

Burnley Borough Council

Worsthorne with Hurstwood Neighbourhood Development Plan: Decision Statement published pursuant to the Localism Act 2011 Schedule 38A (9) and Regulations 19 & 20 of the Neighbourhood Planning (General) Regulations 2012

Decision

NOTICE IS HEREBY GIVEN that Burnley Council has decided by resolution at Full Council on 3 December 2025 to make Worsthorne with Hurstwood Neighbourhood Plan under Section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended by the Neighbourhood Planning Act 2017), and under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

In accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, following a positive referendum result on the 4 November 2025, the Worsthorne with Hurstwood Neighbourhood Plan now forms part of the adopted Development Plan for the Borough of Burnley.

1. Introduction

- 1.1 This document sets out the Council's considerations and formal decision in bringing the Worsthorne with Hurstwood Neighbourhood Development Plan (WHNDP) into legal force, following an independent examination and positive referendum, held on Tuesday 4 November 2025.

2. Background

- 2.1 In December 2016, Worsthorne with Hurstwood Parish Council submitted an application requesting that Burnley Council designate the area administered by the Parish Council as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. The area was formally designated on 31 March 2017.
- 2.2 Worsthorne with Hurstwood Parish Council prepared the pre-submission version of the WHNDP between 2017 and 2024. A public consultation, held in accordance with Regulation 14, was carried out by the Parish Council between 1 March 2024 and 15 April 2024.
- 2.3 The submission version of the WHNDP was received by Burnley Council on 7 April 2025 and a formal six-week public consultation, held in accordance with Regulation 16, was carried out between 12 May 2025 and 23 June 2025.

- 2.4 Mr Christopher Collison BA(Hons) MBA MRTPI MIED IHBC was appointed by the borough Council in June 2025 to carry out the independent examination of the submission version of the WHNDP. The examination concluded on 27 July 2025 with the receipt of the Examiner's final report.
- 2.5 The modifications to the WHNDP, were agreed by the Council and published as part of the Regulation 18(2) Decision Statement issued on 25 September 2025, which confirmed that Burnley Council was satisfied that the WHNDP as modified, met the Basic Conditions and that its promotion process was compliant with legal and procedural requirements.

3. Reasons for the Decision

- 3.1 With the Examiner's recommended modifications the WHNDP:
- Meets the Basic Conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - Would not breach and is otherwise compatible with EU or human rights obligations; within the meaning of the Human Rights Act 1998 (s61E (8) of the Town and Country Planning Act 1990 and s38A (8) of the Planning & Compulsory Purchase Act 2004 Act (as amended) by the Localism Act 2011; and
 - Complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).
 - Could proceed to referendum.
- 3.2 A referendum was held in the Parish of Worsthorne with Hurstwood on Tuesday 4 November 2025. A total of 488 votes were cast – from an electorate of 2309 – representing a 21.13% turnout. The result of the votes cast in the referendum was as follows:
- 3.3 Number cast in favour of **Yes** 429 (88%)
Number cast in favour of **No** 57 (12%)
- 3.4 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended), requires Burnley Council to make a Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to help determine planning applications in the neighbourhood area.
- 3.5 More than half of those voting in the Referendum on 4 November 2025 voted in favour of the WHNDP, which was duly made by Burnley Council on 3 December 2025.
- 3.6 A copy of this decision statement is being sent to:
- The qualifying body, namely Worsthorne with Hurstwood Parish Council; and
 - To any person who asked to be notified of the decision.

3.7 This decision statement can be viewed on the Burnley Council website at:

<https://burnley.gov.uk/planning/planning-policies/neighbourhood-planning/neighbourhood-planning-worsthorne-hurstwood-neighbourhood-plan/>



3.8 Or by scanning the QR Code

3.9 The statement is also available for inspection at the following locations during their normal opening hours:

- Pike Hill Library; and
- The Council's Contact Burnley Offices.