

EXAMINATION OF THE HYNDBURN LOCAL PLAN (STRATEGIC POLICIES AND SITE ALLOCATIONS) 2040

Inspector : Helen Hockenhull BA (Hons) B.PI MRTPI

Programme Officer : Tony Blackburn

Email: tony.blackburn@hyndburnbc.gov.uk

Adam Birkett
Head of Planning and Transportation
Hyndburn Borough Council
Scaitcliffe House,
Ormerod Street
Accrington
BB5 0PF

27 November 2025

Dear Mr Birkett,

EXAMINATION OF THE HYNDBURN LOCAL PLAN (STRATEGIC POLICIES AND SITE ALLOCATIONS) 2040

1. Further to the recent hearing sessions for the Hyndburn Local Plan held between 16 September and 25 September 2025, I write to set out the next steps for the Council in relation to the examination. I would first like to take this opportunity to thank the Council Officers for their constructive and helpful approach throughout the examination.
2. The Council prepared a Schedule of Actions following the hearing sessions and have produced a series of additional documents and evidence to address the soundness issues that I raised. These have been helpful.
3. This letter does not address all the issues discussed at the hearing sessions but rather focuses on the areas where I have soundness concerns or where the Council have requested guidance. For the avoidance of doubt, these matters are in addition to the modifications suggested and discussed at the hearing sessions.
4. My final conclusions regarding soundness and legal compliance will be set out in my report to be produced following consultation on the proposed Main Modifications (MMs).

Duty to cooperate

5. Following consideration of the submitted evidence, the discussion at the hearing and the Council's response to Action Point 2 (EL4.AP2) , I am satisfied that the duty has been met.

Huncoat Garden Village

6. We discussed at the hearing the need for improvements to the strategic road network to accommodate growth in the Huncoat area, namely improvements to junction 8 of the

M65, and the funding issues. These works are the subject of a RIS3 bid; the outcome of which is not likely to be available until March 2026. Helpfully National Highways attended the hearing and gave advice on how much development could come forward before the improvement works are implemented. As a result, I am satisfied that a pause in the examination to await the outcome of the bid is not necessary. As the Plan has been submitted under transitional arrangements and makes provision for less than 80% of the current standard method calculation of housing need, a review will be necessary on adoption of this Plan. Accordingly, should funding not be forthcoming, some limited development in the early plan period may still proceed and further growth in this area can be reassessed as part of the Local Plan review.

Green Belt

7. As submitted, the Local Plan proposes the addition of three new areas of Green Belt. At the hearing I requested further evidence on the exceptional circumstances to justify their inclusion. In the response to Action Points 7 and 8 (EL4.AP7,8,9), having considered paragraph 139 of the Framework, the Council have concluded that land north of Blackburn Road, Oswaldtwistle and John Street and Tinker Brook Allotments should not be included within the Green Belt. I concur. The Council have consequently put forward an amendment to the Policies Map.
8. In regard to the third site, land south of Moorfield Industrial Estate, an area of approximately 2.9 ha is proposed to be added to the Green Belt to the north of the motorway. New Green Belt should only be established in exceptional circumstances. I acknowledge that the Green Belt boundary in this location follows the line of pylons and does not form a defensible boundary. Therefore, an alteration of the boundary in this location to the edge of existing development would meet criterion f) of paragraph 143 of the Framework. However, I have had regard to paragraph 139, which sets out five criteria to be considered in the designation of new Green Belt. The evidence does not demonstrate that these are met. I am therefore not satisfied that there are exceptional circumstances to create new Green Belt in this location. An amendment should be made to the Policies Map accordingly.
9. At my request, the Council has provided document EL4.AP10, which sets out clearly the proposed amendments to the Green Belt boundary to take account of minor discrepancies that have come to light through digitalisation of the Policies Map. This is helpful to demonstrate that these very minor changes align the Green Belt boundary with the Borough boundary and the curtilage of existing residential properties thus creating defensible boundaries. These changes are justified, and I am satisfied that exceptional circumstances have been demonstrated.

Proposed Housing Allocations

Policy HP2: Land at Hopwood Street (H4)

10. The above site is allocated for 50 dwellings anticipated to come forward towards the latter part of the plan period. I have concerns that the site is not developable. It was allocated for housing in the 1996 Local Plan. Planning permission for residential use was granted in 2018 but has expired and there have been no further applications or pre application discussions. There is no information or update from the landowner. Whilst the site may be in a suitable location for housing, due to its topography there will be technical issues to resolve. Based on the evidence, I am not satisfied that there is a realistic prospect of the site coming forward. Unless the Council are able to provide

further evidence to demonstrate developability, the allocation should be removed from the Plan.

Ringstonhalgh Farm

11. After discussion at the hearing, I indicated that I would undertake a further visit to this site to assess whether or not the north-west site boundary as proposed, formed a defensible boundary to the Green Belt and whether the allocation should be extended further north to the existing hedgerow field boundary. The proposed boundary of the allocation forms a well-established public footpath bounded for the most part by post and wire fencing. With appropriate treatment it can provide a defensible boundary and become a new settlement edge. I therefore consider the extent of the allocation as proposed to be appropriate and sound. Extending the site further north, would require further Green Belt release, which would require justification and a demonstration of exceptional circumstances.

Policy SP6 Centre Hierarchy, Strategy and Retail Provision.

12. At the hearing I indicated I would consider the proposed retail hierarchy set out in the above policy. For the reasons I shall set out in my report, I find that the retail hierarchy is appropriate and justified. I do not consider that the policy is unsound with Hyndburn Retail Park defined as 'another commercial location' in part 3 of the policy rather than as a retail centre in its own right.
13. It was agreed at the hearing that the description of Hyndburn Retail Park as a predominantly bulky goods retail destination was incorrect having regard to the uses currently operating. In response to Action Point 5 (EL4.AP5), the Council has put forward a MM to Policy SP6 and also Policy SP31. These modifications would rectify this inaccuracy and are necessary for soundness.

Policy SP10 Housing Provision (including affordable housing)

14. Policy SP10 requires a contribution of 20% affordable housing on all sites of 10 dwellings or more or with a site area of 0.5 hectares. In relation to brownfield sites, the viability evidence (Ref HBC2.006) suggests that this would be unviable and recommends a contribution of 10%. I acknowledge that the Policy has some flexibility and subject to a viability demonstration would permit a lower contribution. However, to ensure the Plan is positively prepared and effective, I conclude that the Policy should be amended, and a 10% contribution be required on brownfield sites.

Next steps

15. As discussed with the Council at the conclusion of the hearing, work may continue on a schedule of MMs. This schedule should be based on the modifications suggested by the Council, those discussed during the hearing, and any required in response to this letter.
16. Once the schedule has been finalised, it will need to be published for consultation for a minimum period of 6 weeks. I will consider any representations made in response to that consultation as part of my examination of the Plan.
17. The schedule is likely to require sustainability appraisal and appropriate

assessment under the Habitats Regulations. That work should be carried out prior to the public consultation and the documents published alongside the schedule of MMs.

18. Whilst outside the scope of the examination, it would be appropriate for a schedule of changes to the adopted Policies Map, and any additional modifications that the Council intends to make to the Plan, to be published at the same time as the schedule of MMs. These documents as well as the MM schedule and the revised SA and HRA should be agreed with me before consultation.
19. I am not inviting comments on the conclusions reached in this letter. The consultation on the schedule of MMs will provide an opportunity for any further representations.
20. Please upload this letter on to the website as an examination document. If you have any queries, please contact me through the Programme Officer.

Yours sincerely,

Helen Hockenhull

INSPECTOR