

Hearing Statement for Matter 1: Compliance with Statutory Procedures and Legal Matters

Independent Examination of the Hyndburn Local Plan.

On behalf of Clowes Development and McDermott Homes.

Date: 28th August 2025 | Pegasus Ref: P25-0502 / R005v2

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Document Management.

| Version | Date | Author | Checked/ Approved by: | Reason for revision |
|---------|-------------|--------|--------------------------|------------------------|
| 1 | August 2025 | MD | PR | Peer Review |
| 2 | August 2025 | MD | PR | Client Review |



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1. Introduction

- 1.1. Pegasus Group are instructed jointly by Clowes Developments (UK) Limited and McDermott Homes (hereafter referred to as the Clients) to make representations to the Independent Examination of the Hyndburn Local Plan Inspector's Matters, Issues and Questions for Examination.
- 1.2. As the Council and the Inspector will be aware, our Clients have a live planning application on the former Huncoat Power Station site (Ref: 11/21/O657) which forms part of the Huncoat Garden Village. The application seeks permission for the *"Proposed redevelopment for up to 360 residential units, together with associated landscaping, open space, access and infrastructure"*.
- 1.3. The main aim of this Hearing Statement is to support the site at Huncoat Power Station, identified as a formal residential allocation, as part of the Huncoat Garden Village. This Hearing Statement seeks to clarify our Clients' position in relation to the review of the Plan to ensure that it is positively prepared, justified by evidence, and deliverable and can proceed to adoption.

Issue 1.1 – Has the Council met the statutory duty to cooperate as set out under Sections s20(5)c and 33A of the Planning and Compulsory Purchase Act 2004?

Duty to Cooperate

Q1.1 Has the Council complied with the duty to cooperate during the preparation of the Plan up until the date on which it was submitted for examination?

1.4. No comment.

Issue 1.2 – Has the Plan been prepared in accordance with other legal and procedural requirements?

Integrated Impact Assessment (IIA)

Q1.2 Has the Plan been prepared in accordance with other legal and procedural requirements?

1.5. Yes, the plan appears to be prepared in accordance with the necessary legal and procedural requirements

Q1.3 Is the baseline evidence sufficiently up-to-date and therefore adequate?

1.6. Yes, the evidence base is sufficiently up to date and adequate, notwithstanding our comments as part of Matter 9 just noting the age of the viability. This is not a fundamental flaw in the evidence, although it would have been useful to clarify the recent Homes England Funding secured towards the Garden Village and any other successful grants/funding streams that the Council have secured or are aiming for in the near future.

Q1.4 Is the IIA decision making and scoring robust, justified and transparent?

1.7. Yes, read in combination with the SA's for earlier iterations of the Plan, the IIA is sufficiently robust, justified and transparent.

Q1.5 Is it clear how the IIA has influenced the policies and allocations in the Plan and how mitigation measures have been taken into account?

1.8. No comment.

Q1.6 Has adequate consideration been given to ecological, and heritage matters in determining IIA scores?

1.9. No comment.

Q1.7 Low, medium and high employment and housing growth options were considered at Regulation 18 stage. Why are the high employment growth and the medium housing growth options preferred? What evidence supports these conclusions?

1.10. No comment.

Habitat Regulations Assessment

Q1.8 Has the HRA been undertaken in accordance with the Regulations and is it robust?

Consultation

Q1.9 Has the Plan been prepared in accordance with the Council's Statement of Community Involvement (HBC1.003) and statutory consultation requirements? Has all relevant and available evidence been made available for consultation, at the various stages of Plan preparation?

1.11. No comment.

Q1.10 What evidence is there that representations submitted in response to the submission Plan have been taken into account as required by Regulation 18(3)?

1.12. No comment.

Q1.11 Were adequate opportunities made available for participants to access and make comments on the Plan, and other relevant documents, in different locations and using different means both digital and non-digital?

1.13. No comment.

Other regulatory and procedural requirements

Equality

Q1.12 Have the requirements of section 149 of the Equality Act 2010 been met?

1.14. No comment.

Climate Change

Q1.13 Does the Plan, taken as a whole, include policies designed to ensure that the development and use of land in Hyndburn contributes to the mitigation of, and adaptation to, climate change in accordance with Section 19(A) of the Planning and Compulsory Purchase Act 2004 (as amended)?

1.15. No comment.

Neighbourhood Plans

Q1.14 Does the Plan set an appropriate framework, and allow an appropriate role, for any neighbourhood plans that may be prepared in the Borough?

1.16. No comment.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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