



Local Development Scheme (LDS) 2025-2028

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Contents

1.	Introduction	3
1.1	The Purpose and Scope of the LDS	3
1.2	National Planning Policy	3
1.3	Devolution White Paper	3
1.4	Planning Reform.....	4
2.	The Current System	5
2.1	Types of Planning Document	5
3.	Current Planning Policy in Burnley	6
3.1	Burnley’s Local Plan	6
3.2	Supplementary Planning Documents (SPDs)	6
3.3	Statement of Community Involvement (SCI)	7
3.4	Authority Monitoring Report (AMR).....	7
3.5	Evidence Base	8
3.6	Minerals and Waste Local Plan	8
4.	Local Plan Review.....	9
4.1	What is a Review?	9
4.2	The First 5-year Statutory Review - July 2023	9
4.3	Future Review	10
4.4	Current Review Position	10
4.5	Conclusion.....	12
5.	Resources and Management	13
5.1	Staff Resources.....	13
5.2	Financial Resources.....	13
5.3	Risk Assessment	13
6.	Contacts	15

1. Introduction

1.1 The Purpose and Scope of the LDS

1.1.1 The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, requires the Council to prepare a Local Development Scheme (LDS) setting out its programme for the production of the ‘development plan documents’ that make up its Local Plan. It may include reference to other relevant documents.

1.1.2 This revision of the LDS supersedes all previous versions. It sets out a programme for the three-year period 2025-2028 and will be reviewed on a regular basis to ensure that it remains up to date. It replaces the previous LDS adopted in July 2023.

1.2 National Planning Policy

1.2.1 The National Planning Policy Framework (NPPF) (current version December 2024 as amended Feb 2025)¹ together with a number of other documents, including the Planning Policy for Traveller Sites 2024 and individual Written Ministerial Statements (WMSs), sets out the government’s planning policies for England and how they are expected to be applied. In order to be found ‘sound’, local plans must be consistent with national policy.

1.2.2 National planning policy is supported by online Planning Practice Guidance (NPPG) which is regularly updated. Whilst not officially falling under the label of ‘national policy’ but rather ‘guidance issued by the Secretary of State’, it is still in effect viewed as such. In any case, legislation requires that in preparing a local plan the local planning authority must have regard to national policies and advice contained in guidance issued by the Secretary of State. (PCP Act S192A)

1.3 Devolution White Paper

1.3.1 The English Devolution White Paper of December 2024² states that the government wants all remaining ‘two-tier’ local government areas in England to be replaced by single-tier ‘unitary’ authorities. This would mean that Burnley Council and Lancashire County Council would be abolished. The geographic extent of a future unitary council that would cover Burnley is not yet known, nor is whether any reorganization will take place in this Parliament.

1.3.2 The White Paper also restates the government’s ambition that all areas will ultimately have a Mayoral Strategic Authority (which will be formed by the constituent Unitary Councils) to deal with specific strategic matters.

1.3.3 On the 30 January 2025, the Lancashire Combined County Authority (CCA) came into being.³ This authority is formed by Lancashire County Council and the current unitary councils of Blackpool and Blackburn with Darwen. The CCA will only operate as established for an interim period until such time as it transitions to being a full ‘Strategic Authority’. The CCA currently has no statutory plan-making role (see 1.4 below).

¹ [National Planning Policy Framework - GOV.UK](https://www.gov.uk/government/policies/national-planning-policy-framework)

² [English Devolution White Paper - GOV.UK](https://www.gov.uk/government/policies/english-devolution-white-paper)

³ [Welcome | Lancashire Combined County Authority](https://www.lancashirecombinedcountyauthority.gov.uk/welcome)

1.4 Planning Reform

Local Plans

1.4.1 The government has indicated that it intends to pursue major reforms to the plan-making system based on the skeleton proposals set out in the previous government's Levelling Up and Regeneration Act 2023 (LURA). It has indicated that draft proposals will be issued in the earlier part of 2025 with the new system expected to commence in 2025. It has also indicated that national policies for development management will be published for consultation in Spring 2025. Their role in relation to statutory development plans is not clear.

1.4.2 The proposed transitional arrangements for moving to the new plan-making system mean that the Council would not be able to complete an update of its local plan under the current system even if it was to conclude that the current plan required updating; and the current lack of detail over the new plan-making proposals means it is impossible for the Council to establish the scope and timetable for any new-style local plan until at least workable proposals are set out in draft legislation/guidance (see section 4).

1.4.3 Similarly, it would not be sensible for the Council to commit to any new SPDs as these may no longer exist under the new system.

Strategic Plans

1.4.4 As set out in its English Devolution White Paper of December 2024, the government has indicated that it intends to pursue universal coverage of statutory strategic plans in the form of statutory 'Spatial Development Strategies' (SDS) at the sub-regional level and these will include certain strategic matters that would have otherwise been contained within a Local Plan. The CCA is likely to perform this role before a formal Strategic Authority is created from the future Unitary Councils across Lancashire, but it has no power to prepare an SDS at present.

2. The Current System

2.1 Types of Planning Document

2.1.1 Under the soon to be replaced current system there are three types of formal planning policy documents – Development Plan Documents, Neighbourhood Development Plans and Supplementary Planning Documents.

Development Plan Documents (DPDs)

2.1.2 Development Plan Documents (DPDs) set out policies and proposals and can allocate land. They make up (or comprise) a Council's Local Plan. They have statutory 'development plan' status and legislation requires that applications be determined in accordance with them unless material considerations indicate otherwise. In their preparation they must be subject to community involvement and Sustainability Appraisal/Strategic Environmental Assessment, and before being adopted they need to be independently examined by a Planning Inspector appointed by the Secretary of State. DPDs have to be included in the LDS.

Supplementary Planning Documents (SPDs)

2.1.3 Supplementary Planning Documents (SPDs) do not have statutory development plan status but are material considerations in respect of relevant planning proposals. They are useful in providing more detailed guidance and support for policies and proposals in DPDs. They have the advantage of being quicker to prepare as they are not subject to independent examination. They cannot allocate land. They do not have to be included in the LDS.

Neighbourhood Plans

2.1.4 The 2011 Localism Act introduced new rights and powers allowing the community to help shape future development in their area by coming together to prepare a Neighbourhood Development Plan (Neighbourhood Plan).

2.1.5 In December 2016, Worsthorne with Hurstwood Parish Council submitted a formal application to Burnley Council for a 'Neighbourhood Area' for the Parish, with an intention to prepare a Neighbourhood Plan. This was approved on 31 March 2017. The Parish Council established a Neighbourhood Plan Steering Group comprising Parish Councillors and local residents and started the formal process of preparing the Neighbourhood Plan.⁴

2.1.6 To date, this work has included the following:

- The identification of a number of Key Issues by the Steering Group, followed by informal consultation in early 2023
- The publication of evidence base documents to support the emerging Neighbourhood Plan – a Housing Needs Assessment, a Design Guide and a report on Biodiversity and nature conservation/recovery in Worsthorne-with-Hurstwood
- Regulation 14 Consultation on a Draft Plan in March/April 2024

2.1.7 The Parish Council is now working on the Submission Version of the Neighbourhood Plan.

⁴ [Neighbourhood Plan - Worsthorne with Hurstwood Parish Council](#)

3. Current Planning Policy in Burnley

3.1 Burnley's Local Plan

3.1.1 Burnley's Local Plan 2012-2032 was adopted on 31 July 2018. It sets out strategic planning policies and identifies site specific allocations (other than those required to meet the needs of Gypsies and Travellers) together with detailed development management policies.

3.1.2 During the Examination of Burnley's Local Plan, the Inspector raised concerns regarding the proposed Gypsy and Traveller Site Allocation at Oswald Street (Policy HS7 – Site GT1). In order to allow the Examination of the Local Plan to conclude, it was proposed to remove this site from the plan and to address the issue in a separate Gypsy and Traveller Site Allocations DPD. This approach was confirmed in the January 2018 LDS and the February 2020 LDS, but work on this has now been put on hold – see Section 4.

3.1.3 The Council's Local Plan would therefore have consisted of 'Burnley's Local Plan' and a 'Gypsy and Traveller Site Allocations DPD'.

3.2 Supplementary Planning Documents (SPDs)

Current SPDs

3.2.1 A number of new SPDs have been developed to support the policies in the new Local Plan. These are material considerations in respect of relevant planning proposals. They are listed in the Table below.

3.2.2 Two older SPDs which were written to support the former Local Plan of 2006 i.e. the Public Realm Strategy for Burnley Town Centre SPD and the Public Realm Strategy for the Weavers' Triangle SPD have been retained for the time being as informal guidance. Whilst these have significantly reduced weight in planning decisions, where these remain consistent with the NPPF and a current local plan approach, they can still be regarded as material considerations and can be helpful in decision-making.

Document Title	Date of Adoption
Shopfront and Advertisement Design SPD	(Adopted June 2019)
Developer Contributions SPD	(Adopted December 2020)
Air Quality Management: Protecting Health and Addressing Climate Change SPD	(Adopted December 2020)
Houses in Multiple Occupation and Small Flats SPD	(Adopted April 2022)
Local List SPD	(Adopted April 2022)
Planning for Health SPD	(Adopted October 2022)
Residential Extensions SPD	(Adopted October 2022)
Burnley Town Centre Public Realm Strategy SPD	(September 2011)
Weavers' Triangle Public Realm Strategy SPD	(September 2011)

Additional SPDs

3.2.3 The February 2020 LDS proposed a further SPD, the Design Guide: Addressing Quality and Climate Change SPD.

3.2.4 Preparation of this was to commence in 2020 and be led by consultants appointed by the Council. £40,000 was set aside for this work. This SPD was also put on hold in 2020 in view of indications in the then government's proposed planning reforms that 'Design Codes' were to become mandatory as part of the local plan and that councils would no longer be able to prepare SPD's. Design Codes, being more prescriptive than Design Guides, are likely to require additional resource. The report considered by the Council's Executive on the 12 of July 2023 confirmed that this document is being put on indefinite hold until matters become clearer. (See section 4)

3.3 Statement of Community Involvement (SCI)

3.3.1 The 2004 Act also requires Local Planning Authorities to prepare a Statement of Community Involvement (SCI). The SCI describes how the Council will engage with communities and others in preparing planning documents such as the Local Plan and in dealing with planning applications. They do not have to be included in the LDS.

3.3.2 The current SCI was adopted in July 2015.⁵

3.3.3 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 introduced in 2017, provides that local planning authorities must review their SCIs every five years from the date of their adoption. The Act already required SCI's to be kept under review, but the new Regulation formalises this requirement. SCI updating can be done with or without consultation.

3.3.4 The required review was undertaken in February 2020 and the resulting LDS identified that whilst the SCI still adequately reflected the current plan-making system, resources had been reduced since 2015 and feedback on the post-2015 local plan consultation undertaken had included some criticism; and, that where resources permit, the Council always needed to look to improve plan-making consultation. It also identified that the Development Control Team had recently moved offices and were recruiting/restructuring and implementing a new planning applications software package. It concluded that the SCI would benefit from some minor updating.

3.3.5 Work on this updating had commenced in 2020 but was delayed, initially due to the Coronavirus pandemic, but later put on hold pending the outcome of the proposed planning reforms set out initially in the White Paper – 'planning for the future' (Aug 2020) and then in the Levelling Up and Regeneration Bill 2022 (LURB) as these would significantly alter the procedures for plan-making and consultation.

3.3.6 As a result, the Council resolved at its Executive meeting on 12 July 2023 that it was not sensible to proceed with an update to the SCI at that time, but that this matter be revisited by Spring 2024 - see Section 4.

3.4 Authority Monitoring Report (AMR)

3.4.1 The Authority or Annual Monitoring Report (AMR) measures plan-making progress against the timetable set out in the LDS and the extent to which planning policies and objectives are being achieved. It is published at least annually. The latest AMR for 2023/4 was published in December 2024.⁶

⁵ [Statement of Community Involvement - burnley.gov.uk](https://burnley.gov.uk/statement-of-community-involvement)

⁶ [Annual Monitoring Report and Statistics - burnley.gov.uk](https://burnley.gov.uk/annual-monitoring-report-and-statistics)

3.5 Evidence Base

3.5.1 Local Plans should be based on robust evidence and this is essential in demonstrating the 'soundness' of a plan at Examination. Refreshed evidence can also indicate the need for a Plan review. A list of the key and most recent evidence base documents is set out in the Council's [AMR](#).

3.5.2 In preparing a Local Plan, Council's must demonstrate evidence of having effectively cooperated on strategic matters with cross-boundary impacts, including to meet development requirements which cannot wholly be met within their own areas. Wherever possible, Burnley Council has sought to produce joint evidence with one or more neighbouring authorities. A Duty to Cooperate report was produced to inform Burnley's Local Plan Proposed Submission Document consultation.

3.5.3 In January 2025, the Council successfully bid for funding from the government to update its 2016 Green Belt Review to reflect the revised national policy in the December 2024 NPPF, including the introduction of the new concept of 'Grey Belt'.

3.6 Minerals and Waste Local Plan

3.6.1 Lancashire County Council is responsible for minerals and waste planning matters in Burnley and prepares a separate development plan. This currently comprises the Joint Minerals and Waste Local Plan Core Strategy (Feb 2009) and Site Allocations and Development Plan Policies (September 2013). [Local planning policy for minerals and waste - Lancashire County Council](#)

4. Local Plan Review

4.1 What is a Review?

4.1.1 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 introduced in 2017⁷, provides that local planning authorities must review their plans every five years from the date of adoption. Section 17 of the Planning and Compulsory Purchase Act 2004 (PCP Act) requires them to publish their reasons if they consider (through the review) that no update to their local plan is necessary. Section 17 already required local plans to be kept under review and is done informally as a matter of course through the Council's AMR; but the new Regulation formalised this requirement.

4.1.2 The terminology surrounding plan reviews and updates is confusing and so for clarity we have set out what each term means below:

Statutory Review:	This is the exercise required every five years from the date of the plan's adoption to look in detail if a plan update is required – the first was done in 2023 and the next would be due in 2028. This would be a formal decision of the Council's Executive
Formal Review/ Earlier Review:	This would be an equivalent exercise to look in detail if a plan update is required – carried out whenever this is considered necessary or advisable. This would be a formal decision of the Council's Executive
Informal Review:	This means a judgement on whether a Formal/Earlier Review (as above) needs to be undertaken. This is done at least annually through the annual Authority Monitoring Report (AMR) but is also done whenever there are significant changes which could potentially affect the plan's effectiveness. Whilst this is normally an officer decision, the AMR is normally considered by the Council's Scrutiny Committee, and the matter is regularly discussed with members and the portfolio holder via formal and informal briefings.
Plan Update:	This means a new local plan or partly revised plan. In practical terms in Burnley, it means a new Local Plan with a new end date (normally 15 years from its adoption).

4.2 The First 5-year Statutory Review - July 2023

4.2.1 A report and review documents were considered by the Council's Executive on 12 July 2023 and the Committee resolved not to commence an update of Burnley's Local Plan 2012-2032.

4.2.2 It further resolved to put on hold the production of the Gypsy and Traveller Site Allocations DPD until such time as *inter alia* the outcome of the proposed planning reforms set out in the then LURB became clearer; and that this matter was to be revisited by spring 2024.

4.2.3 The reasons for the decisions are set out in the Committee Papers which are available on the Council's Website⁸ and the matter was to be kept under (informal) review.

⁷ [The Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017](#)

⁸ [Local Plan Review - burnley.gov.uk](#)

4.3 Future Review

4.3.1 As set out above, a statutory review is only required every 5 years and would not therefore be required before 31 July 2028. A new local plan will need to be in place by 31 July 2032 so would need to be started no later than 2028. It is likely that the new plan-making system discussed in Section 1.4 will require a new-style local plan to be commenced before the next statutory review is due, and possibly before a formal/earlier review (and any update proposed as a result of that review) is considered necessary by the Council.

4.3.2 The need for a formal/earlier review (i.e. before July 2028), which could identify the need for a new plan is kept under constant (informal) review in the light of the plan's delivery and changes to national policy and legislation.

4.3.3 The performance of the Local Plan is assessed annually through the AMR to see if a formal/earlier review may be required before its end date of 2032. If officers identified this potential, a report would be brought to Executive regardless of any statutory review requirement as it is open to a Council to review/update its local plan at any time whether or not legislation requires, or national policy or guidance expects this.

4.3.4 A new NPPF was issued on 12 December 2024⁹ and any new plan would need to be consistent with its policies; and as its policies are a material consideration in determination planning applications, changes to its content inform the decision on whether to undertake a formal/earlier review.¹⁰

4.4 Current Review Position

4.4.1 We remain part-way through the Local Plan-period, 6.5 years from its adoption and 12.5 years into its 20-year lifespan. The plan was written to be flexible and forward-looking, particularly in terms of anticipated population and household growth and proactive regeneration activity; and it is remarkably on track in terms of the overall quantum of development for housing (market and affordable), employment development and retail and leisure development.

4.4.2 Since the 2023 Statutory Review, the annual AMRs for 2022/23 and 2023/24 have been published and demonstrate that this ambitious Local Plan with its housing requirement 373% above the previous standard method figure (which was in place until 11 December 2024) (194 dwellings per annum (dpa) as opposed to 52) and its delivery of at least 210 dpa planned for, is exceeding its annualised targets - averaging 231 net additional dwellings per annum. In December 2024, the borough passed the government's latest Housing Delivery Test with a performance of 603%. Delivery under this test includes other sources of supply that aren't counted under Burnley's Local Plan Policy SP2 (but would be counted in any new plan requirement e.g. an allowance for C2 accommodation) and show average annual delivery over the three-year period measured of 316 net additional dwellings. The plan provides a clear strategy and framework for delivering housing and plan-led development and provides the best opportunity to deliver development speedily and to align it with infrastructure requirements.

4.4.3 This successful delivery is contributing to the Plan's objective of meeting the full spectrum of housing needs of the borough over the plan period, and thus the needs of the wider country "To

⁹ [National Planning Policy Framework - Guidance - GOV.UK](#)

¹⁰ "The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this Framework has made." P231 NPPF Dec 2024

support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.” (December 2024 NPPF, P61). It is also delivering a majority of its new housing on brownfield land.¹¹

4.4.4 In its response to the government’s consultation on the proposed new ‘standard method’ last year, the Council raised concerns about the precise methodology proposed, how the resulting figures would be applied and the ability of Burnley to meet these figures if they are applied too rigidly. A slight adjustment to the final methodology has been made by the government, but some of the concerns raised still remain.

4.4.5 How this new standard method figure is applied in a new local plan is a matter for future consideration and the NPPF at Para 69 states that: *“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period”*.

4.4.6 The NPPG on Housing and economic needs assessment¹² states that:

- *“The standard method set out below identifies a minimum annual housing need figure, and ensures that plan-making is informed by an unconstrained assessment of the number of homes needed in an area. It does not produce a housing requirement figure. [P002]*
- *The standard method should be used to assess housing needs. However it is recognised that there are some specific circumstances in which an alternative approach could be justified, for example as explained at paragraph 014 below. [P003]*
- *Once local housing need has been assessed, as set out in this guidance, authorities should then make an assessment of the amount of new homes that can be provided in their area. This should be justified by evidence on land availability, constraints on development and any other relevant matters.” [P040]*

4.4.7 MHCLG has confirmed that the standard method local housing need figure is a “policy off” figure not an automatic plan requirement and that plans are expected to meet as much of it as possible bearing in mind their particular constraints and circumstances.

4.4.8 How they meet any new requirement would also be a matter for future debate, but it would be a combination of new build, conversion/change of use and the re-occupation of empty homes and would include allowances for communal accommodation e.g. students, HMO's and care homes which are not currently included in the supply against Policy SP2. The Council is also awaiting the overdue updated ONS sub-national population and household projections which will also inform

¹¹ NPPF Dec 2024 Para 124: “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”⁴⁹

¹² [Housing and economic needs assessment - GOV.UK](#)

many aspects of its future plan-making¹³. Updated planning practice guidance on key plan matters is also still awaited.

4.4.9 The Council can demonstrate a 5-Year Housing Land Supply against the current plan target and potentially against the new standard method local housing need figure – although the latter is not currently relevant. The land supply position is expected by national policy to be updated annually, and so Burnley’s position would be updated by October 2025. By that time the Council will have a fuller picture to be able to reassess the situation.

4.5 Conclusion

4.5.1 Notwithstanding the changes set out in the 2024 NPPF, there is not considered to be a need to undertake a formal review of the Plan at the present time i.e. with a view to determining whether a new local plan is necessary, nor is this considered to be required either through legislation or national policy. Having been reviewed within the last five years and not found to need updating and in view of the positive positions in respect of five-year housing land supply and the housing delivery test and the positive role the plan current plays in helping to deliver housing and other development, means that the plan is ‘up to date’.

4.5.2 This position remains under constant informal review (at least annually).

4.5.3 For the reasons summarised in section 1.4 it would not be sensible for the council to embark on a new local plan that it would be unable to complete, even if one were considered necessary; nor is it possible to set out any meaningful timetable for a new-style local plan until things become clearer later in 2025. As stated in 4.3, it is likely the Council will be required to start on a new-style local plan well before the next statutory review is required in 2028.

¹³ Release dates: SNPPs 9 May 2025 (provisional). SNHPs August to September 2025 <https://www.ons.gov.uk/>

5. Resources and Management

5.1 Staff Resources

5.1.1 The Planning Policy team which sits within the Economy and Growth Unit, currently consists of 4.2 FTE posts.

- Planning Policy Manager
- Principal Planner
- Principal Planner (part-time)
- Senior Planner (part-time and currently seconded for part of their part-time to Development Management until 30 September 2025)
- GIS and Monitoring Officer.

5.1.2 As well as the production, review and monitoring of DPDs and SPDs, officers also provide support to development management on planning applications and appeals and provide planning policy information to the public and other Council departments. A significant proportion of the time of the post of Principal Planner (part time) is committed to supporting the implementation of heritage initiatives and buildings at risk.

5.1.3 The team receives limited but valuable support from staff across other service areas including other teams within the Economy and Development Unit, and from other service units including Green Spaces and Amenities, Environmental Health, Housing, Policy and Engagement, and Legal and Democracy

5.2 Financial Resources

5.2.1 There is/would be a dedicated budget for any new Local Plan to cover the costs of the agreed work programme.

5.3 Risk Assessment

5.3.1 The planning policy team have project management procedures in place to ensure work is undertaken in a timely and efficient manner. This includes considering risks and taking actions to mitigate these where this is within the Council's control. The LDS Risk Plan is set out in the table below:

Risk	Impact	Mitigation Measures
Insufficient Budget	Low - High	Dedicated budget to cover planned work; Seek to retain staff to avoid reliance on consultancy staff at additional expense
Unfilled vacancies/staff turnover	High – potential loss of knowledge and work slippage	Provide satisfying work, a supportive environment and opportunities for personal development; Employ temporary staff/consultants if required; Explore joint working with other authorities
Programme change due to political process or change in direction	High – potential to delay plans or introduce requirements for entirely new plans	Agreement of the Local Development Scheme; Involving Members fully in the process through briefings and training.
Unforeseen	Medium – staff diverted to	Team work-programming and the

additional work	other work streams such as appeals or major regeneration schemes, neighbourhood planning,	management of other work demands to enable adherence to the LDS and other statutory commitments e.g. Local Plan Review, AMR - which would be given priority over other competing demands
Changes to the planning system	High – changes will affect timescales or lead to demands outside of council's control	Changes likely to continue and difficult to mitigate against. Team is constantly horizon-scanning to predict, comment on and anticipate changes.
Local Government Reorganization	High – changes will affect all aspects of work	Changes likely within this parliament and difficult to mitigate against. Team is constantly horizon-scanning to predict, comment on and anticipate changes.

6. Contacts

6.1.1 For further please see the Council's website at:

www.burnley.gov.uk/planning/planning-policy/ or contact:

Policy & Environment Team
Economy & Development
Town Hall
Burnley
BB11 9SA

Tel: 01282 425011

Email: localplan@burnley.gov.uk

