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Planning Policy Team  
**Hyndburn Borough Council**  
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Dear Sir/Madam,

**REPRESENTATIONS TO THE PROPOSED MAIN MODIFICATIONS  
HYNDBURN LOCAL PLAN 2040 (STRATEGIC POLICIES AND SITE ALLOCATIONS)**

**Introduction and Context**

These representations respond to the Council's Proposed Main Modifications ("PMMs") to the Hyndburn Local Plan 2040, published in March 2026.

They are submitted on behalf of Richborough (Representor ID 1609) and should be read alongside our Regulation 19 representations and Hearing Statements on Matters 1, 2, 3, 5, 8, 9 and 10, all of which are expressly maintained.

In short, Richborough contend that the Proposed Main Modifications fail to remedy the Plan's fundamental soundness defects. In several critical respects they exacerbate them.

Accordingly, even with the PMMs, the Plan remains not positively prepared, not justified, and not effective, contrary to the provisions of the NPPF.

The principal failings are unchanged:

- a profoundly imbalanced housing distribution, with sustainable Principal Town locations (notably Clayton-le-Moors) effectively excluded from growth;

- an over-concentration of delivery risk at Huncoat Garden Village, now explicitly acknowledged in policy but ignored in housing numbers; and
- a complete absence of contingency or flexibility within the housing land supply.

These matters were central to our earlier submissions. The PMMs do not address them.

### **Scope and Effect of the Main Modifications**

The Council asserts that the PMMs are necessary to make the Plan sound. That assertion is not borne out by the substance of the changes proposed.

The PMMs leave untouched the core elements of the strategy that were most heavily scrutinised at Examination through submissions made by ourselves and others, namely, the housing requirement, the spatial distribution of growth, and the reliance on a single strategic allocation. Instead, the PMMs largely comprise drafting changes and policy caveats which acknowledge risk without responding to it.

In particular:

- No new housing allocations are introduced to address acknowledged under-provision in sustainable locations;
- No reduction is made to the quantum of housing assumed at Huncoat Garden Village, despite strengthened policy wording which explicitly recognises significant delivery and infrastructure risk; and
- No contingency mechanisms are introduced to mitigate slippage should Huncoat fail to deliver as assumed.

The result is that the PMMs leave the Inspector with the same defective strategy, now more exposed by the Council's own acceptance of delivery risk.

### **Removal of Site H10 – Collapse of Housing Provision in Clayton-le-Moors (MM01, MM36, MM67 to MM71)**

The removal of Site H10 (Clayton Triangle) is acknowledged as a factual update reflecting that the site is under development. However, the consequences of that removal have not been addressed, with severe implications for the Plan's soundness.

Following the PMMs:

- Housing provision for Clayton-le-Moors and Altham is reduced to just 67 dwellings over the entire plan period, down from 194 dwellings in the Submission Plan.

This represents a near-elimination of planned growth in one of the Borough's most sustainable locations. Clayton-le-Moors forms part of the Principal Town, sits at the top of the settlement hierarchy, and benefits from public transport, services and proximity to employment areas. Yet it is now allocated well under 2% of the Borough's housing supply to 2040.

This outcome:

- hollows out Policy SP27, rendering it incoherent with Policy SP1;

- entrenches an extreme imbalance whereby over 40% of the Borough’s housing is directed to Huncoat while a comparable urban area receives virtually none; and
- removes a key element of flexibility from the supply, without replacement.

The removal of H10 without compensatory allocation does not merely fail to fix an existing weakness; it actively worsens the Plan’s resilience and effectiveness.

**Huncoat Garden Village – Risk Accepted, Strategy Unchanged  
(MM17, MM75)**

The PMMs materially strengthen policy safeguards at Huncoat Garden Village, including:

- explicit recognition of cumulative impacts on the Strategic Road Network;
- a requirement for National Highways confirmation before development proceeds; and
- confirmation that infrastructure funding, partners and processes must be secured prior to occupation.

These changes are significant. They amount to a clear acknowledgment that Huncoat Garden Village is high-risk, infrastructure-dependent and subject to long lead-in times—precisely the concerns raised throughout the Examination. However, the Council has failed to draw the only logical consequence of that acknowledgment.

Despite accepting the risk in policy:

- the assumed 1,500-dwelling contribution from Huncoat within the plan period is unchanged;
- no allowance is made for slippage beyond 2040; and
- no alternative supply is identified to mitigate under-delivery.

This creates a fundamental internal contradiction at the heart of the Plan, where risk is accepted in policy, but ignored in the housing numbers.

A housing trajectory that relies so heavily on a single strategic site, now subject to explicit pre-conditions and unresolved infrastructure dependencies, is inherently fragile. In the absence of contingency, it cannot be described as effective or realistic.

**Clayton-le-Moors and Bell Lane – Failure to Examine Reasonable Alternatives  
(MM67 to MM71)**

The PMMs leave Clayton-le-Moors effectively excluded from growth. This is not an accident of evidence, but a missed opportunity arising from a failure to engage with reasonable alternatives.

As set out in our Hearing Statements, the Bell Lane, Clayton-le-Moors site:

- comprises 4.5 ha of land adjacent to the urban area;
- was assessed in the Council’s own 2019 Green Belt Review (Arup) as making only a weak contribution to Green Belt purposes;
- is sustainable, available and deliverable, with an estimated capacity of circa 150 dwellings; and

- could contribute to early and mid-period supply, directly addressing the Plan’s acknowledged vulnerabilities.

Despite this:

- the site remains excluded;
- no alternative allocation is made in Clayton-le-Moors; and
- Green Belt land making stronger or moderate contributions is released elsewhere (notably at Huncoat and Altham).

This approach is neither proportionate nor justified. It suggests that reasonable alternatives have not been examined on a consistent basis, contrary to the NPPF. The PMMs do nothing to correct this failure. On the contrary, by reducing Clayton-le-Moors’ housing provision further, they strengthen the case for allocating Bell Lane.

### **Viability, Flexibility and the Council’s Own Evidence (MM35, MM35a, MM38)**

The introduction of differentiated affordable housing requirements and exemptions for older persons’ housing is supported. These changes reflect the Council’s own viability evidence and tacitly acknowledge that delivery under the submitted strategy is constrained.

However, that acknowledgment is not followed through in the spatial strategy. Instead:

- the Plan continues to rely on constrained brownfield sites and a single strategic allocation;
- no additional deliverable greenfield sites are allocated; and
- flexibility is reduced rather than enhanced by the removal of H10.

Reducing affordable housing percentages on paper does not resolve the underlying issue: the supply itself is brittle. Without diversification, the Plan’s delivery assumptions remain optimistic and unsupported by the Council’s own evidence.

### **Soundness Conclusions**

Taken as a whole, the Proposed Main Modifications fail all three core tests of soundness:

- **Not Positively Prepared:** The Plan fails to meet housing needs in the most sustainable locations and moves further away from the level of growth required to address Hyndburn’s structural challenges.
- **Not Justified:** The spatial distribution is extreme and unsupported by a proportionate assessment of reasonable alternatives, particularly in relation to Clayton-le-Moors and weak-performing Green Belt land.
- **Not Effective:** Delivery risk is acknowledged but unmitigated. The strategy has no resilience and no margin for error.

### **Further Main Modifications Required**

To render the Plan sound, we respectfully request that the Inspector recommend further Main Modifications to:

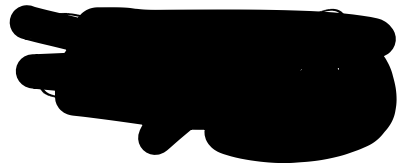
- a. Allocate additional housing land in sustainable Principal Town locations, including Clayton-le-Moors (notably the Bell Lane site), to restore balance and flexibility.


- b. Reduce the assumed in-period contribution from Huncoat Garden Village, reflecting acknowledged infrastructure and viability constraints.
- c. Rebalance housing provision away from over-reliance on Huncoat by allocating deliverable non-strategic sites capable of early and mid-period delivery.
- d. Introduce clear contingency and review mechanisms to protect the five-year housing land supply.

The Proposed Main Modifications do not cure the Plan's fundamental defects. Without further substantive change, the Local Plan remains unsound and inconsistent with national policy. We therefore urge the Inspector to recommend additional Main Modifications to secure a deliverable, resilient and genuinely plan-led strategy for Hyndburn to 2040.

Finally, we note that the Inspector's options are not confined to recommending further Main Modifications. Where a Plan is so fundamentally flawed that soundness cannot reasonably be achieved through modification, the Inspector has the option of recommending withdrawal. In this case, the Proposed Main Modifications fail to address and in certain respects worsen the Plan's core deficiencies in housing distribution, delivery risk and flexibility. One area of particular concern is that the Plan risks being out of date almost immediately upon adoption, given the growing disparity between the housing requirement proposed in the Plan (194 dwellings per annum) and the revised stock-based standard method introduced through the December 2024 NPPF, which indicates a current requirement of approximately 304 dwellings per annum for Hyndburn. In circumstances where delivery is already heavily dependent on a single high-risk strategic site, this creates a real and foreseeable prospect that the Council will be unable to demonstrate a five-year housing land supply shortly after adoption, with immediate policy consequences. Unless further substantive Main Modifications are made to rebalance the spatial strategy, reduce reliance on Huncoat Garden Village and introduce a robust, flexible and deliverable supply of housing land, the Plan remains incapable of being found sound. In those circumstances, withdrawal would be a legitimate and proportionate outcome in accordance with national policy and the examination process.

Yours sincerely,



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