

<b>REPORT TO:</b>		Council	
<b>DATE:</b>		15 <sup>th</sup> January 2026	
<b>PORTFOLIO:</b>		<b>Councillor Munsif Dad BEM JP - Leader of the Council</b>	
<b>REPORT AUTHOR:</b>		Chief Planning and Transportation Officer	
<b>TITLE OF REPORT:</b>		Local Plan – Main Modifications Consultation	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>Options</b>	Not applicable	
<b>KEY DECISION:</b>	<b>Options</b>	No	

## 1. **Purpose of Report**

- 1.1 To present the Main Modifications to the Council's Publication Draft Local Plan which the appointed independent Inspector has identified as necessary in order for the Plan to be found sound and legally compliant.
- 1.2 To seek Council approval for the Main Modifications and accompanying documents to be published for public consultation, together with approval of the proposed consultation arrangements.

## 2. **Recommendation**

- 2.1 That Council notes the Inspector's recommendations regarding the Main Modifications required to the Publication Draft Local Plan, as set out in the Inspector's post-hearing letter dated 27 November 2025 (Appendix 1) and detailed in the Main Modifications Schedule (Appendix 2).
- 2.2 That the Head of Planning and Transportation is granted delegated authority to make any necessary amendments to the Main Modifications and associated documents in order to correct errors and/or improve clarity prior to the commencement of the consultation period.
- 2.3 That the Main Modifications and associated documents are approved for the purposes of public consultation.
- 2.4 That all representations received during the consultation period are reviewed by officers and submitted to the Inspector for her consideration prior to the publication of her final report.

## 3. **Reasons for Recommendations and Background**

- 3.1 Preparation of a new Local Plan commenced in 2017. The Local Plan (Strategic Policies and Site Allocations) sets out the strategic vision, objectives, and spatial strategy for the Borough, including the strategic planning policies that will guide future development. It establishes a framework to ensure that development accords with the principles of the National Planning Policy Framework (NPPF). Covering the period 2021 to 2040, the Plan identifies the main locations for growth, including site allocations to meet development requirements of 194 dwellings per annum (3,686 dwellings in total) and 70 hectares of employment land.
- 3.2 Once adopted, the new Plan will replace the saved elements of the 1996 Local Plan, and the 2012 Core Strategy. The two key documents representing the full Development Plan for Hyndburn will then be the new Local Plan (the subject of this report), and the existing Development Management DPD 2018, which contains local (non-strategic) policies. The Accrington Area Action Plan will also remain in force as part of the development plan for Hyndburn.
- 3.3 The Plan has been subject to several stages of public consultation between 2018 and 2024. Following approval by Council, it was submitted to the Secretary of State for examination in March 2025. An independent Inspector was appointed to examine the Plan, and Public Hearing Sessions were held between 16 and 25 September 2025.
- 3.4 Following the Hearing Sessions, officers prepared a Schedule of Actions and submitted additional evidence to address matters of soundness raised by the Inspector. On 27 November 2025, the Inspector issued a post-hearings letter setting out the next steps and identifying any remaining concerns. The principal matters arising from that letter are summarised below:
- The Inspector confirmed that the Council has met the statutory Duty to Cooperate, demonstrating effective and constructive engagement with relevant bodies on strategic planning matters.
  - The Inspector was satisfied that there was no need to pause the examination pending the outcome of National Highways' funding bid for improvements to M65 Junction 8, which are required to support growth in the Huncoat area, including the Huncoat Garden Village strategic housing site.
  - The Inspector concluded that three sites proposed for addition to the Green Belt (land north of Blackburn Road, Oswaldtwistle; John Street and Tinker Brook Allotments, Oswaldtwistle; and land south of Moorfield Industrial Estate, Clayton le Moors) should not be designated as Green Belt, as exceptional circumstances had not been demonstrated.
  - The Inspector recommended the removal of housing allocation H4 (Land at Hopwood Street) due to concerns regarding deliverability and the absence of a realistic prospect of development within the plan period.
  - Amendments were required to Policy SP6 (Centre Hierarchy, Strategy and Retail Provision) to more accurately reflect the role of Hyndburn Retail Park as a predominantly large-scale retail and leisure destination.

- An amendment was required to Policy SP10 (Housing Provision) to reduce the affordable housing requirement on brownfield sites from 20% to 10%, reflecting viability evidence indicating that the higher requirement would be unviable.

#### Main Modifications

- 3.5 The above modifications, as well as those put forward by the Council during the Examination, those put forward in response to representations made by objectors to the Plan and those in response to questions put to the Council by the Inspector during the Public Hearing Sessions, are set out in full in a Main Modifications Schedule at Appendix 2 to this report.
- 3.6 The Main Modifications cover a wide range of matters and vary in their extent, some amending or replacing a single word, and others replacing an entire policy or section of text. All of the Main Modifications are necessary to ensure that the Plan is sound and legally compliant.

#### Proposals Map

- 3.7 The Proposals Map illustrates the spatial application of policies within the Local Plan. While it is not subject to consultation in its own right, where Main Modifications necessitate changes to the Proposals Map, these are illustrated in a separate schedule for clarity (Appendix 3).

#### Additional Modifications

- 3.8 Alongside the Main Modifications that are deemed necessary by the Inspector, there are a number of other minor changes to the Plan, called 'Additional Modifications'. These changes include the correction of typographical errors and updating of matters of fact. These Additional Modifications have no material impacts on the policies of the Plan and do not fall within the scope of the Inspector during the Examination of the Local Plan.
- 3.9 It is however, proposed that the Additional Modifications and associated changes to the Proposals Map are published alongside the Main Modifications. The proposed Additional Modifications are included at Appendix 4 to this report.

#### Sustainability Appraisal and Habitats Regulation Assessment

- 3.10 Sustainability Appraisal (SA) and Habitat Regulation Assessment (HRA) processes are two of the key legal tests for plan making. They are an integral and iterative part of Local Plan preparation and help to inform each stage of the process.
- 3.11 The Main Modifications and Policies Map Changes at Appendices 2 and 3 of this report have been subject to SA and HRA by the Council and no significant adverse impacts have been found. SA and HRA addendums will be published alongside the Main Modifications.

#### Consultation Arrangements

- 3.12 Public consultation on the necessary Main Modifications is required for the Inspector to be satisfied that all interested parties, not just those who participated during the Hearing Sessions, have had a chance to comment on them. Comments are only invited on Main Modifications, which are put forward without prejudice to the Inspector's final conclusions on the Plan. This is

not an opportunity to re-open matters that were addressed or could have been addressed during the Hearing Sessions.

- 3.13 The proposed consultation will run for a six-week period and will include the issuing of a press release, notification of all consultees on the Local Plan consultation database and statutory bodies, and the publication of consultation materials online and at local libraries, in accordance with the Council's Statement of Community Involvement.
- 3.14 It is proposed that the consultation commences on Friday 23 January 2026 and closes on Friday 6 March 2026, although this may be subject to change.

#### Next Steps

- 3.15 All representations received on the Main Modifications will be collated by the Council and sent to the Inspector for her consideration. Once the Inspector has considered the representations, she will set out her recommendations in her Report, which the Planning Inspectorate will send to the Council for publication. The Council is then obliged by the Town and Country Planning (Local Planning) (England) Regulations 2012 to publish the Report as soon as reasonably practicable.
- 3.16 The Local Plan will then be prepared for adoption, implementing the recommendations set out in the Inspector's Report. The Council will then need to take a decision on whether to adopt the Local Plan.

#### **4. Alternative Options considered and Reasons for Rejection**

- 4.1 To date, the Council has undertaken significant work on the development of the emerging Local Plan. This includes undertaking the wide range of evidential studies, at significant cost, to allow the Plan to progress to this stage.
- 4.2 The preparation of a Local Plan is a statutory requirement, and Government policy expects all local planning authorities to have an up-to-date Plan in place. Failure to accept the Inspector's Main Modifications would prevent the Plan from being adopted and would likely necessitate its withdrawal.
- 4.3 Such an outcome would have the following consequences:
- The Council would need to use the Government's Standard Method for calculating its annual local housing need. At present, for Hyndburn, this is 303 dwellings per year. This is greater than the figure contained in the new Local Plan (194 dwellings per year), although the NPPF requires a 20% buffer to be added where a housing requirement has been adopted in the last 5 years and is 80% or less than that Standard Method calculation. Therefore, upon adoption of the Plan, the Council's housing need would be 233 dwellings per year, still significantly less than the Standard Method calculation.

- The Council would be unable to demonstrate a five-year supply of deliverable housing land, increasing the risk of speculative and potentially unsustainable planning applications and reducing the Council's ability to resist inappropriate development.
- There would be no clear allocation of land for housing or employment development, risking under-delivery of homes and jobs.
- Delivery of key strategic sites, including Huncoat Garden Village, Altham Industrial Estate, and Whitebirk, could be jeopardised.
- There may be a risk of intervention by the Secretary of State.

## 5. **Consultations**

- 5.1 In accordance with legislative requirements, a wide range of stakeholders have been engaged throughout the preparation of the Local Plan. Six public consultations have been undertaken to date, alongside opportunities for participation during the Public Hearing Sessions held in September 2025.

## 6. **Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	<p>The recommendation will result in some future costs relating to the public consultation and costs to take the Plan through to adoption stage, although these costs have already been budgeted for.</p> <p>The Council has already incurred considerable costs linked to the Local Plan examination process and associated legal support to reach the current advanced stage.</p> <p>If the plan is not submitted it will be necessary to develop a financial strategy for the preparation of a new Plan for the Borough.</p>
<b>Legal and human rights implications</b>	N/a
<b>Assessment of risk</b>	There are several risks should Council not agree with the recommendation. See paragraph 4.3 of the report.
<b>Equality and diversity implications</b> <i>A <u>Customer First Analysis</u> should be completed in relation to policy decisions and should be attached as an appendix</i>	An Equality Impact assessment has been undertaken in support of the Local Plan.

to the report.	
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**7. Local Government (Access to Information) Act 1985:**  
**List of Background Papers**

- 7.1 Report to Council – 16 January 2025 – [Submission of Local Plan for Examination](#)  
Appendix 1 – [Inspector's post hearing letter, 27 November 2025](#)  
Appendix 2 – Proposed Main Modifications to the Local Plan  
Appendix 3 – Proposed Main Modifications to the Hyndburn Proposals Map  
Appendix 4 - Proposed Additional Modifications to the Local Plan

**8. Freedom of Information**

- 8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.