a part of the wider LERN role
250	The Woodland Trust	Nick	Sandford	Support	I have to say this is one of the best trees and woodland policies I have come across in nearly 10 years of working in policy for Woodland Trust. . In particular, we welcome your use of our Access to Woodland Standard, the 3 for 1 replacement ratio when trees have to be removed, the strong protection for both ancient woodland and ancient trees and your strong commitment to a continuing significant expansion of tree and woodland cover.	Noted	