

APPENDIX 2

Information received to support comments on the Rossendale Draft Local Plan (Regulation 18 Consultation)

Individual Reference Numbers

1454 - 1684

Contents

This appendix includes information we have received from individuals to support their comments on the Rossendale Draft Local Plan which are too large to include in the main body of the report. This information includes photographs, maps and reports and it is organised numerically by the individual reference number for each person. Confidential information including personal addresses, signatures, contact details etc. have been removed.

Individual Reference	Name	Policy or Site Reference	Type of Policy or Site	Site Name (if applicable)	Appendix Number	Page No.
1454	Vivien Pascoe	Site HS2.52	Housing Site	North parcel of Land north of the Jester	2	128
1465	Ella Gartland, Hourigan Connolly, on behalf of B and E Boys	Site EMP2.40	Employment Site	Toll Bar Business Park	2	132
		Site EMP2.51	Employment Site	Forest Mill, Water	2	159
		Site HS2.97 / EMP2.52	Housing Site / Employment Site	Isle of Man Mill, Water	2	174
		Site not allocated	A site that was examined in the SHLAA but that has not been taken forward in the Draft Local Plan	Land at Oakenhead, Rawtensall	2	177
		Site HS2.1	Housing Site	Greensnook Lane, Bacup	2	192
		Policy SD2	Urban Boundary and Green Belt	Land at Acre Avenue, Stacksteads	2	195
		Site HS2.28 / Policy HS18	Housing Site	Land at Booth Road, Woodland Mount, Stacksteads Self Build and Custom Built Houses	2	198
		Site HS2.5	Housing Site	Land at Anvil Street, Bacup	2	214
		Site EMP2.29	Employment Site	Land at Robert Street (Corn Exchange), Rawtenstall	2	217
Site EMP2.50	Employment Site	Townsend Fold (Riverside Business Park)	2	233		

		Site EMP2.53	Employment Site	Waterfoot Mills, Waterfoot	2	266
1466	Elinor George, Hourigan Connolly, on behalf of A Sutcliffe & Co	Site HS2.57	Housing Site	Land at Conway Road, off Edge Lane	2	288
1473	Rebecca Thompson on behalf of K Howieson	Policy SD2	Urban Boundary and Green Belt	Land opposite 1019 Burnley Road, Loveclough	2	290
1479	Ella Gartland on behalf of N Teague	Policy SD2	Urban Boundary and Green Belt	Land at Elm Street, Edenfield	2	310
1485	Ella Gartland on behalf of Mark Nelson	Policy SD2	Urban Boundary and Green Belt	Land at Leabrook Nurseries	2	337
1559	Ken Iveson	Site HS2.51	Housing Site	Land adjacent Laburnum Cottages	2	355
1561	Richard Peat	Site HS2.77	Housing Site	Land off Curven Edge	2	357
1562	Simon Stanworth	Site HS2.91	Housing Site	Waterfoot Garage Site	2	380
1576	David Thompson	Sites HS2.11, HS2.12, HS2.13 and HS2.32	Housing Sites	Bankside Lane	2	383
1592	Warren Hilton, Highways England	Policy EMP2 / Evidence Base	Employment Site / Evidence Base Study	Employment Site Allocations / Infrastructure Delivery Plan	2	397
1619	Michael Onley, Planning Sense NW	Site HS2.53, HS2.86 and HS2.60	Housing Sites	East of Johnny Barn, Land by St Peter's School and Haslam Farm	2	421
1684	Amanda Calderbank	Site HS2.109	Housing Site	Site off Horsefield Avenue	2	423

6th August 2017

Forward Planning Team
Rossendale Borough Council
Business Centre
Futures Park
Bacup
OL13 0BB

Dear Adrian,

Re: Emerging Local Plan – SHLAA16219 – Land north of The Jester, Burnley Rd, Loveclough.

I represent the owner of the northern parcel of the site identified as SHLAA16219 included in the draft emerging Local Plan document.

Within the document, it is stated that the interest to develop has not been renewed, however, the letter of 15th December referred to may have been sent to the previous owners.

Please register my details as the contact for the landowner (of 3 years) who wishes to develop the site and record this interest.

The parcel of land to the North has previously been considered as a separate parcel of land and it is requested that this site be considered separately from the land forming the remaining part of SHLAA16219, as the intentions of the landowners has been stated as 'unknown'.

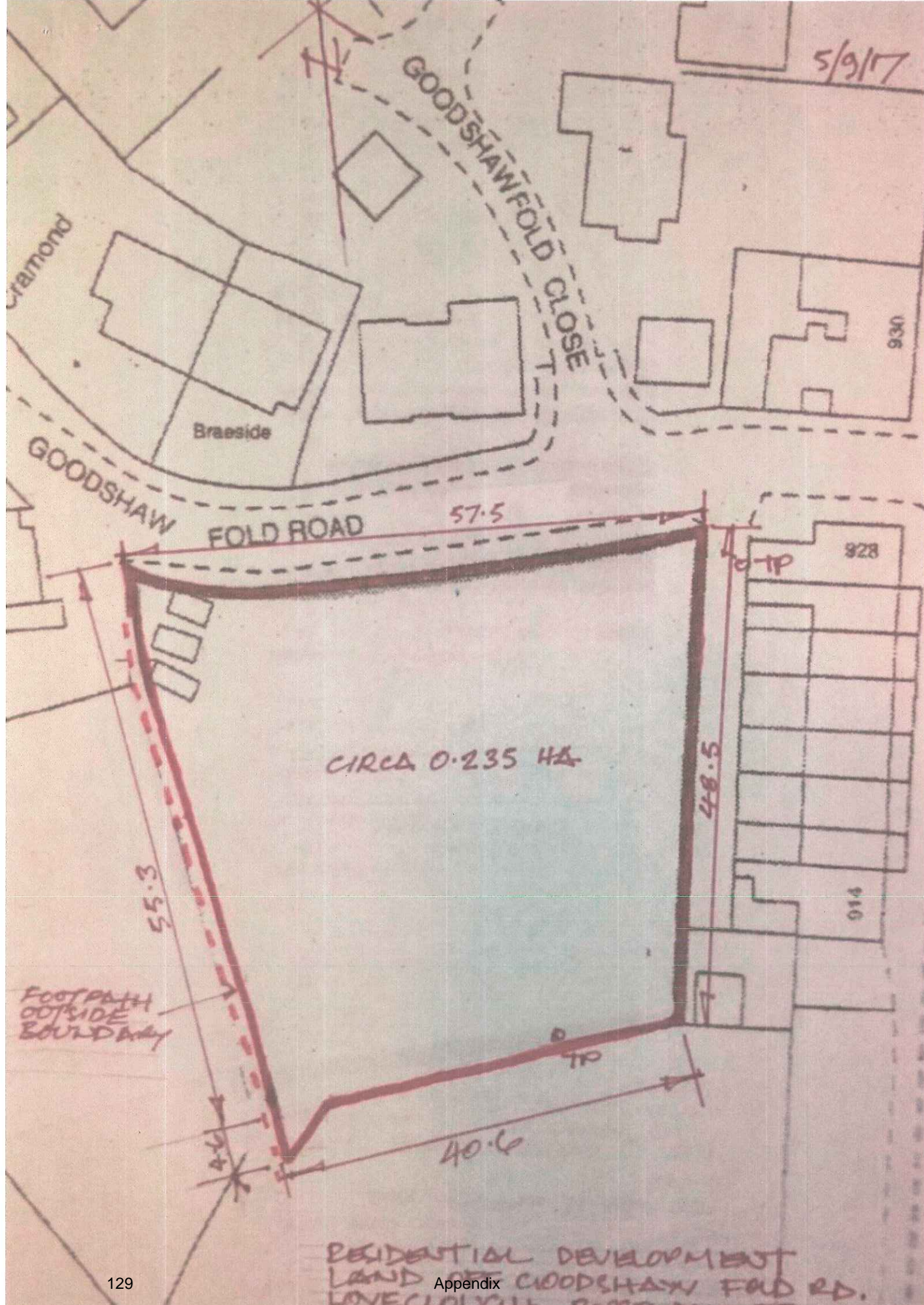
In support of this, please see enclosed draft sketch proposals showing alternative house types and numbers and I would appreciate your feedback on the same.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

Vivien Pascoe

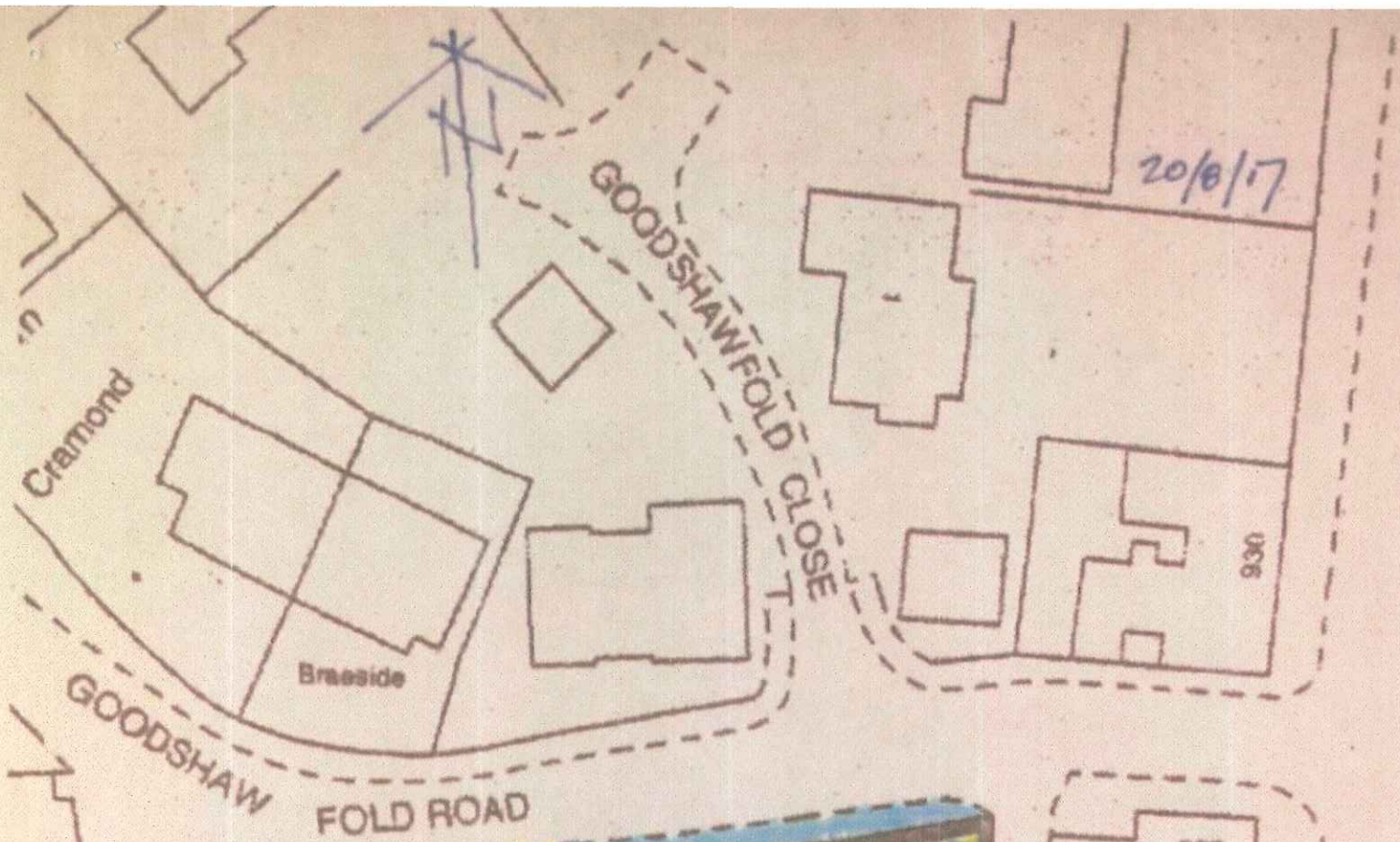
5/9/17








CIRCA 0.235 HA

FOOTPATH OUTSIDE BOUNDARY

RESIDENTIAL DEVELOPMENT LAND OFF GOODSHAW FOLD RD. LOVECLOUGH, ROSEBANE BR LON

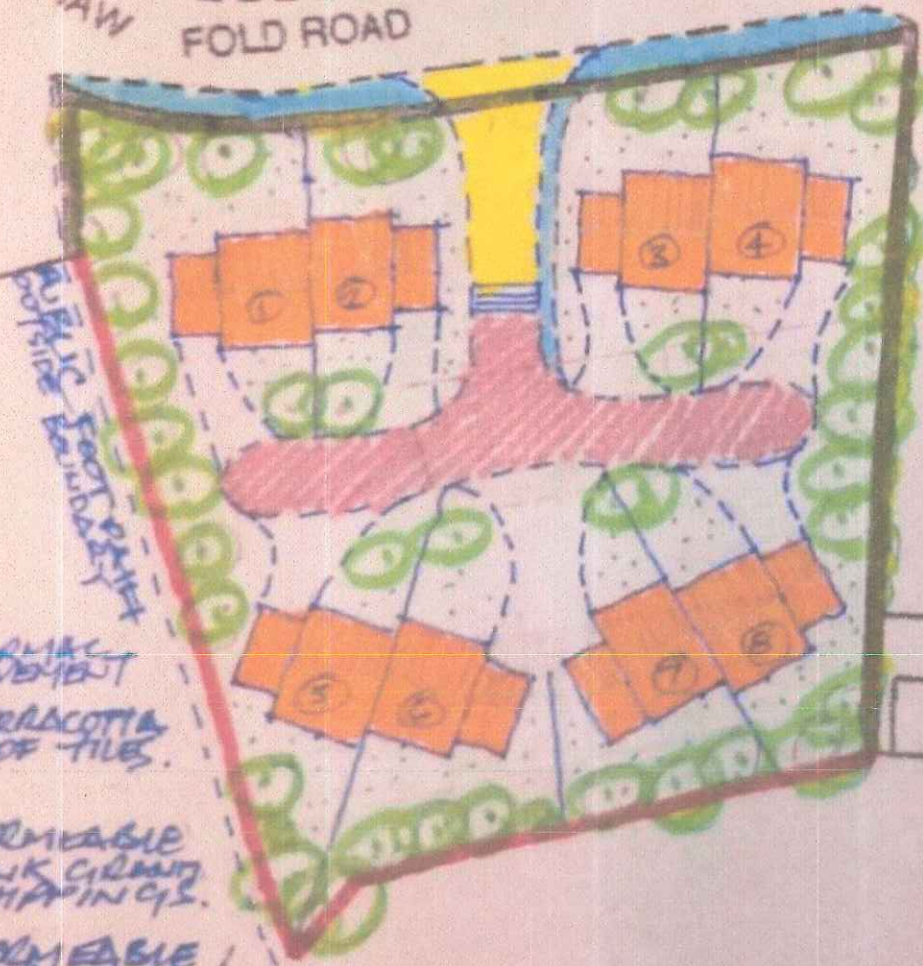
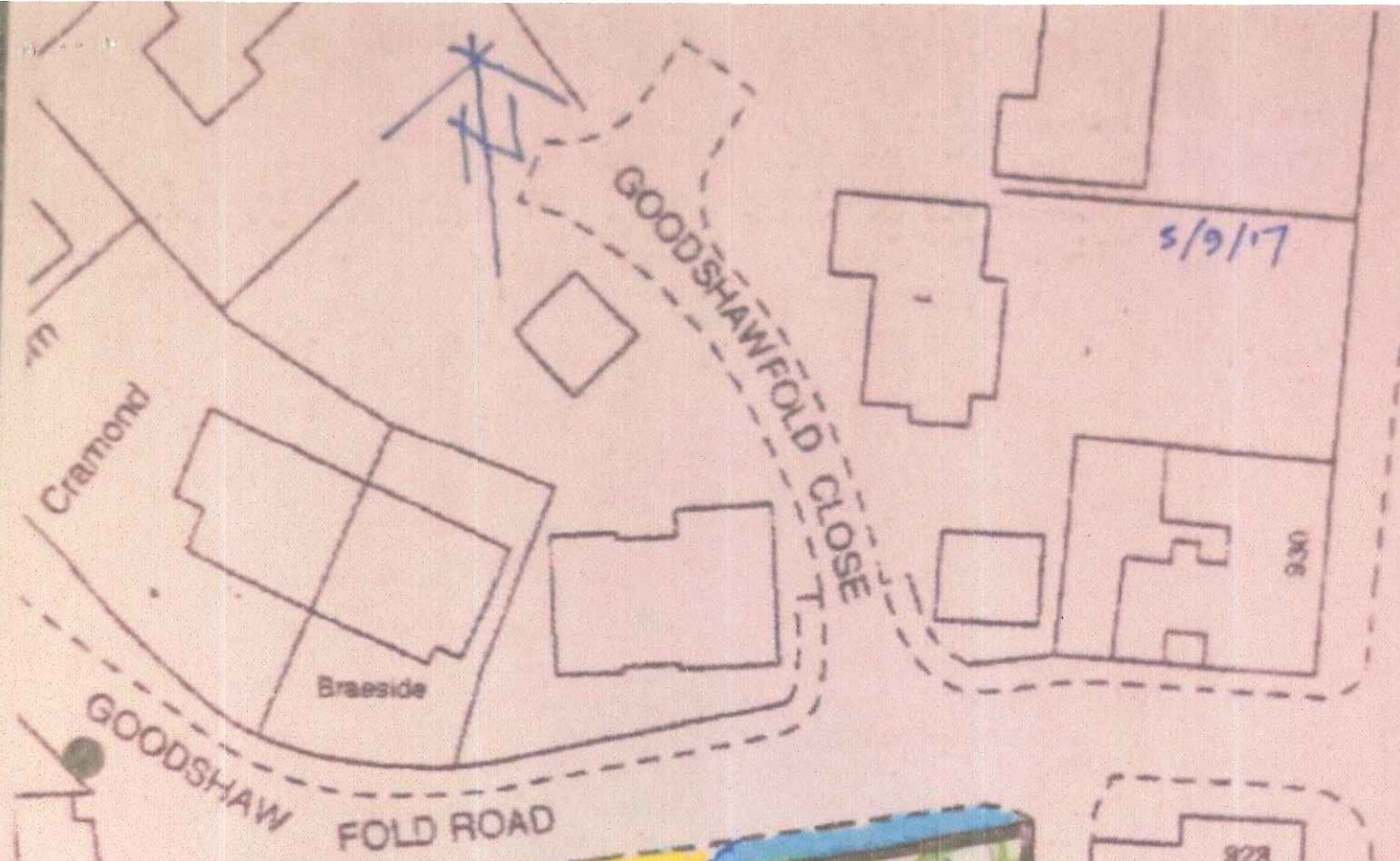








-  TERRACOTTA ROOF TILES.
-  PERMEABLE PINK CEMENT CHIPPINGS.
-  PERMEABLE TARMAC.
-  PRIVATE TURF WALKWAY
-  SLOPED PLANTING

6 NO 3 BED SEMI DETACHED HOUSES.
 7 NO 2 BED TERRACE HOUSES.

SITE AREA CIRCA 2352 M² @ 1/500

SCHEME SUBJECT TO SURVEY AND PLANNING PERMISSION



-  TARMAC PAVEMENT
-  TERRACOTTA ROOF TILES
-  PERMEABLE PINK GRAVEL CHIPPINGS
-  PERMEABLE TARMAC
-  PRIVATE TURF KITCHEN
-  SLEEPING POLICEMAN

8 N° 3 BED SEMI DETACHED HOUSES WITH ATTACHED GARAGE

SITE AREA CIRCA 2352 M² @ 1/500

SCHEME SUBJECT TO SURVEY AND PLANNING PERMISSION



ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

B&E Boys Ltd

SITE:

Toll Bar Business Centre, Stacksteads

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
25.09.17	06.10.17	09.10.17

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Appendices

Appendix 1	Title Plan
Appendix 2	Listing Entry

1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.2 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.3 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.4 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
 - Strategic Housing Market Assessment (SHMA) (2017).
 - Employment Land Review (2017).
 - Green Belt Review (2016).
 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
 - Town Centre, Retail, Leisure and Tourism Study (2017).
 - Playing Pitch Strategy (2016) (previously published).
 - Strategic Flood Risk Assessment (SFRA) (2016).
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
 - Landscape Study (2015) (previously published).

- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.5 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

1.6 Hourigan Connolly is instructed by B&E Boys Ltd to review and comment on the emerging Local Plan in relation to the site known as Toll Bar Business Park on Newchurch Road, Stacksteads. The site is allocated for employment uses under draft Policy **Reference EMP2.40**, and this Representation sets out why the Council should allocate the land for housing.

1.7 A title plan is provided at **Appendix 1** to indicate the location of the site and to demonstrate that the site is within a single ownership, however Figure 1.1 below is also provided for assistance to illustrate the location of the site in Stacksteads Ward:

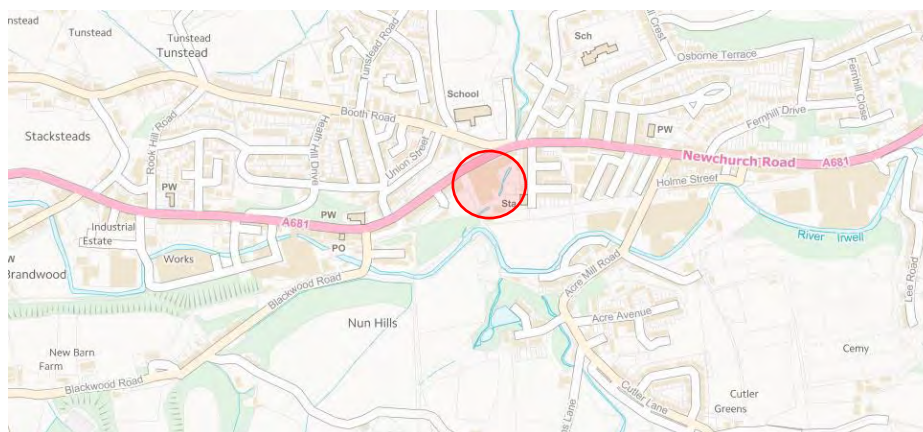


Figure 1.1 Location of subject site, Toll Bar Business Park, Newchurch Road (circled in red).

1.8 The 0.8 ha site lies on the southern side of Newchurch Road, close to the junction with Booth Road, with vehicular access taken directly from this main road. The site is located approximately 1.6 km from the centre of Bacup town and comprises a large five storey mill building, smaller mill building additions, newer single and two storey industrial buildings, with large areas of hardstanding which are used for storage and car parking. The site is occupied in part by existing commercial businesses, but much of the floorspace in the upper storeys of the large mill building are unoccupied and have remained vacant for a long period of time due to the condition of the building and its suitability for modern-day commercial practices.

1.9 The owners of the site wish to promote the site for a housing allocation in the emerging Local Plan and this Representation will demonstrate its suitability for this use as the site is located in the Urban Boundary, in a sustainable location, and on a main arterial route in the Borough.

SCOPE

- 1.10 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.
- 1.11 This document follows earlier Representations and discussions made by Mr Brian Boys as part of previous consultation stages in the Local Plan process, albeit that parts of the Local Plan were subsequently halted in favour of a complete new Local Plan.

OVERVIEW

- 1.12 The starting point for consideration of the emerging Local Plan document is the well-established principle embodied in Paragraph 158 of the National Planning Policy Framework (hereafter referred to as the Framework) that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The RBC Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and guide the preparation of Local Plans.

MINISTERIAL STATEMENTS

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
 - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
 - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
- 2.16 Paragraph 152 of the Framework goes on to deal with adverse impacts on any of the dimensions of sustainable development and sets out three tests:

- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
- Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- Where adequate mitigation measures are not possible, compensatory measures may be appropriate.

2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”.*

2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

HOUSING

- 2.21 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.22 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

BUSINESS

- 2.23 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.24 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

INFRASTRUCTURE

- 2.25 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.26 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European

Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

2.27 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014

2.28 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

2.29 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Report, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

“Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which

dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.30 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

“WHAT CONSTITUTES A ‘DELIVERABLE SITE’ IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

2.31 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 of the section titled ‘Local Plans’ (Reference ID 12-008-20140306) that:

“HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.”

GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)

- 2.32 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.
- 2.33 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.34 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.35 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.
- 2.36 Crucially the link between housing growth and economic activity must be recognised and therefore the current consultation is considered to be relevant to this Representation in relation to land at Toll Bar Business Centre.

3. POLICY EMP2: EMPLOYMENT SITE ALLOCATIONS

INTRODUCTION

3.1 Draft Policy EMP2: Employment Site Allocations identifies all sites within the Borough which have been allocated for employment development. For each site allocated, site area, available area for development and proposed use class is set out within the allocations table.

3.2 Toll Bar Business Centre is identified as Employment Allocation Ref. EMP2.40 as shown below. It is classed as an 'existing employment' site and is considered suitable for B1, B2 and B8 uses.

Employment Allocation Ref.	Employment Land Study Ref	Site name	Gross Area (ha)	Area available for development (ha)	Use Class	Policy
EMP2.40	EMP31	Toll Bar Business Park	0.93	0.00	B1, B2, B8	

Fig. 3.1 Extract from Site Allocations Table (Policy EMP2)

3.3 The proposed allocation is identified in Figure 3.2, as indicated by the red arrow.

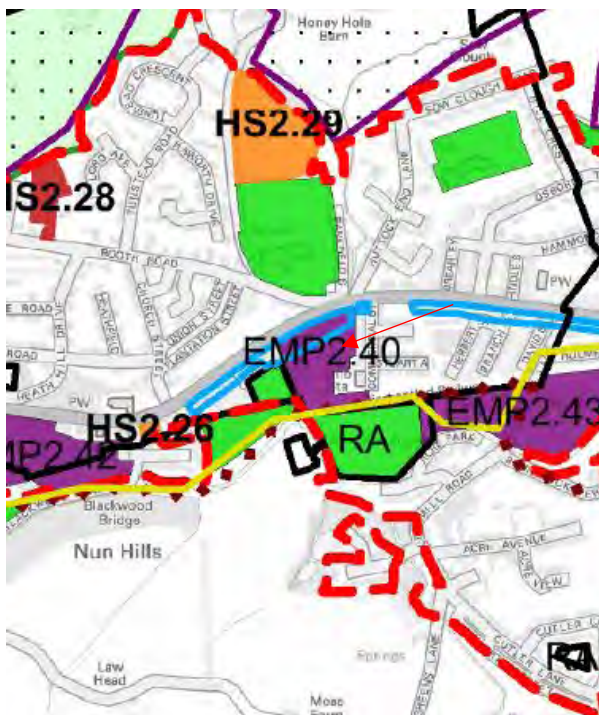


Fig. 3.2 Extract from Draft Proposals Map

- 3.4 We support the aims of the Local Plan to identify key development sites which are central to the delivery of the overall strategy for new and existing employment assets and the Borough's economy. Crucial to the economy is the delivery of appropriate uses in the right locations.
- 3.5 The Toll Bar Business Centre site is in single land ownership, being solely within the ownership of B&E Boys Limited. The site is located on Newchurch Road, the main through-route between Rawtenstall and Bacup. The site is dominated by a five storey mill building which is positioned at the back of the pavement on Newchurch Road. There are a smaller number of car parking spaces located directly off Newchurch Road in front of the building. The frontage of the site extends along Newchurch Road where the mill building reduces in height to four stories to the south-east, and to two stories in the north-west corner.
- 3.6 Part of the main existing mill building is a Grade II Listed Building. The Listing Entry is contained in **Appendix 2**. The mill, known in the Listing Entry as 'Stacksteads Mill' was listed in 1984 and was built by the brothers Robery and John Munn. The mill was originally a cotton spinning mill dating to 1833. The Listing Entry makes it clear that the main mill building, the former engine house at the west end and the extension to the mill in the north west corner form part of the Listed Building, with all other built form (i.e. the former weaving sheds, modern office block at the east end, and the extension at the south west corner) not included in the entry.
- 3.7 Vehicular access is taken directly from Newchurch Road adjacent to the two storey building in the northwest corner of the site and opens up to a large area of hardstanding located to the rear of the buildings on site. Access is restrictive due to the orientation of existing buildings on site - vehicular access is a prohibitive feature to attracting prospective commercial tenants.
- 3.8 Toll Bar Business Centre is only partly occupied by commercial and industrial operators and employers. In short, the site does not operate on a financially viable basis, but the land owner is committed to retaining those existing tenants for the time being.
- 3.9 Given the nature of the premises and the current occupation levels at Toll Bar Business Centre, we do not consider that the proposed allocation for B1, B2 and B8 uses will secure viable use and investment in the site going forward. As referred to in the Policy Explanation, much of the committed supply of employment sites is not considered to be fit for purpose, and is often in the wrong location with sites to the west of the Borough being more attractive due to better links to the A56 and M66.
- 3.10 To this end we consider that it would be more appropriate for the allocation for employment uses to be removed and for the site to be allocated for residential development. The site comprises brownfield land in a sustainable location within the urban area and is therefore considered to be entirely appropriate to contribute towards the Borough's housing need over the plan period. This is considered in further detail in Sections 4 and 5 of this Representation.

PROPOSED MODIFICATION

- 3.11 The Council is respectfully requested to remove the current employment allocation EMP2.40 and allocate the site for residential development under draft Policy HS2. Residential development in this location is considered appropriate in order to facilitate the viable regeneration of the site in part or whole.
- 3.12 We contend that this would properly reflect Paragraph 22 of the Framework which seeks to avoid the long term protection of employment uses where there is no reasonable prospect of a site being used for that purpose. In such circumstances, more appropriate and viable uses, such as housing, should be acceptable.

4. PROPOSED HOUSING ALLOCATION: TOLL BAR BUSINESS PARK, NEWCHURCH ROAD, STACKSTEADS

SITE CONTEXT

- 4.1 The site at Toll Bar Business Park represents an opportunity to deliver truly sustainable residential development. As already highlighted, the site is partly occupied by a number of commercial businesses located in the various buildings spread across the site, however the upper floors of the main, large mill building have been unoccupied for many years despite constant marketing.
- 4.2 The site is in single land ownership, being solely within the ownership of B&E Boys Limited. The extent of the area we request the Council allocate for housing is edged in red on the Title Plan contained in **Appendix 1**. As previously identified, the site is located on Newchurch Road, the main through-route between Stacksteads and Bacup. It is dominated by a five storey mill building which is positioned at the back of the pavement on Newchurch Road. Parking is limited at the site.
- 4.3 Part of the main existing mill building is a Grade II Listed Building. Access is restricted due to the orientation of existing buildings on site - vehicular access is a prohibitive feature to attracting prospective commercial tenants.
- 4.4 In terms of topography, the site is relatively flat and there is a small number of low quality trees within the site boundaries. There is also a culvert which runs through the site in a north east to south-westerly direction and links into the River Irwell which is located south of the site.

DRAFT POLICY HS1 – MEETING ROSSENDALE’S HOUSING REQUIREMENT

- 4.5 Draft Policy HS1 sets out the Council’s approach to ‘*Meeting Rossendale’s Housing Requirement*’. It states that at least 4,000 additional dwellings will be provided over the plan period (2019-2034), in addition to addressing a prior underprovision of 425 dwellings within the first five years of the plan. The draft policy also seeks to deliver over 20% of new dwellings on previously developed land.
- 4.6 In this context, land at Toll Bar Business Park could make an important contribution towards meeting the Borough’s residential development needs. In particular, as it is recognised within the explanatory text that brownfield sites within the urban area are limited.

SUSTAINABLE HOUSING ALLOCATION

- 4.7 The site is located in a very sustainable location, being positioned on a main bus route through the Rossendale Valley and being within close proximity to local services and amenities in Stacksteads and nearby Bacup (which is circa 1.6 km away), including, within walking distance, a Primary School. Adjacent to the site is a public house (the Rose ‘N’ Bowl), a bowling green,

and playing fields at Stacksteads Recreation Ground. The site is adjacent to residential properties located on Commercial Street, Stuart Avenue and Miles Avenue. In this regard, the residential redevelopment of the site would be complementary to existing surrounding uses.

4.8 Any residential redevelopment of the site could include the retention, upgrade and conversion of the Listed Building, subject to the financial viability of undertaking such works.

4.9 However, the site may more realistically be capable of complete redevelopment.

4.10 It has already been described how the site is only partly occupied by commercial and industrial operators and employers. In short, the site does not operate on a financially viable basis, but the land owner is committed to retaining those existing tenants for the time being. In the meanwhile, this Representation is submitted at this key stage in the Local Plan process to promote the allocation of the site for housing.

4.11 The Representation presents an opportunity to contribute to the delivery of sustainable housing over the next 15 years, i.e. during the current Plan period, or beyond. The subject site comprises previously developed land, within the Urban Boundary, in a sustainable location and therefore would accord with the principles of sustainable development as set out in the Framework, for which there is a presumption in favour of.

4.12 To conclude, for the reasons discussed above, in our view the site at Toll Bar Business Park should be allocated for housing in the emerging Local Plan.

NEIGHBOURHOOD CENTRE

4.13 In addition to the site being promoted for a housing allocation, we wish to oppose the designation of part of the site being located within a Neighbourhood Centre.

4.14 The draft Proposals Map for Stacksteads Ward shows that part of the subject site, that part which fronts onto Newchurch Road, is included in a Neighbourhood Centre. The precise boundaries of the Neighbourhood Centre are not clear on the draft Proposals Map, with no 'Inset Maps' provided which delineate the true extent of the proposed Neighbourhood Centre in relation to the site.

4.15 Clarification is sought from the Council on this point, but in any event, we wish to oppose the proposed designation of any part of the subject site within the Neighbourhood Centre boundary, for the reasons set out below.

4.16 According to the adopted Proposals Map¹ of the development Plan the site is not currently included in any Town Centre boundary. Neighbourhood Centres do not feature on the Proposals Map, but are included in the Core Strategy where Policy 11 (Retail and other Town Centre Uses) sets out the retail hierarchy in the Borough:

¹ That being the saved policies from the Local Plan (1995) as shown on the Proposals Map and as amended by the adoption of the Core Strategy in November 2011.

Policy 11: Retail and Other Town Centre Uses

Retail development, together with other town centre uses, including offices, leisure, arts, culture and tourist facilities, will be focused within the defined town and local centres.

Major proposals will be directed to Rawtenstall with other large schemes encouraged to locate in the district centres of Bacup and Haslingden.

The Retail hierarchy is set out below:

Town Centre:	Rawtenstall
District Centres:	Bacup, Haslingden
Local Centres:	Waterfoot, Whitworth
Neighbourhood Centres:	All other centres (including Edenfield, Stacksteads, Helms hore, Crawshawbooth)

- 4.17 Paragraph 248 of Chapter 5 of the Core Strategy notes that the key town centre, district centre and local centre boundaries have been redefined in the context of PPS4 (which set out the national retail planning policy at the time the Core Strategy was adopted, but has since been superseded by the Framework). However, Paragraph 248 further states that:

“No boundaries have been set for the smaller neighbourhood centres.”

- 4.18 Chapter 3 of the Draft Local Plan relates to Retail, with draft Policy R1: Retail and Other Town Centre Uses confirming that Neighbourhood Centre boundaries are identified on the Proposals Maps for four areas, including Stacksteads. The Policy states that development proposals will be expected to maintain or strengthen the retail offer and vitality and viability of neighbourhood centres. The Policy further states that:

“Proposals that require planning permission which would result in the loss of A1 uses in all levels of retail centre as defined in Core Strategy Policy 11 will only be supported where:

- It would make a positive contribution to the vitality and viability of the relevant centre;*
- It would not result in a significant break in retail frontage or lead to the loss of retail floorspace at a scale that would be harmful to the shopping function of the centre or which would reduce the ability of local communities to meet their day-to-day needs within the centre;*
- It is compatible with a retail area and would maintain an active frontage and be immediately accessible to the public from the street; and*
- There would be no significant adverse impacts on the character of the area, the amenity of local residents, road safety, car parking or traffic flows.*

- 4.19 Some of the units within the proposed Neighbourhood Centre at the subject site are used for retail purposes serving the general public. However, the current retailers operate from dated premises which lack modern facilities, lack safe car parking areas, and are difficult to access for deliveries and other servicing purposes.

- 4.20 The loss of these units from this part of the Stacksteads Neighbourhood Centre would not harm the objectives of Policy 11 (in the Core Strategy) or draft Policy R1 as the loss of these inadequate retail premises would not harm the shopping function of the centre, nor would it reduce the ability of the local communities to meet their day-to-day needs within the centre.
- 4.21 The proposed Stacksteads Neighbourhood Centre designation extends along Newchurch Road beyond the subject site boundaries, with a natural break in this linear form at the subject site - to the west adjacent to the Rose 'N' Bowl public house (where the Toll Bar building gable end meets the public right of way between the subject site and the public house), and to the east at Commercial Street.
- 4.22 To that end, the Neighbourhood Centre designation should not extend into the boundaries of the subject site to enable the full and proper redevelopment of the subject site for alternative uses other than retail.

ADDITIONAL STUDIES

- 4.23 Studies are ongoing in relation to the listed building, flood risk and marketing of the existing premises and we reserve the right to submit these at a later stage of the Local Plan preparation process.

5. CONCLUSIONS

- 5.1 The starting point for consideration of the Council's Local Plan is the well- established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 5.2 The Framework is clear at Paragraph 22 that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Paragraph 160 outlines the importance of local planning authorities having a clear understanding of business needs within the economic markets operating in and across their area.
- 5.3 It has been highlighted in this Representation that the Toll Bar Business Centre site is no longer appealing to modern businesses. As a result, and in order to future-proof the site, removal of the proposed employment allocation is recommended, and a residential allocation should be considered in order to promote sustainable residential development. Land at Toll Bar Business Centre has an opportunity to contribute to the delivery of housing over the Plan period on a site which comprises previously developed land within the Urban Boundary.
- 5.4 In conclusion, Local Plan Policy EMP2 should be modified to remove reference to the Forest Mill site to allow a more flexible approach for redevelopment of the site over the plan period. Further, the site should be considered for allocation under draft Policy HS2 for residential development.

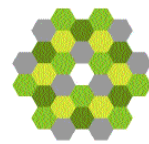
Hourigan Connolly

9 October 2017

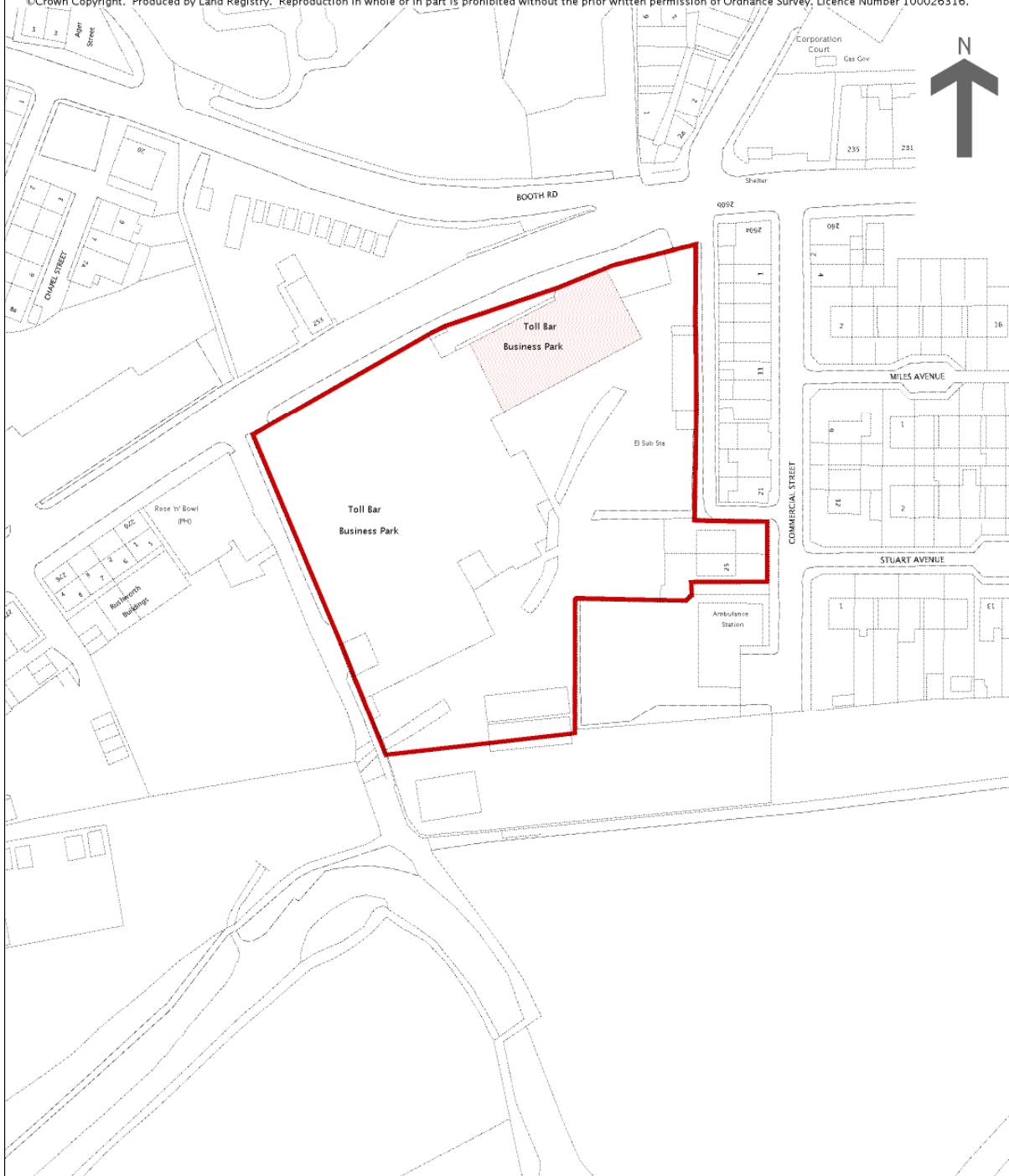
Appendix 1

Land Registry Current title plan

Title number LA645099
Ordnance Survey map reference SD8521NE
Scale 1:1250
Administrative area LANCASHIRE:
ROSSENDALE



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Appendix 2

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: STACKSTEADS MILL

List Entry Number: 1072832

Location

STACKSTEADS MILL, NEWCHURCH ROAD

The building may lie within the boundary of more than one authority.

County: Lancashire

District: Rossendale

District Type: District Authority

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 30-Nov-1984

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 185626

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SD 82 SE BACUP NEWCHURCH ROAD

7/49 Stacksteads Mill - - II

Cotton spinning mill, dated 1833 on keystone of original entrance at north west corner (now enclosed); now shoe factory. Watershot coursed sandstone blocks, stone slate roof with ridge ventilators, some skylights on south side. Rectangular plan of 11x3 windows with 3x2 extension at east end, former engine house at west end (weaving sheds beyond this, modern office block at east end, and extension at south west corner, are not included in the item). Four and a half storeys; tall windows of diminishing height, all with straight sills and heads and altered glazing, double loading doors in 5th bay of top floor; triple gutter brackets. At north west corner forward extension to gabled engine house has large round-headed wagon entrance arch, a window above this, and re-entrant wall has clock face at 1st floor. Interior: former entrance door at right end of ground floor is round-headed, has fanlight with radiating glazing bars, and keystone dated "1833"; stone staircase at west end; 10-bay workrooms with double rows of slim iron columns supporting wooden beams in iron shoes, but engine house of fireproof construction. History: built by the brothers Robert and John Munn.

Listing NGR: SD8552621825

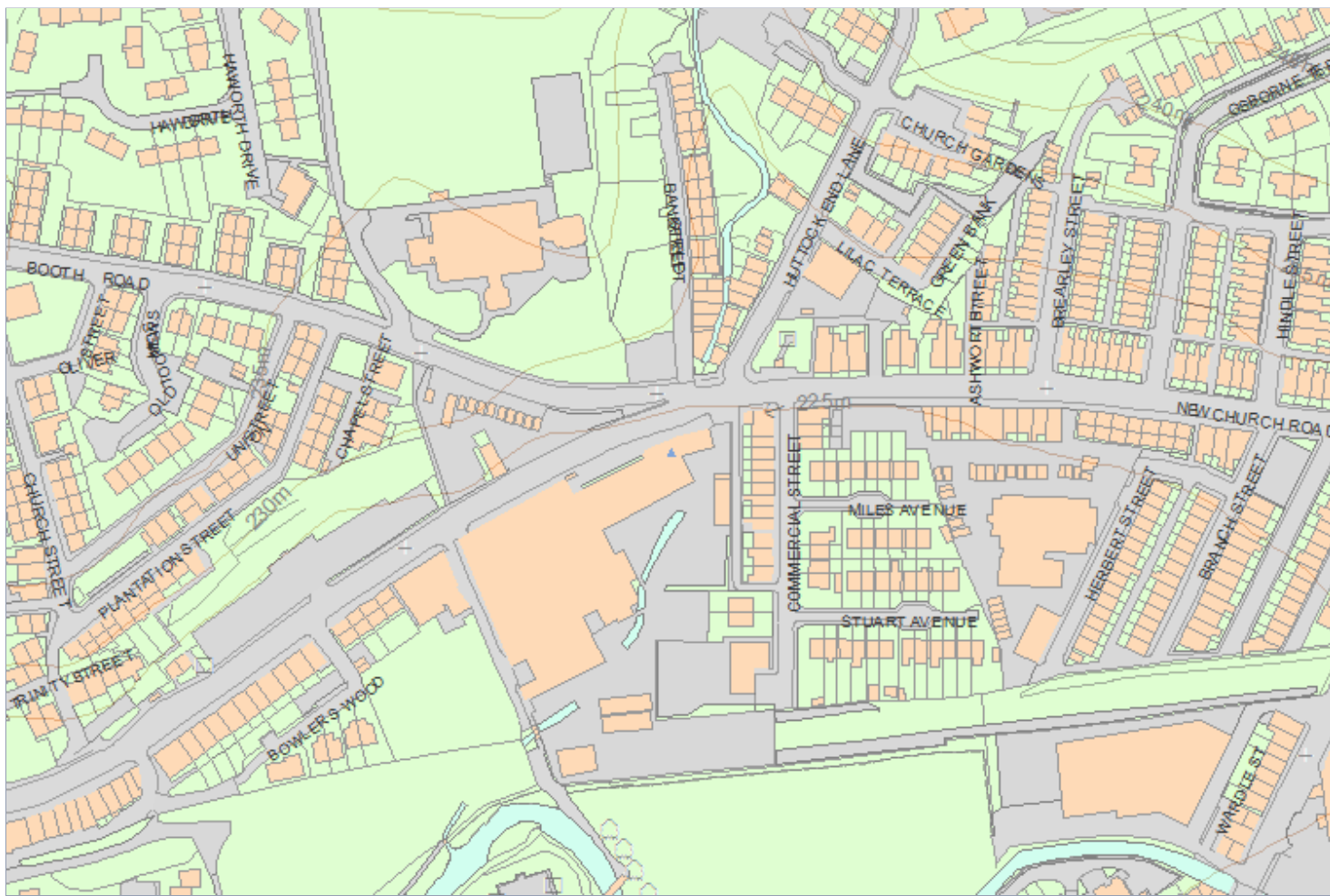
Selected Sources

Legacy Record - This information may be included in the List Entry Details

Map

National Grid Reference: SD 85526 21825

The below map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1072832.pdf](#) - Please be aware that it may take a few minutes for the download to complete.



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ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

Brother Investments Ltd

SITE:

Forest Mill, Burnley Road East, Water

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
20.09.17	06.10.17	09.10.17

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1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.2 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.3 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.4 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
 - Strategic Housing Market Assessment (SHMA) (2017).
 - Employment Land Review (2017).
 - Green Belt Review (2016).
 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
 - Town Centre, Retail, Leisure and Tourism Study (2017).
 - Playing Pitch Strategy (2016) (previously published).
 - Strategic Flood Risk Assessment (SFRA) (2016).
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
 - Landscape Study (2015) (previously published).

- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.5 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

1.6 Hourigan Connolly is instructed by Brother Investments Ltd to review and comment on the emerging Local Plan in relation to the Forest Mill site in Water. The site is allocated for employment uses under draft Policy **Reference EMP2.51**.

1.7 The site lies on the western side of Burnley Road East in the area of Water, approximately 3 km north of Waterfoot and approximately 5 km north east of Rawtenstall. The site is located on a main arterial route through Rosendale borough and is in an existing employment use.

SCOPE

1.8 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.

1.9 This document follows earlier Representations and discussions made by Mr Brian Boys as part of previous consultation stages in the Local Plan process, albeit that parts of the Local Plan were subsequently halted in favour of a complete new Local Plan.

OVERVIEW

1.10 The starting point for consideration of the emerging Local Plan document is the well-established principle embodied in Paragraph 158 of the National Planning Policy Framework (hereafter referred to as the Framework) that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The RBC Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and guide the preparation of Local Plans.

MINISTERIAL STATEMENTS

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
 - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
 - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
- 2.16 Paragraph 152 of the Framework goes on to deal with adverse impacts on any of the dimensions of sustainable development and sets out three tests:

- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
- Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- Where adequate mitigation measures are not possible, compensatory measures may be appropriate.

2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”.*

2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

HOUSING

- 2.21 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.22 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

BUSINESS

- 2.23 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.24 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

INFRASTRUCTURE

- 2.25 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.26 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European

Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

2.27 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014

2.28 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

2.29 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Report, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

“Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which

dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.30 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

“WHAT CONSTITUTES A ‘DELIVERABLE SITE’ IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

2.31 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 of the section titled ‘Local Plans’ (Reference ID 12-008-20140306) that:

“HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.”

GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)

- 2.32 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.
- 2.33 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.34 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.35 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.
- 2.36 Crucially the link between housing growth and economic activity must be recognised and therefore the current consultation is considered to be relevant to this Representation in relation to land at Forest Mill.

3. POLICY EMP2: EMPLOYMENT SITE ALLOCATIONS

INTRODUCTION

3.1 Draft Policy EMP2: Employment Site Allocations identifies all sites within the Borough which have been allocated for employment development. For each site allocated, site area, available area for development and proposed use class is set out within the allocations table.

3.2 The Forest Mill site is identified as Employment Allocation Ref. EMP2.51 as shown below. It is classed as an 'existing employment' site and is considered suitable for B1, B2 and B8 uses.

Employment Allocation Ref.	Employment Land Study Ref	Site name	Gross Area (ha)	Area available for development (ha)	Use Class	Policy
EMP2.51	EMP20	Forest Mill	0.65	0.00	B1, B2, B8	

Fig. 1 Extract from Site Allocations Table (Policy EMP2)

3.3 The proposed allocation is identified in Figure 2.



Fig. 2 Extract from Draft Proposals Map (with red arrow indicating the site)

- 3.4 We support the aims of the Local Plan to identify key development sites which are central to the delivery of the overall strategy for new and existing employment assets and the Borough's economy. Crucial to the economy is the delivery of appropriate uses in the right locations.
- 3.5 The Forest Mill site fronts onto Burnley Road East, located near Lower House Green in Water. The site is in single land ownership, being solely within the ownership of Brother Investments Ltd, and comprises a mixture of single and multi-storey mill buildings with limited vehicle access to the front and rear single storey section. The owner has experienced an upturn in the number of leases ending without renewal in recent months, owing to occupiers closing down or seeking more modern and adaptable premises.
- 3.6 Given the nature of the premises and the recent loss of tenants at Forest Mill, we do not consider that the proposed allocation for B1, B2 and B8 uses will secure viable use and investment in the site going forward. As referred to in the Policy Explanation, much of the committed supply of employment sites is not considered to be fit for purpose, and is often in the wrong location with sites to the west of the Borough being more attractive due to better links to the A56 and M66.
- 3.7 To this end we consider that it would be more appropriate for the allocation for employment uses to be removed and for the site to be allocated for residential development. The site comprises brownfield land in a sustainable location within the urban area and is therefore considered to be entirely appropriate to contribute towards the Borough's housing need over the plan period.

PROPOSED MODIFICATION

- 3.8 The Council is respectfully requested to remove the current employment allocation EMP2.51 and allocate the site for residential development under draft Policy HS2. Residential development in this location is considered appropriate in order to facilitate the viable regeneration of the site in part or whole.
- 3.9 We contend that this would properly reflect Paragraph 22 of the Framework which seeks to avoid the long term protection of employment uses where there is no reasonable prospect of a site being used for that purpose. In such circumstances, more appropriate and viable uses, such as housing, should be acceptable.

4. CONCLUSIONS

- 4.1 The starting point for consideration of the Council's Local Plan is the well- established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 4.2 The Framework is clear at Paragraph 22 that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Paragraph 160 outlines the importance of local planning authorities having a clear understanding of business needs within the economic markets operating in and across their area.
- 4.3 It has been highlighted in this Representation that the site at Forest Mill on Burnley Road East is no longer appealing to modern businesses and indeed there has been a notable loss of tenants in the building in recent months. As a result, and in order to future-proof the site, removal of the proposed employment allocation is recommended, along with consideration of the site for sustainable residential development. Land at Forest Mill has an opportunity to contribute to the delivery of housing over the Plan period on a site which comprises previously developed land within the Urban Boundary.
- 4.4 In conclusion, Local Plan Policy EMP2 should be modified to remove reference to the Forest Mill site to allow a more flexible approach for redevelopment of the site over the plan period. Further, the site should be considered for allocation under draft Policy HS2 for residential development.

Hourigan Connolly

9 October 2017

Your Ref :
Our Ref : 2017-10-09 Repls
Date 9 October 2017

Draft Local Plan Consultation
Rossendale Borough Council
Forward Planning
The Business Centre
Futures Park
Bacup
OL13 0BB

BY EMAIL ONLY: forwardplanning@rossendalebc.gov.uk

Dear Sir/Madam

SUBMISSION TO THE ROSSENDALE DRAFT LOCAL PLAN (REGULATION 18) CONSULTATION

ISLE OF MAN MILL, WATER

Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. This consultation is the first public consultation stage in the production of the Local Plan (Regulation 18) and includes the Draft Local Plan (Written Statement) and its accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.

Hourigan Connolly is instructed by B and E Boys Limited to submit and provide comment on the above site in support of its future development for mixed uses. We have previously submitted representations in response to consultation relating to the Local Plan Part 2 in 2015 and subsequently the 'Call for Sites' exercise relating to the preparation of the new Local Plan in 2016.

Along with this letter, we have also submitted an electronic consultation form via the Council's website and this letter should be read in conjunction with the submitted form. A site plan is also enclosed for information.

Submissions

We note that within the draft Local Plan, Isle of Man Mill in Water has a proposed allocation for mixed uses under draft policy references HS2.97 and EMP2.52. Our client supports the proposed allocation of this site for mixed uses – the mill building is currently in employment use and is suitable to be retained as such whereas the greenfield land adjacent to the mill building is more suitable for residential development. The location of the site is such that it lends itself to a mix of uses to ensure that the vitality of the area is maintained.

We reserve the right to provide further supporting statements and evidence during the preparation of the Plan process and ask that we continue to be informed as the Local Plan progresses.

Yours faithfully

**ELLA GARTLAND BA (Hons) DipTP MRTPI
Associate**

cc: B and E Boys Limited
Daniel Connolly Hourigan Connolly

Encl.

Site Plan – Isle of Man Mill, Water





ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

B&E Boys Ltd

SITE:

Oakenhead, Haslingden Old Road, Rawtenstall

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
20.09.17	06.10.17	09.10.17

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1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.2 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.3 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.4 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
 - Strategic Housing Market Assessment (SHMA) (2017).
 - Employment Land Review (2017).
 - Green Belt Review (2016).
 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
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 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
 - Landscape Study (2015) (previously published).

- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.5 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

1.6 Hourigan Connolly is instructed to review and comment on the emerging Local Plan in relation to land at Oakenhead, Haslingden Old Road, Rawtenstall. The site is not allocated for a particular use within the Draft Local Plan, though it falls within the Urban Boundary of Rawtenstall.

1.7 The site comprises a purpose built former resource centre and is constructed in reconstituted stone with a pitched, tiled roof with a central light well. The site is located in the urban area of Rawtenstall within walking distance of a plethora of local services, including supermarkets, restaurants, Primary Healthcare Centre and schools. Haslingden Old Road is also a bus route. As a result, the site is very sustainably located.

OVERVIEW

1.8 The starting point for consideration of the emerging Local Plan document is the well-established principle embodied in Paragraph 158 of the National Planning Policy Framework (hereafter referred to as the Framework) that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The RBC Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and guide the preparation of Local Plans.

MINISTERIAL STATEMENTS

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
 - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
 - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
- 2.16 Paragraph 152 of the Framework goes on to deal with adverse impacts on any of the dimensions of sustainable development and sets out three tests:

- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
- Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- Where adequate mitigation measures are not possible, compensatory measures may be appropriate.

2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”.*

2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

HOUSING

- 2.21 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.22 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

BUSINESS

- 2.23 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.24 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

INFRASTRUCTURE

- 2.25 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.26 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European

Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

2.27 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014

2.28 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

2.29 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Report, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

“Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which

dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.30 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

“WHAT CONSTITUTES A ‘DELIVERABLE SITE’ IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

2.31 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 of the section titled ‘Local Plans’ (Reference ID 12-008-20140306) that:

“HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.”

GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)

- 2.32 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.
- 2.33 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.34 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.35 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.

delivering 20 percent of development on brownfield land. As recognised within the explanatory text to Policy HS1, the supply of previously developed sites which do not have significant development constraints and are within the urban area are limited within the Borough. Suitable brownfield sites such as this one should therefore be prioritised for development.

- 3.5 There are two primary schools directly to the north of the site, and residential development to the east, south and west and therefore residential use is entirely appropriate in this location.
- 3.6 As a result, it is considered that the emerging Local Plan should identify the Oakenhead site as being a suitable residential development site and it should be allocated as such within draft Policy HS2: Housing Site Allocations.

PROPOSED MODIFICATION

- 3.7 The Council is respectfully requested to add land at Oakenhead to the list of allocation residential sites as identified under draft Policy HS2. It is considered that the 0.7ha site will deliver approximately 23 dwellings and that the allocation should allow for “up to 25 dwellings”.
- 3.8 In view of the fact that this site is deliverable and development is forthcoming, it should be formalised and recognised as a residential allocation within the emerging Local Plan.

4. CONCLUSIONS

- 4.1 The starting point for consideration of the Council's Local Plan is the well - established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 4.2 It has been highlighted in this Representation that the Oakenhead site is a sustainable brownfield site which is no longer in use. A planning application for residential use is forthcoming following positive discussions with RBC. The site presents an opportunity to contribute to the required level of housing to be delivered over the plan period. In order to formalise this and ensure a smooth delivery of the site for such purposes, we consider that land at Oakenhead should be allocated for residential development under the provisions of Policy HS2.

Hourigan Connolly

9 October 2017

Your Ref :
Our Ref : 2017-10-09 Repls
Date 9 October 2017

Draft Local Plan Consultation
Rossendale Borough Council
Forward Planning
The Business Centre
Futures Park
Bacup
OL13 0BB

BY EMAIL ONLY: forwardplanning@rossendalebc.gov.uk

Dear Sir/Madam

SUBMISSION TO THE ROSSENDALE DRAFT LOCAL PLAN (REGULATION 18) CONSULTATION

GREENSNOOK LANE, BACUP

Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. This consultation is the first public consultation stage in the production of the Local Plan (Regulation 18) and includes the Draft Local Plan (Written Statement) and its accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.

Hourigan Connolly is instructed by B and E Boys Limited to submit and provide comment on the above site in support of its future development for residential purposes. We have previously submitted representations in response to consultation relating to the Local Plan Part 2 in 2015 and subsequently the 'Call for Sites' exercise relating to the preparation of the new Local Plan in 2016.

Along with this letter, we have also submitted an electronic consultation form via the Council's website and this letter should be read in conjunction with the submitted form. A site plan is also enclosed for information.

Submissions

We note that within the draft Local Plan land at Greensnook Lane in Bacup has a proposed allocation for residential development under draft site allocation HS2.1. The 1.13ha site is identified as being suitable to deliver 33 dwellings with an identified timescale for delivery of 1.5 years.

Our client supports the proposed allocation of this site for residential purposes and considers that it is entirely appropriate for delivering such a use and quantum of development within the timescales proposed.

We reserve the right to provide further supporting statements and evidence during the preparation of the Plan process and ask that we continue to be informed as the Local Plan progresses.

Yours faithfully

**ELLA GARTLAND BA (Hons) DipTP MRTPI
Associate**

cc: B and E Boys Limited
Daniel Connolly Hourigan Connolly

Encl.

Site Plan – Greensnook Lane, Bacup



Your Ref :
Our Ref : 2017-10-09 Repts
Date 9 October 2017

Draft Local Plan Consultation
Rossendale Borough Council
Forward Planning
The Business Centre
Futures Park
Bacup
OL13 0BB

BY EMAIL ONLY: forwardplanning@rossendalebc.gov.uk

Dear Sir/Madam

SUBMISSION TO THE ROSSENDALE DRAFT LOCAL PLAN (REGULATION 18) CONSULTATION

ACRE AVENUE, STACKSTEADS

Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. This consultation is the first public consultation stage in the production of the Local Plan (Regulation 18) and includes the Draft Local Plan (Written Statement) and its accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.

Hourigan Connolly is instructed by B and E Boys Limited to submit and provide comment on the above site in support of its inclusion within the urban area. We have previously submitted representations in response to consultation relating to the Local Plan Part 2 in 2015 and subsequently the 'Call for Sites' exercise relating to the preparation of the new Local Plan in 2016.

Along with this letter, we have also submitted an electronic consultation form via the Council's website and this letter should be read in conjunction with the submitted form. A site plan is also enclosed for information.

Submissions

We note that within the draft Local Plan land at Acre Avenue, Stacksteads is not proposed to be allocated for a particular use, however it is proposed to be included within the Urban Area.

Our client supports the inclusion of the site within the Urban Area as is indicated on the draft Policies Map. The site is entirely appropriate for inclusion within the urban boundary given the distinction between it and land further to east which is more open in nature, providing a suitable boundary to the open countryside.

We reserve the right to provide further supporting statements and evidence during the preparation of the Plan process and ask that we continue to be informed as the Local Plan progresses.

Yours faithfully

**ELLA GARTLAND BA (Hons) DipTP MRTPI
Associate**

cc: B and E Boys Limited
Daniel Connolly Hourigan Connolly

Encl.



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ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

B&E Boys Ltd

SITE:

Policy HS2.28 and Policy HS18 Booth Road /
Woodland Mount, Brandwood, Stacksteads

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
19.09.17	06.10.17	09.10.17

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1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.2 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.3 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.4 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
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 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
 - Town Centre, Retail, Leisure and Tourism Study (2017).
 - Playing Pitch Strategy (2016) (previously published).
 - Strategic Flood Risk Assessment (SFRA) (2016).
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
 - Landscape Study (2015) (previously published).

- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.5 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

1.6 Hourigan Connolly is instructed to review and comment on the emerging Local Plan in relation to land at Booth Road/Woodland Mount, Stacksteads. The site has been allocated for housing; **Reference HS2.28.**

1.7 The 0.3 ha site lies to the north of Booth Road in the northern part of the settlement of Stacksteads and comprises the garden land to the residential property known as Heath Hill House.

SCOPE

1.8 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.

1.9 This document follows earlier Representations and discussions made by Mr Brian Boys as part of previous consultation stages in the Local Plan process, albeit that parts of the Local Plan were subsequently halted in favour of a complete new Local Plan.

OVERVIEW

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2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
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2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

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- 2.21 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
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- 2.24 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

INFRASTRUCTURE

- 2.25 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.26 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European

Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

2.27 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014

2.28 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

2.29 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Report, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

“Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which

dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.30 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

“WHAT CONSTITUTES A ‘DELIVERABLE SITE’ IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

2.31 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 of the section titled ‘Local Plans’ (Reference ID 12-008-20140306) that:

“HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.”

GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)

- 2.32 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.
- 2.33 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.34 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.35 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.
- 2.36 Crucially the provision of the right type of housing in the right locations is considered to be relevant to this Representation.

3. POLICY HS2: HOUSING SITE ALLOCATIONS

INTRODUCTION

3.1 Policy HS2: Housing Site Allocations identifies all sites within the Borough which have been allocated for residential development. For each site allocated, site area, capacity, delivery timescales and the type of residential allocation is identified.

3.2 Land at Booth Road/Woodland Mount is identified as Housing Allocation Ref. HS2.28 as shown below.

Housing Allocation Ref.	SHLAA Ref.	Site name	Area (ha)	No. of units	Delivery Timescale	Allocation	Greenfield or Brownfield
Bacup, Stacksteads, Britannia and Weir							
HS2.28	SHLAA16098	Booth Road/Woodland Mount, Brandwood	0.34	10	Years 1-5	Self-Build	Greenfield

Fig. 1 Extract from Site Allocations Table (Policy HS2)

3.3 The proposed allocation is identified in Figure 2.

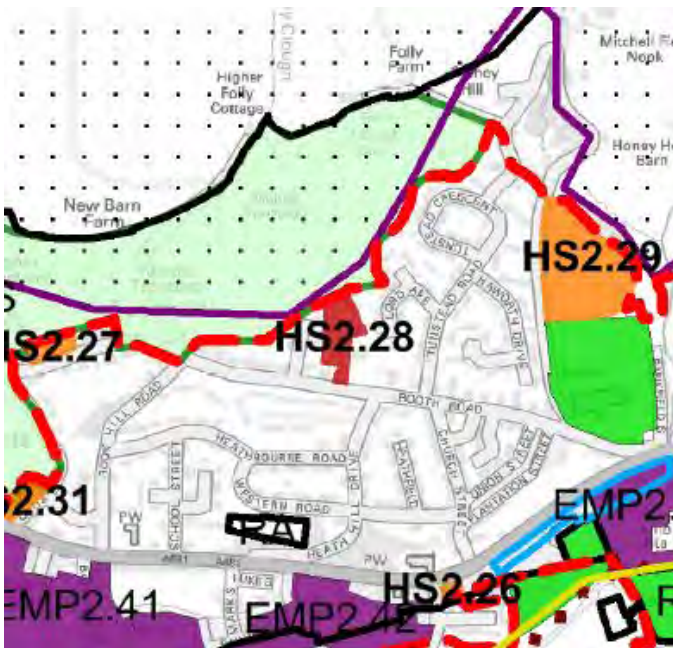


Fig. 2 Extract from Draft Proposals Map

3.4 We support the aims of the Local Plan to identify key development sites which are central to the delivery of the overall strategy for new housing.

3.5 The site is in single land ownership, being solely within the ownership of Mr Brian Boys. The allocation site is made up of private garden land which is bordered on all sides by trees and is

located in the north of Stacksteads. To the north of the site is open countryside with the predominant surrounding land use being residential in nature.

- 3.6 The allocation site has not been the subject of any previous planning applications.
- 3.7 There are no environmental or statutory designations or other technical considerations that would prejudice the residential development of the site. The site is sustainably located and is capable of delivering housing now.
- 3.8 Land at Booth Road/Woodland Mount is available and deliverable and we therefore support the identified delivery timescale of 1-5 years.
- 3.9 However, we consider that the proposed number of units referred to (10 units) could be increased in this location. It is stated in a footnote to the allocations table that *'when calculating the potential numbers of housing on each site a density of 30 dwellings per hectare has been used unless more detailed information is available'*. Density could appropriately be increased in this location due to the site's location and its surroundings.
- 3.10 In addition, we consider that the allocation for self-build only is too restrictive and may hinder the delivery of this sustainable residential development site within the timeframe specified.

SUGGESTED MODIFICATION

- 3.11 To ensure that this site delivers to its full potential, and the timescales for delivery are not hindered, it is suggested that the Council make a modification to the draft Local Plan document to simply allocate the site for housing, rather than self-build more specifically, for up to 25 dwellings. The Proposals Map should also be amended to show the site as orange (as with other allocated housing sites) rather than red to identify self-build housing sites only, thereby not restricting development on this site and indicating that the site can deliver housing within the early part of the Plan period.
- 3.12 At a time when the Council is directed to significantly boost the supply of housing in accordance with Paragraph 47 of the Framework, it is suggested that the Local Plan should simply allocate sites for housing, rather restricting the nature of the potential developer/builder.

4. POLICY HS18: SELF BUILD AND CUSTOM BUILT HOUSES

INTRODUCTION

- 4.1 The site at Booth Road / Woodland Mount, Stacksteads has been identified as suitable for self build and custom built houses as detailed under Policy HS18. The policy states that this is to ensure a variety of housing provision and is in line with government aspirations to promote self/custom build dwellings as a mainstream housing option.
- 4.2 Whilst we support the notion of providing variety in terms of housing options, we consider that limiting sites to self/custom build may hinder the delivery of much needed residential development on sustainable sites. It is particularly pertinent to note that within the explanation to Policy HS18 it is states that, in relation to self/custom build housing, 'evidence from the SHMA indicates that the level of demand for plots is currently low in Rossendale'. We consider that whilst some sites may lend themselves to this more readily, sites should not be identified under Policy HS18 specifically, with support for individuals who would like to build or commission their own home being supported on a case by case basis.

SUGGESTED MODIFICATION

- 4.3 Policy HS18 should be amended to remove specific site references in order to ensure that the policy and sites allocations are not unduly restrictive. The policy can still set out the Council's commitment to support individuals who would like to build or commission their own home where this is appropriate and there is some certainty in relation to delivery.

5. CONCLUSIONS

- 5.1 The starting point for consideration of the Council's draft Local Plan document is the well-established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 5.2 Notwithstanding concerns expressed in this Representation about the Evidence Base which supports the preparation of this draft Local Plan Part document, the subject site should continue to form part of the Council's housing growth strategy and we support its proposed housing allocation, subject to the changes set out in this Representation.
- 5.3 Our client's site is capable of being developed for residential purposes now.

Hourigan Connolly

9 October 2017

Your Ref :
Our Ref : 2017-10-09 Repts
Date 9 October 2017

Draft Local Plan Consultation
Rossendale Borough Council
Forward Planning
The Business Centre
Futures Park
Bacup
OL13 0BB

BY EMAIL ONLY: forwardplanning@rossendalebc.gov.uk

Dear Sir/Madam

SUBMISSION TO THE ROSSENDALE DRAFT LOCAL PLAN (REGULATION 18) CONSULTATION

ANVIL STREET, BACUP

Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. This consultation is the first public consultation stage in the production of the Local Plan (Regulation 18) and includes the Draft Local Plan (Written Statement) and its accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.

Hourigan Connolly is instructed by B and E Boys Limited to submit and provide comment on the above site to promote its retention for employment use. We have previously submitted representations in response to consultation relating to the Local Plan Part 2 in 2015 and subsequently the 'Call for Sites' exercise relating to the preparation of the new Local Plan in 2016.

Along with this letter, we have also submitted an electronic consultation form via the Council's website and this letter should be read in conjunction with the submitted form. A site plan is also enclosed for information.

Submissions

We note that within the draft Local Plan land at Anvil Street in Bacup has a draft allocation for residential use. The 0.19ha site is identified under draft policy reference HS2.5 as being suitable to deliver 11 dwellings within years 6 to 15 of the plan period.

Our client does not support this proposed allocation. The site is currently in employment use and will continue to be in such use for the foreseeable future. The site is not considered to be suitable for residential use and its retention for employment use will crucially allow the expansion of neighbouring employment uses who have expressed a preference to remain in this location. The site continues to be suitable for employment uses and we therefore suggest that the proposed housing allocation is removed in favour of more suitable sites for residential development – to this end please see our submission in relation to Booth Road, Stacksteads.

We reserve the right to provide further supporting statements and evidence during the preparation of the Plan process and ask that we continue to be informed as the Local Plan progresses.

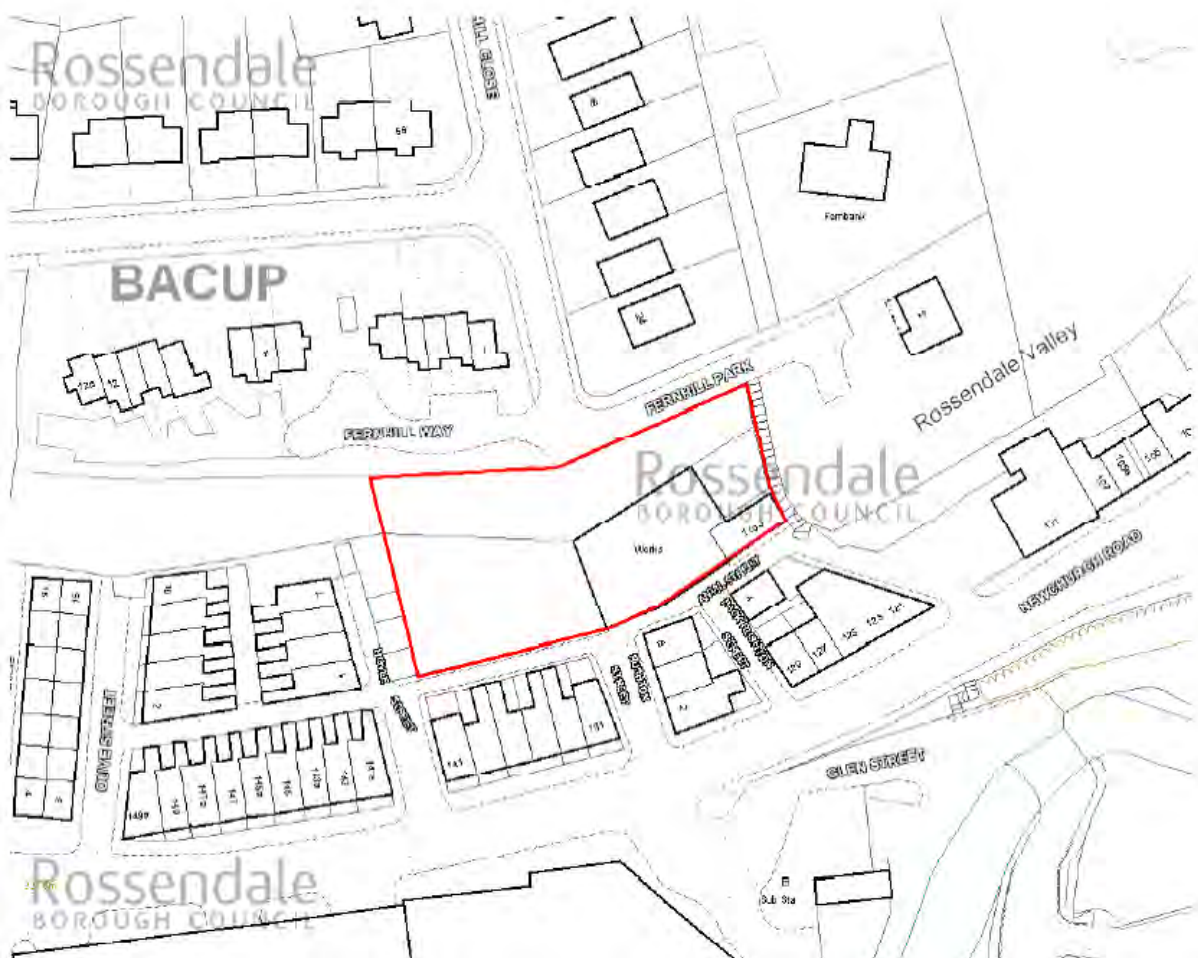
Yours faithfully

**ELLA GARTLAND BA (Hons) DipTP MRTPI
Associate**

cc: B and E Boys Limited
Daniel Connolly Hourigan Connolly

Encl.

Site Plan - Anvil Street, Bacup





ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

B&E Boys Ltd

SITE:

Policy EMP2.29, Land at Robert Street (Corn
Exchange), Rawtenstall

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
20.09.17	06.10.17	09.10.17

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1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.2 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.3 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.4 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
 - Strategic Housing Market Assessment (SHMA) (2017).
 - Employment Land Review (2017).
 - Green Belt Review (2016).
 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
 - Town Centre, Retail, Leisure and Tourism Study (2017).
 - Playing Pitch Strategy (2016) (previously published).
 - Strategic Flood Risk Assessment (SFRA) (2016).
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
 - Landscape Study (2015) (previously published).

- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.5 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

1.6 Hourigan Connolly is instructed to review and comment on the emerging Local Plan in relation to land at Robert Street (Corn Exchange), Rawtenstall. The site has a proposed allocation for B1, B2 and B8 employment uses under draft Policy **Reference EMP2.29**.

1.7 The Corn Exchange, otherwise known as the Kingfisher Business Centre, lies within a short walking distance of Rawtenstall town centre with vehicular access being taken directly from Burnley Road via a short road called Kenyon Street. The site comprises a large five storey mill building and a collection of smaller buildings with associated car parking spaces. The site is in existing use, being occupied by a range of employment and other uses. Rawtenstall is one of the largest of the small towns which characterise the Borough of Rossendale.

SCOPE

1.8 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.

1.9 This document follows earlier Representations and discussions made by Mr Brian Boys as part of previous consultation stages in the Local Plan process, albeit that parts of the Local Plan were subsequently halted in favour of a complete new Local Plan.

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Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

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- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014

2.28 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

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However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

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- 2.36 Crucially the link between housing growth and economic activity must be recognised and therefore the current consultation is considered to be relevant to this Representation in relation to land at Corn Exchange, Rawtenstall.

3. POLICY EMP2: EMPLOYMENT SITE ALLOCATIONS

INTRODUCTION

3.1 Draft Policy EMP2: Employment Site Allocations identifies all sites within the Borough which have been allocated for employment development. For each site allocated, site area, available area for development and proposed use class is set out.

3.2 Land at Robert Street is identified as Employment Allocation Ref. EMP2.29 as shown below. It is classed as an 'existing employment' site and is considered suitable for B1, B2 and B8 uses.

Employment Allocation Ref.	Employment Land Study Ref	Site name	Gross Area (ha)	Area available for development (ha)	Use Class	Policy
EMP2.29	EMP02	Land at Robert Street	1.04	0.00	B1, B2, B8	

Fig. 1 Extract from Site Allocations Table (Policy EMP2)

3.3 The proposed allocation is identified in purple in Figure 2.

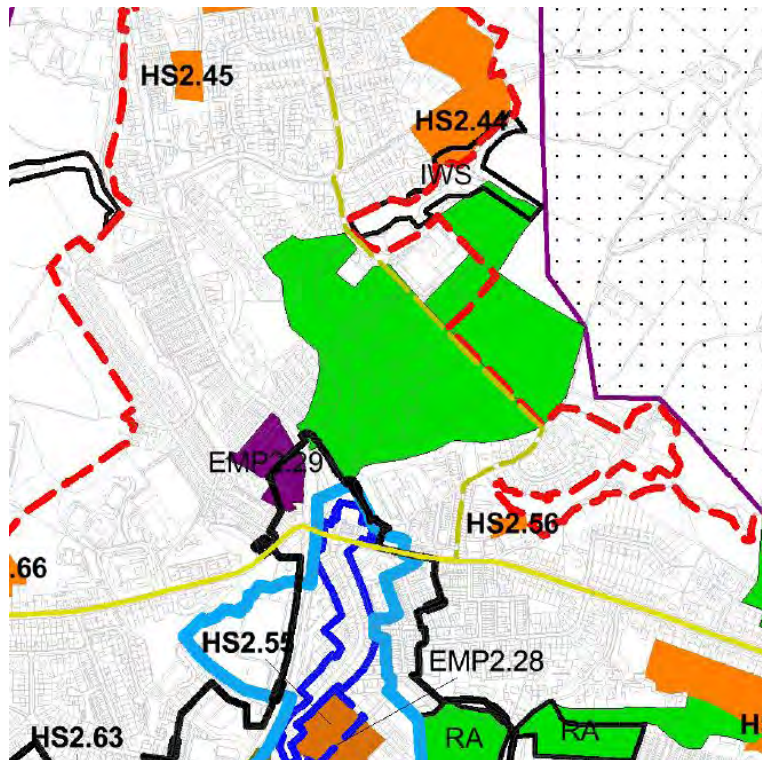


Fig. 2 Extract from Draft Proposals Map

- 3.4 We support the aims of the Local Plan to identify key development sites which are central to the delivery of the overall strategy for new and existing employment assets and the Borough's economy. Crucial to the economy is the delivery of appropriate uses in the right locations.
- 3.5 The site fronts onto Burnley Road and is located within close walking distance of Rawtenstall Town Centre. The site comprises the 'Kingfisher Business Park' and is made up from a collection of multi-storey mill buildings all of which are in good structural repair. Vehicular access is taken directly from Burnley Road, via Kenyon Street, and there is ample off-street car parking available.
- 3.6 The site is located just outside the Town Centre boundary, as shown on the draft Proposals Map, with a small part of the eastern corner of the site being located within the Rawtenstall Conservation Area. The existing five storey mill building dominates the streetscape at this section of Burnley Road, and the site could easily be described as a 'gateway' site to the northern part of Rawtenstall town centre. The site is in single ownership and this Representation is submitted on behalf of the land owners.
- 3.7 The site is occupied by a number of businesses, covering a range of employment-generating uses. In addition, the site has a planning history which demonstrates that the Council has found alternative uses acceptable in this location, with planning permission being granted in 2012 for part of the site to change its use to Use Class D1 (non-residential institutions) to provide teaching space and ancillary spaces.
- 3.8 Flexibility of acceptable Use Classes is necessary to enable the land owner to continue to market the site to a wide range of potential employment-generating occupants. In our opinion, the site is a key 'gateway' site in Rawtenstall Town Centre and it is sensible to maximise the opportunities available to ensure the site is not only occupied and making a contribution to the local economy in the Borough but also able present a prosperous image of the Town Centre when approaching from the north.
- 3.9 Flexibility in the uses would enable uses such Retail, Food & Drink, Restaurant and Roadside business, thereby contributing to the economy, as well as providing a service to those using the site primarily for employment purposes. The site is located within close walking distance of Rawtenstall Town Centre and whilst the site may not fall within the boundary as shown on the draft Proposals Map, to all intents and purposes the site forms part of the town centre environs. A flexible approach to the employment allocation of the Corn Exchange would not harm the vitality and viability of the town centre, but would complement it by extending the economic role that the town centre has to play.
- 3.10 Allowing a more flexible approach to employment allocation EMP2.29 would be beneficial to the immediate local economy in Rawtenstall town, as well as the Borough as a whole, by providing wider opportunities for full occupancy rates which would in turn create an attractive impression of Rawtenstall for those accessing the town from the North.

- 3.11 We appreciate that additional uses introduced in this location must be complementary to the existing employment use and we consider that small scale roadside retail use would be entirely appropriate in this regard.

PROPOSED MODIFICATION

- 3.12 The Council is respectfully requested to modify the current employment allocation EMP2.29 to enable a wider mix of employment-generating uses within the site boundaries. The Council is invited to include this modification in the Local Plan document by the allocation of a new employment-led, mixed-use allocation for the site under draft Policy EMP2.29. The Council is proposing mixed-use allocations with similar profiles to the south of Rawtenstall Town Centre, which include retail uses, and we consider it appropriate to propose a similar allocation on this northern gateway site in order to facilitate the viable regeneration of the site in part or whole. Indeed, it could be argued that the subject site has better links to the town centre than those mixed-use allocations to the south.

4. CONCLUSIONS

- 4.1 The starting point for consideration of the Council's Draft Local Plan document is the well-established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 4.2 Whilst we support in principle the proposed employment allocation of the subject site, the Council is invited to propose a new employment-led, mixed-use allocation for the site under draft Policy EMP2.29 of the draft Local Plan.

Hourigan Connolly

9 October 2017



ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

B&E Boys Ltd

SITE:

Townsend Fold, Rawtenstall

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
25.09.17	06.10.17	09.10.17

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APPENDICES

APPENDIX 1 TITLE PLAN

1. INTRODUCTION

BRIEF

- 1.1 Hourigan Connolly is instructed by B&E Boys Ltd in respect of its land interests at Townsend Fold, Rawtenstall – also known as Riverside Business Park. The land in question is identified in Figure 1.1 below and is hereafter referred to as “the site”.

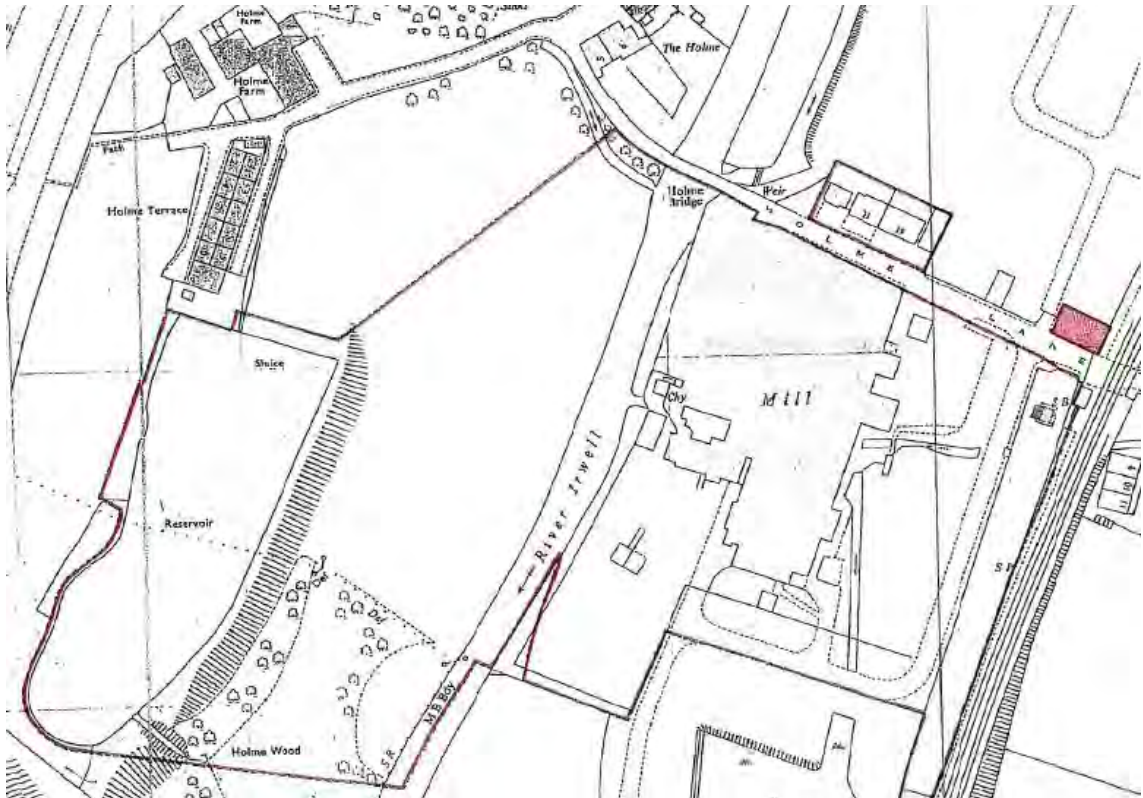


Figure 1.1 – Land at Townsend Fold, Rawtenstall – not to scale.

- 1.2 A full Title Plan is included at **Appendix 1**. The Riverside Business Park site (the former Mill site) falls within the urban boundary with the remainder of the site falling within the Green Belt. The latest iteration of the Council’s Green Belt Assessment refers to that part of the site within the Green Belt as Parcel Ref. 19.
- 1.3 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council’s preferred approach to future housing,

employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).

- 1.4 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.5 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.6 The evidence base which supports the Local Plan comprises the following documents:
 - Strategic Housing Land Availability Assessment (SHLAA) (2017).
 - Strategic Housing Market Assessment (SHMA) (2017).
 - Employment Land Review (2017).
 - Green Belt Review (2016).
 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
 - Town Centre, Retail, Leisure and Tourism Study (2017).
 - Playing Pitch Strategy (2016) (previously published).
 - Strategic Flood Risk Assessment (SFRA) (2016).
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
 - Landscape Study (2015) (previously published).
 - Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
 - Heritage Impact Assessment of Housing Sites (2017).
- 1.7 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

- 1.8 Hourigan Connolly is instructed to review and comment on the emerging Local Plan in relation to the site known as Townsend Fold, Holme Lane in Rawtenstall. Part of the site is allocated for employment uses under draft Policy **Reference EMP2.50** (Riverside Business Park) with the remainder of the site falling within the Green Belt, and this Representation sets out why the Council should consider amending the Green Belt boundary in this location in order to accommodate an expanding and successful employment site.
- 1.9 B&E Boys supports the allocation of the Riverside Business Park site for employment uses as identified in the draft Local Plan. The remainder of this Representation therefore focuses on that part of the site which is currently in the Green Belt.

SCOPE

- 1.10 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.
- 1.11 This document follows earlier Representations and discussions made by Mr Brian Boys as part of previous consultation stages in the Local Plan process, albeit that parts of the Local Plan were subsequently halted in favour of a complete new Local Plan.
- 1.12 This representation is structured as follows:
- Legislative and Policy Context.
 - The Site.
 - Green Belt Review.
 - Proposed Extended Employment Allocation.
 - Conclusions.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The RBC Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and guide the preparation of Local Plans.

MINISTERIAL STATEMENTS

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
 - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
 - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
- 2.16 Paragraph 152 of the Framework goes on to deal with adverse impacts on any of the dimensions of sustainable development and sets out three tests:

- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
- Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- Where adequate mitigation measures are not possible, compensatory measures may be appropriate.

2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”.*

2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

GREEN BELT

- 2.21 In respect of Green Belt Paragraph 80 of the Framework lists the five national purposes of the Green Belt as follows:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and,
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 2.22 Paragraph 83 goes on to state that Local Planning Authorities (LPA's) with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
- 2.23 Paragraph 84 states when drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.
- 2.24 Paragraph 85 sets out that when defining new Green Belt boundaries LPA's should:
- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
 - not include land which it is unnecessary to keep permanently open;
 - where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
 - make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
 - satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and

- 2.25 define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

BUSINESS

- 2.26 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.27 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

HOUSING

- 2.28 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.29 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

INFRASTRUCTURE

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The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

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- 2.41 Crucially the link between housing growth and economic activity must be recognised and therefore the current consultation is considered to be relevant to this Representation in relation to land at Townsend Fold.

3. THE SITE

SITE LOCATION

3.1 The site's general location is identified below in Figure 3.1.



Figure 3.1 – Land at Townsend Fold, Rawtenstall– not to scale.

- 3.2 The existing business park is located to the south of Holme Lane, with the remaining Green Belt land located to the west. Bury Road is located a short distance to the east, providing links into Rawtenstall to the north and to Edenfield, and beyond, to the south.
- 3.3 As is evident from the aerial image above, land to the west of Riverside Business Park has a close physical relationship with the existing built up part of the settlement, which is further reinforced by the A56 and A682 which both provide a physical boundary to the west.

SITE DESCRIPTION

- 3.4 The site extends to 3.6 hectares and comprises vacant greenfield land, a reservoir and an area of previously developed land used for industrial and storage purposes.

- 3.5 The site which is the subject of this representation is located within the Green Belt. It is bordered by the existing business park and associated employment units to the east and Holme Lane to the north. There are fields to the north west and north of the site, although beyond this is the A682 and buildings at Holme Farm/Holme Manor. There is further greenfield land to the south of the site. The River Irwell runs along the eastern boundary of the Green Belt parcel, separating it from the existing Riverside Business Park.

CURRENT OCCUPIERS

- 3.6 The existing employment site is fully occupied by a range of businesses. Most notably the site is home to Lucite International which produces chemical solutions for sports pitch markings (amongst other things). The firm has seen rapid growth over recent years and requires larger premises to accommodate the growing business. Their preference is to remain at the current site, however, if premises are not forthcoming on this site they will be forced to look elsewhere and, given the lack of modern and accessible premises in Rossendale, this inevitably means relocating to outside the Borough. The land owner is keen to meet Lucite's requirements, however, it can only do so with some expansion into the Green Belt.

SURROUNDING AREA

- 3.7 The subject site is located adjacent to Riverside Business Park which is currently utilised for various employment uses, by a variety of occupiers. Further to the east, is an established residential area in this southern part of Rawtenstall. Importantly, the site is separated from the main residential area by the business park.
- 3.8 Holme Manor Retirement Centre lies to the north west of the site, though there is an area of separation between the site boundary and the retirement centre.
- 3.9 To the south of the site is open countryside, though this is sandwiched between the A56 and Bury Road in this location.
- 3.10 Rawtenstall town centre lies to the north east, offering a range of services and facilities.
- 3.11 This unremarkable site has a close physical relationship with the existing settlement and it does not relate to the wider countryside which is largely located to the south.

FLOOD RISK

- 3.12 According to the Flood Map for Planning provided by the Environment Agency, the majority of the site lies within Flood Zone 1. Parts of the existing employment site fall in Flood Zone 2 and a narrow channel following the course of the River Irwell is within Flood Zones 2 and 3.

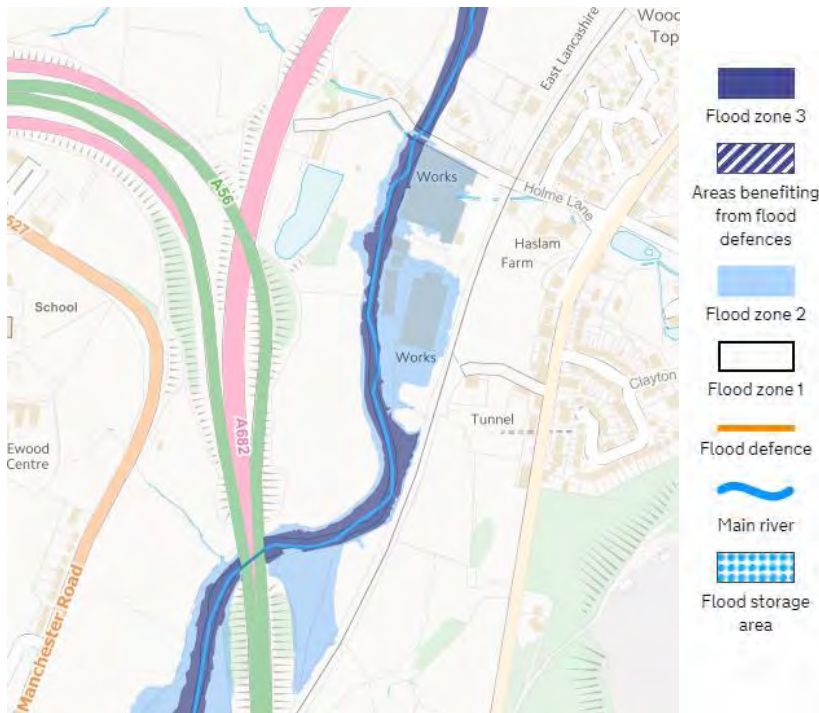


Figure 3.2 – Extract from Flood Map for Planning

LANDSCAPE

3.13 The Council commissioned a Landscape Character Assessment in 2015. The document separates areas of the Borough into various landscape character types. The subject site which is located on the edge of the urban area of Rawtenstall broadly falls into an area identified as ‘Settled Valley’, on the edge of an area identified as ‘Industrial Age’ and in close proximity to an area of ‘Suburban’ landscape. The area is not identified as one which is of particular value.

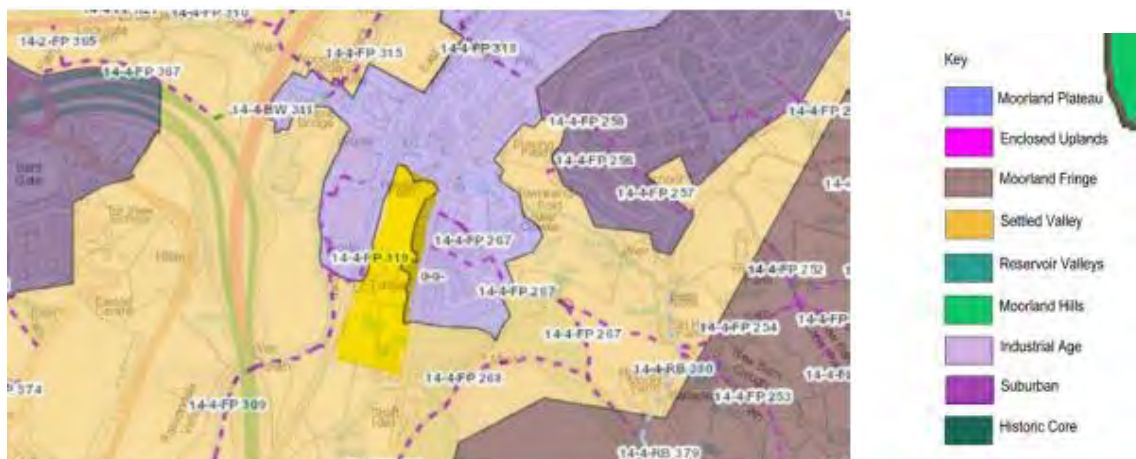


Figure 3.3 – Extract from Landscape Character Area Plan (with footpaths) and Key

3.14 The Landscape Character Assessment goes on to assess specific sites in relation to their development potential, although land at Townsend Fold is not considered in detail in this regard. An area close to the site to the east was, however, assessed – land at Haslam Farm. It was

concluded that parts of this site were suitable for development and this would have a negligible impact upon the surrounding landscape with mitigation measures in place.

PUBLIC RIGHTS OF WAY

- 3.15 Footpath number 14-4-FP309 runs through part of the business park as shown in Figure 3.4 below (albeit this is marked on the key as a temporary closure), but there are no public right of way running through the Green Belt land.

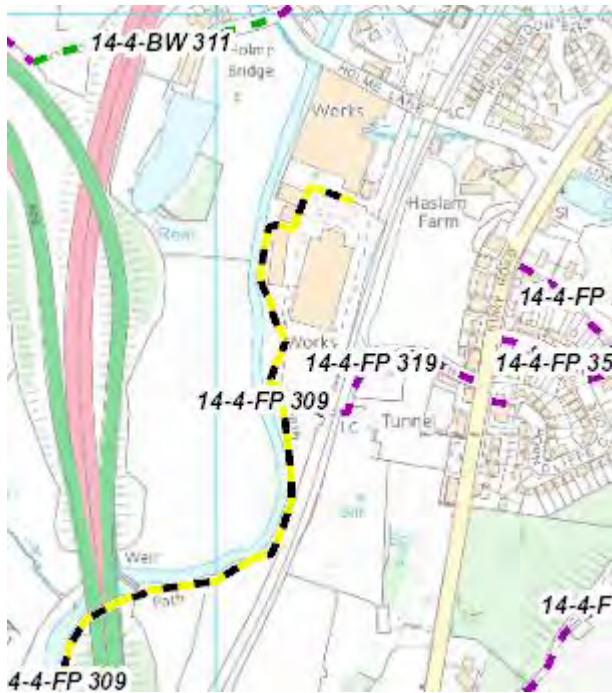


Figure 3.4 Extract of Lancashire County Council's PROW Mapping

AGRICULTURAL LAND QUALITY

- 3.16 According to the agricultural land quality database, land in this area is considered to be of poor or very poor value. This is identified in Figure 3.5 below.

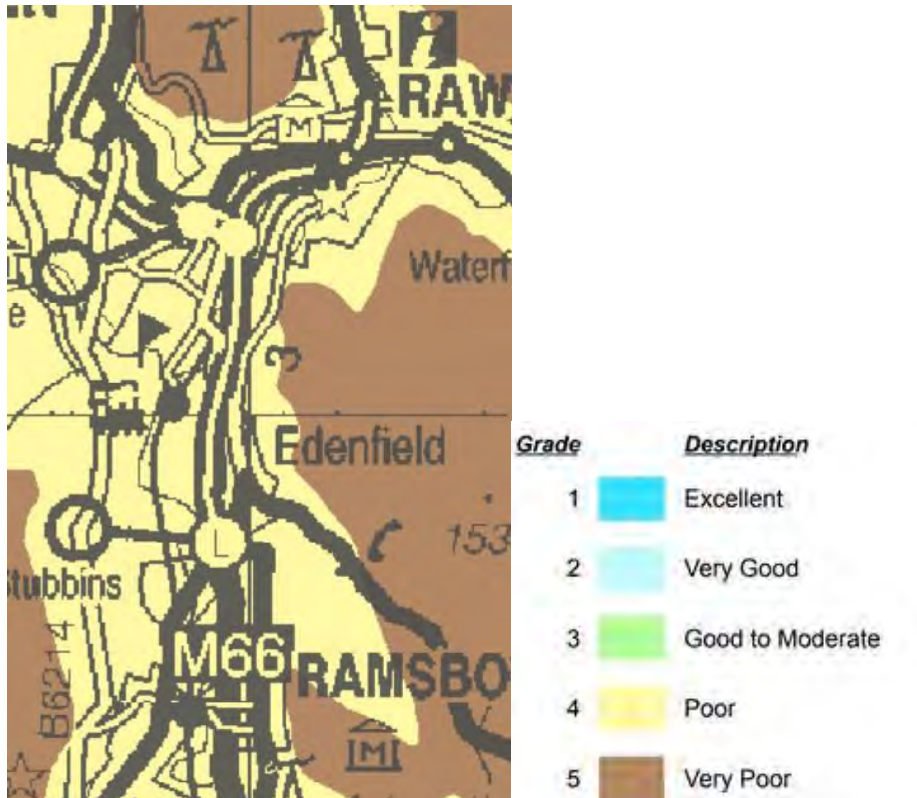


Figure 3.5 Extract of Natural England's Agricultural Land Classification Mapping

ECOLOGY

- 3.17 The site is not a statutory Ecological or Heritage asset neither is it within 1 km of a National Nature Reserve, Ramsar Site, Site of Special Scientific Interest or Special Protected Area.

HERITAGE

- 3.18 Holme Bridge which is located to the north of the site on Holme Lane is Grade II Listed (Listing ID: 185784 Holme Bridge). The listing text states the following:

Bridge, probably late C18. Coursed simply-dressed sandstone. Vernacular materials used in formal style: 2 segmental arches with rusticated voussoirs, a pilaster at each end and another to the pier, which has a cutwater; band, and slab-walled parapet (part replaced by rubble).

SUMMARY

- 3.19 In summary, none of the statutory or other designations identified would preclude development of the site.

4. GREEN BELT REVIEW

4.1 As part of the evidence base to inform the emerging Local Plan, a Green Belt Review was carried out by LUC with the final report being published in November 2016. The purpose of the review was to carry out an independent and comprehensive assessment of Green Belt within the Borough to inform the preparation of the new Local Plan. One of the key aims of the review was to provide clear conclusions on the relative performance of Green Belt which will enable Rossendale Borough Council to consider whether there are 'exceptional circumstances' (as per Paragraph 83 of the Framework) to justify altering Green Belt boundaries through the Local Plan process to meet development needs.

4.2 As previously identified, the Framework sets out five purposes of the Green Belt as follows:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and,
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.3 In common with other studies we have reviewed, the LUC Green Belt Assessment firstly establishes Green Belt parcels – in this instance there are 80 parcels included within five broad areas of Green Belt. In that respect the subject site falls within Parcel 19, as identified below.

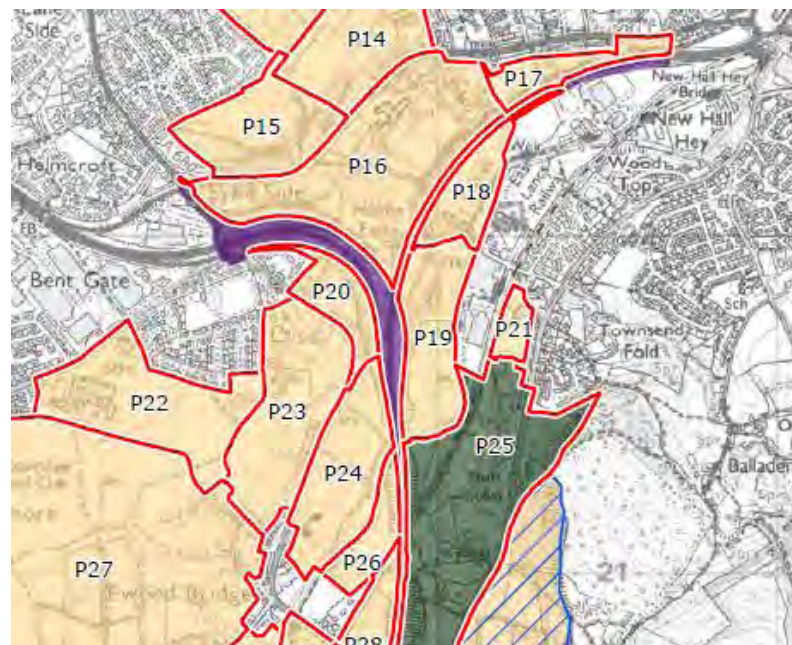


Figure 4.1 Extract from Green Belt Review (2016) - Green Belt Parcels around Rawtenstall

4.4 Parcels were formed through the identification of land that contains the same or very similar land uses or character bounded by recognisable features. These features are described as:

- Natural features i.e. substantial watercourses; and
- Manmade features i.e. motorways A and B roads, railways.

4.5 Less prominent features such as walls, woodland, hedges, tree lines, streams and ditches were also considered where other more permanent boundaries were not present.

4.6 Two types of parcel were identified:

- Areas adjacent to built up areas (relatively small parcels); and
- Broad areas of Green Belt that may be more remote from settlement.

4.7 The boundary of Parcel 19 is identified in further detail in Figure 4.2 below.



Figure 4.2 Extract from Green Belt Review (2016) identifying Parcel 19

4.8 An assessment has then been made by LUC as to the ratings of the Green Belt parcels in Rossendale against the first four objectives of including land within the Green Belt as set out in Paragraph 80 of the Framework.

Parcel ref	Purpose 1a	Purpose 1b	Purpose 2	Purpose 3	Purpose 4
09	Not Applicable	Not Applicable	Strong	Moderate	No Contribution
10	Not Applicable	Not Applicable	Strong	Weak	No Contribution
11	Not Applicable	Not Applicable	Strong	Moderate	Moderate
12	Not Applicable	Not Applicable	Strong	Weak	Weak
13	Not Applicable	Not Applicable	Strong	Moderate	Moderate
14	Not Applicable	Not Applicable	Strong	Weak	No Contribution
15	Not Applicable	Not Applicable	Strong	Moderate	Weak
16	Not Applicable	Not Applicable	Strong	Moderate	No Contribution
17	Not Applicable	Not Applicable	Moderate	Weak	Weak
18	Not Applicable	Not Applicable	Strong	Moderate	Weak
19	Not Applicable	Not Applicable	Strong	Moderate	No Contribution

Figure 4.3 Extract from Green Belt Review (2016) – Overall Assessment Table

Parcel Ratings	
Strong	Parcel performs strongly against this Purpose.
Moderate	Parcel performs moderately well.
Weak	Parcel performs poorly.
No Contribution	Parcel makes no contribution.
Not Applicable	It is not applicable to make an assessment. (This is particularly relevant to P1a and 1b and whether the parcel is adjacent to the large built up area or not)

Figure 4.4 Extract from Green Belt Review (2016) – Parcel Ratings

4.9 It can be seen in Figure 4.3 that the Council’s Green Belt Assessment for Parcel 19 concluded that the parcel has a ‘strong’ role in relation to Purpose 2, a ‘moderate’ role in relation to Purpose 3 and ‘no contribution’ in relation to Purpose 4. Purpose 1 was considered to be ‘not applicable’ given the nature of the urban area of Rawtenstall. Purpose 5 is not detailed within the table given that all sites have been considered as equal in this regard.

4.10 Our response is detailed below.

PARCEL 19

4.11 The assessment for Parcel 19 states that it lies on the edge of Rawtenstall within the green gap between Rawtenstall and Haslingden.

4.12 In our view Parcel 19 is far too broad a study area which has led to skewed conclusions being reached by LUC. In our opinion there is a clear distinction between the northern most part of Parcel 19 to that in the south. In that respect we comment on the conclusions reached by LUC below.

PURPOSE 1: TO CHECK THE UNRESTRICTED SPRAWL OF LARGE BUILT UP AREA

4.13 As identified within the assessment of the subject site, the land lies on the edge of Rawtenstall which is not considered as a 'large built up area' and so the checking of unrestricted sprawl of such a built up area is not relevant in this instance. In any event, even if this purpose were considered appropriate, the physical barrier of the A56 and A682 to the west of the site ensures that development of the subject site would not result in unrestricted sprawl.

4.14 **Result: No contribution.**

PURPOSE 2: TO PREVENT NEIGHBOURING TOWNS MERGING INTO ONE ANOTHER

4.15 Clearly development of the subject site would not result in the merging of towns as a matter of fact as the site is physically well contained by the A56 and A682. Within the Council's assessment, it is stated that the parcel has an important role in maintaining a gap between Rawtenstall and Haslingden, however we consider that this gap would be maintained in any case due to the existing road infrastructure. It should also be considered that the subject site, that within our client's ownership, does not extend to the area shown in Figure 4.1 above and so development will not be as far as the road (please refer to Title Plan in Appendix 1).

4.16 **Result: No contribution.**

PURPOSE 3: TO ASSIST IN SAFEGUARDING THE COUNTRYSIDE FROM ENCROACHMENT

4.17 In our view the site does not assist in safeguarding the countryside from encroachment. Due to the site's proximity to the Mill and its various employment uses, the nearby roads and indeed residential development in close proximity, the character of the subject site does not have a strong rural character. There is no basis for the Council considering that this site has a moderate role in this regard.

4.18 The site is enclosed and has strong defensible boundaries which would safeguard the countryside from encroachment. This is particularly the case for the northern part of Parcel 19 to which this representation relates and this highlights the issues that can occur when too large a Green Belt parcel is considered together, resulting in inaccurate conclusions.

4.19 **Result: No contribution.**

PURPOSE 4: TO PRESERVE THE SETTING & SPECIAL CHARACTER OF HISTORIC TOWNS

4.20 The analysis in the Green Belt Review considers our client's site to make no contribution to this purpose. We agree with this conclusion.

4.21 **Result: No contribution.**

PURPOSE 5: TO ASSIST IN URBAN REGENERATION BY ENCOURAGING THE RECYCLING OF DERELICT & OTHER URBAN LAND

4.22 It is noted that in line with the methodology all sites have been considered as having an equal contribution to this purpose, though it is not stated what this is.

4.23 **Result: Equal contribution.**

COMPARISON SITES

4.24 Figure 4.3 below identifies other Green Belt sites in and around Rawtenstall and Haslingden which have been assessed as part of the Green Belt Review. The plan also goes further to identify those sites which are considered potentially suitable for Green Belt release and subsequently for development (these sites are identified in blue).

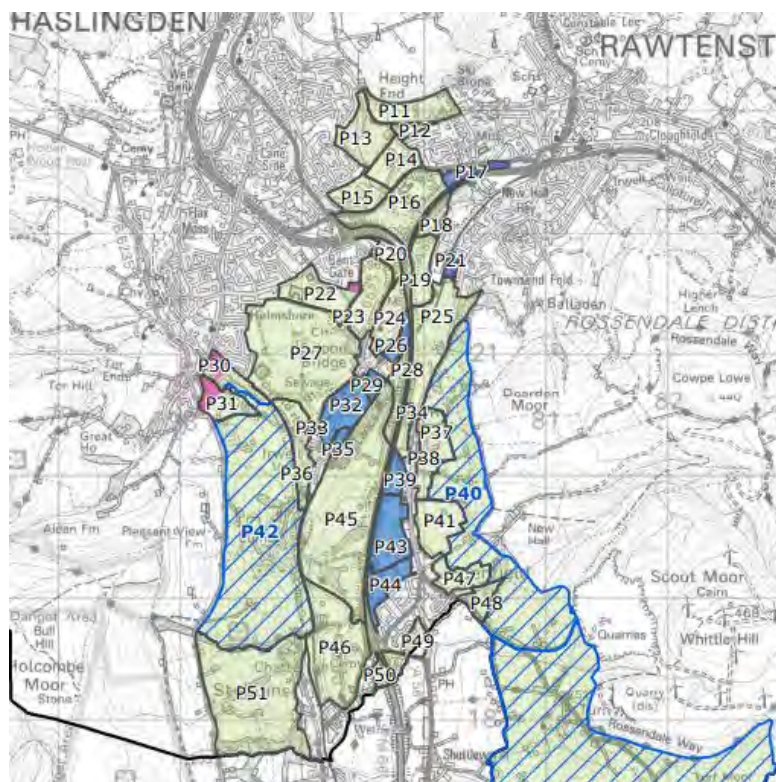


Figure 4.5 Extract from Green Belt Review (2016) – Sites Considered to be suitable for Green Belt Release

4.25 Given the specific nature and characteristics of the subject site, in particular as a successful employment site with occupiers seeking to expand their existing premises, it is difficult to consider other sites which may serve these needs. Indeed, if forced to move from one site in Rawtenstall (or its vicinity) to another, there is the possibility that businesses could be attracted to other areas outside of the Borough.

4.26 Having regard to Figure 4.3 however, we note that the only two sites in this southern part of Rawtenstall, and to the east of the A56, which are identified as potentially suitable for development are Parcel 21 and Parcel 17. We consider these sites briefly below.

PARCEL 21

4.27 Parcel 21 is the closest site to the subject site which is put forward as potentially suitable for development. The site is immediately adjacent to Riverside Business Park, on the opposite side of the railway line. In terms of its assessment, Parcel 21 was scored as follows:

Parcel ref	Purpose 1a	Purpose 1b	Purpose 2	Purpose 3	Purpose 4
21	Not Applicable	Not Applicable	Weak	Weak	No Contribution

Figure 4.6 Extract from Green Belt Review (2016) Sites Summary Table – Parcel 21

4.28 Having reviewed the individual site assessment for this parcel, it is identified that the parcel is on the settlement edge of Rawtenstall and forms a small part of the gap between Rawtenstall and Haslingden. Under the assessment for Purpose 2 it is stated that the parcel plays an important role in providing separation between the settlement area of Wood Top and the Riverside Business Park, but as both of these urban areas form part of Rawtenstall this has not been taken into account with regard to Purpose 2.

4.29 In relation to Purpose 3, it is concluded that the site lacks a strong rural character which we concur is the case in this location more generally.

PARCEL 17

4.30 Parcel 17 is also considered to have a relatively weak role in terms of its Green Belt designation. This parcel is closer to the Rawtenstall Town Centre and therefore is of less relevance to the subject site.

Parcel ref	Purpose 1a	Purpose 1b	Purpose 2	Purpose 3	Purpose 4
17	Not Applicable	Not Applicable	Moderate	Weak	Weak

Figure 4.7 Extract from Green Belt Review (2016) Sites Summary Table – Parcel 17

- 4.31 Notably, it is concluded in the assessment that this parcel is not considered critical in terms of its role maintaining the separation between Rawtenstall and Haslingden as this role is carried out by Parcels 14,15 and 16 further to the west.
- 4.32 The subject site (Parcel 19) is further to the south of these key parcels, with its boundaries clearly defined by road structures, again highlighting the parcel's suitability for Green Belt release and the minimal impact this would have on the surrounding area.

OVERALL ASSESSMENT

- 4.33 We consider the assessment which has been carried out for the subject site, which comprises part of the land included within Parcel 19 to be flawed as it overestimates the value of the Green Belt in this location. In addition, there are distinct differences between the land included in the northern part of the parcel and that in the south.
- 4.34 We advocate that our client's land makes no contribution to four of the purposes of including land in the Green Belt and the remaining purpose 5 cannot be used for assessment purposes as all of the sites in the Borough are given equal weighting.
- 4.35 In line with the Council's methodology **the overall assessment for our client's site should therefore be weak.**
- 4.36 We consider the subject site as an appropriate site for release from the Green Belt as it is adjacent to the settlement boundary and is controlled by defensible boundaries and has existing development on 3 sides. The site would form a logical extension to the south of Rawtenstall and in particular to the established employment site at Townsend Fold.
- 4.37 We reserve the right to make further representations in support of the release of the subject site from the Green Belt.

5. PROPOSED EXTENDED EMPLOYMENT ALLOCATION

SITE CONTEXT

- 5.1 The subject site at Townsend Fold represents an opportunity to deliver truly sustainable employment development. As already highlighted, the Riverside Business Park site is occupied by a number of commercial businesses located in the various buildings spread across the site, however there is demand for further employment space on the site.
- 5.2 Riverside Business Park's success is based upon its location. It is situated off Bury Road, Rawtenstall and offers easy access to the town centre facilities including banks, post offices, shops and cafes. It is also within easy reach of the motorway networks, with the A56 providing good links to both the M65 and M66. As a result, the site is within easy reach of Manchester, Bolton, Blackburn, Bury, Rochdale, Burnley and beyond.
- 5.3 Units at Riverside Business Park are reasonably modern with good access for goods vehicles and ample parking. Current tenants range from shoe manufacturers, furniture makers and a line marking company (Lucite International) who received a Queens Award for Innovation. As previously detailed, Lucite International is seeking to extend its operations at the site. Unfortunately, if their requirements cannot be met within the existing site they will inevitably be looking for alternative premises outside of the Borough. Given the rapid decline in industry in the Borough of Rossendale, the retention of successful businesses such as this one is key to the Borough's future prosperity.
- 5.4 Whilst the existing employment site is allocated within the draft plan under draft Policy EMP2.50, we consider that the adjoining Green Belt land, which is also in the same ownership, could provide an appropriate extension which will allow the employment site to retain its valued occupiers and remain competitive over the course of the plan period.
- 5.5 Both the existing employment site and the adjoining Green Belt land is in single land ownership, being solely within the ownership of B&E Boys Limited.

DRAFT POLICY EMP1 – PROVISION FOR EMPLOYMENT

- 5.6 Draft Policy EMP1 sets out the Council's approach to 'Provision for Employment'. It states that the Council will seek to provide sufficient land to meet the Borough's requirement of 27 hectares for business, general industrial or storage and distribution (Use Classes B1, B2, B8) for the period up to 2034.
- 5.7 Within the explanatory text it is identified that, as evidenced by the Employment Land Review (2017), there is a lack of good quality small to medium sized industrial premises (B2 and B8 uses) which is in turn suppressing demand. It is further identified that the need for industrial premises is greatest in the west of the Borough where sites benefit from good access to the A56 and M66.

5.8 It is generally recognised that Rossendale has seen a significant decline in employment levels since 1997, however it still has an active industrial market and suitable and sufficient premises need to be provided in order for the Borough to remain competitive.

DRAFT POLICY EMP2 – EMPLOYMENT SITE ALLOCATIONS

5.9 Draft policy EMP2 allocates sites for employment use over the plan period, including both existing sites and new allocations. The existing employment site at Townsend Fold is referred to under draft Policy reference EMP2.50 ‘Riverside Business Park’. It is stated that the site is suitable for B1, B2 and B8 uses and the total site area is 6.04ha.

Employment Allocation Ref.	Employment Land Study Ref	Site name	Gross Area (ha)	Area available for development (ha)	Use Class	Policy
EMP2.50	EMP46	Riverside Business Park	6.04	0.00	B1, B2, B8	

Figure 5.1 Extract from draft Policy EMP2 Allocations Table

5.10 The site is identified on the draft Proposals Map as shown below.

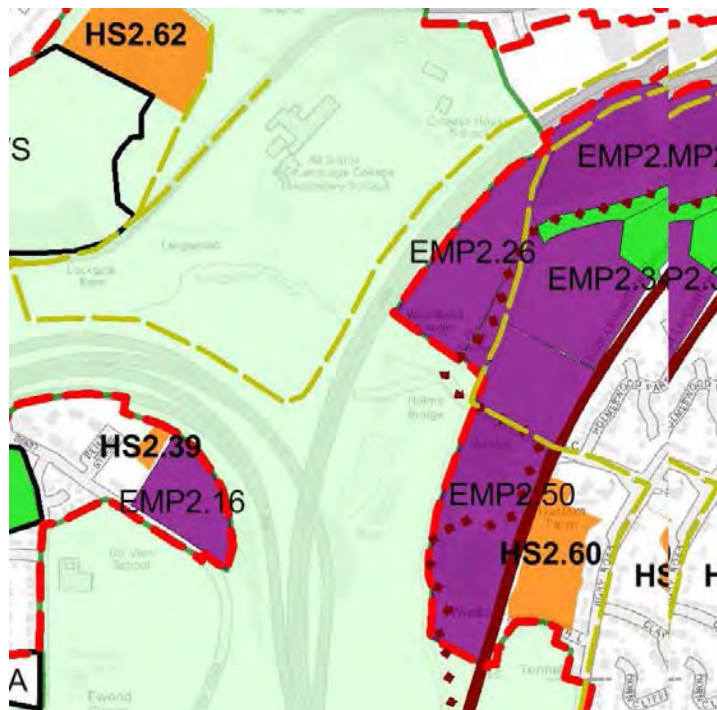


Figure 5.2 Extract from Draft Proposals Map

- 5.11 We support the continued allocation of this site for employment uses, as recommended in the Employment Land Review (2017). It enjoys high levels of occupation and indeed requires expansion in order to meet the demands of current occupiers. The site has good links to A56 and the M66 beyond this and therefore demand from occupiers has remained high in comparison to other more limited parts of the Borough.
- 5.12 The long-term prospects of the business park are however, dependent upon the ability for expansion.

A SUSTAINABLE EXTENDED EMPLOYMENT ALLOCATION

- 5.13 The existing Riverside Business Park represents a prime opportunity for expanding an existing successful employment location for the benefit of the Borough as a whole.
- 5.14 The site is located in a very sustainable location, in close proximity to Rawtenstall Town Centre and with good road and motorway links to destinations further afield. Despite being within the urban boundary of Rawtenstall, the employment site sits well with nearby residential uses and is separated by the physical presence of the railway line to the east of the site.
- 5.15 The proposed expansion site, whilst currently in the Green Belt, does not perform well against the established Green Belt purposes. The site is well contained by existing road infrastructure and provides an opportunity for sensitive expansion of the existing business park, without being detrimental to the Green Belt or other surrounding uses.
- 5.16 The expansion of the existing business park would not only provide more space and better quality employment units, but any capital generated would also help to improve the existing units making them more attractive to occupiers and further securing the long term future of Riverside Business Park.
- 5.17 This proposal presents an opportunity to ensure the continued delivery of a sustainable and successful employment site over the next 15 years, which will in turn make a significant contribution to Rossendale Borough's economy and attract further investment. The subject site and the case made for development therefore presents the exceptional circumstances as set out in the Framework which would allow an amendment to the Green Belt boundary through the preparation of a new Local Plan.
- 5.18 To conclude, for the reasons discussed above, in our view the site at Riverside Business Park should be extended to allow for a more substantial employment allocation in this area.

ADDITIONAL STUDIES

- 5.19 Studies are ongoing in relation to this site and we reserve the right to submit these at a later stage of the Local Plan preparation process.

PROPOSED MODIFICATION

- 5.20 The Council is respectfully requested to extend the current employment allocation EMP2.50 to include the remainder of land within the ownership of B&E Boys Ltd and amend the Green Belt boundary accordingly. The extension of this existing employment site is considered entirely appropriate in order to secure the long-term future of the site and ensure that Rawtenstall (and the Borough more widely) is able to retain important local employers.
- 5.21 We contend that this would properly reflect the provisions of Paragraph 83 of the Framework which sets out that amendments to Green Belt boundaries can only be made in exceptional circumstances and through the local plan process. In addition, the amendment to the Green Belt boundary in this instance would be fully in accordance with Paragraph 84 of the Framework which sets out that such amendments should only be made to facilitate sustainable development patterns.

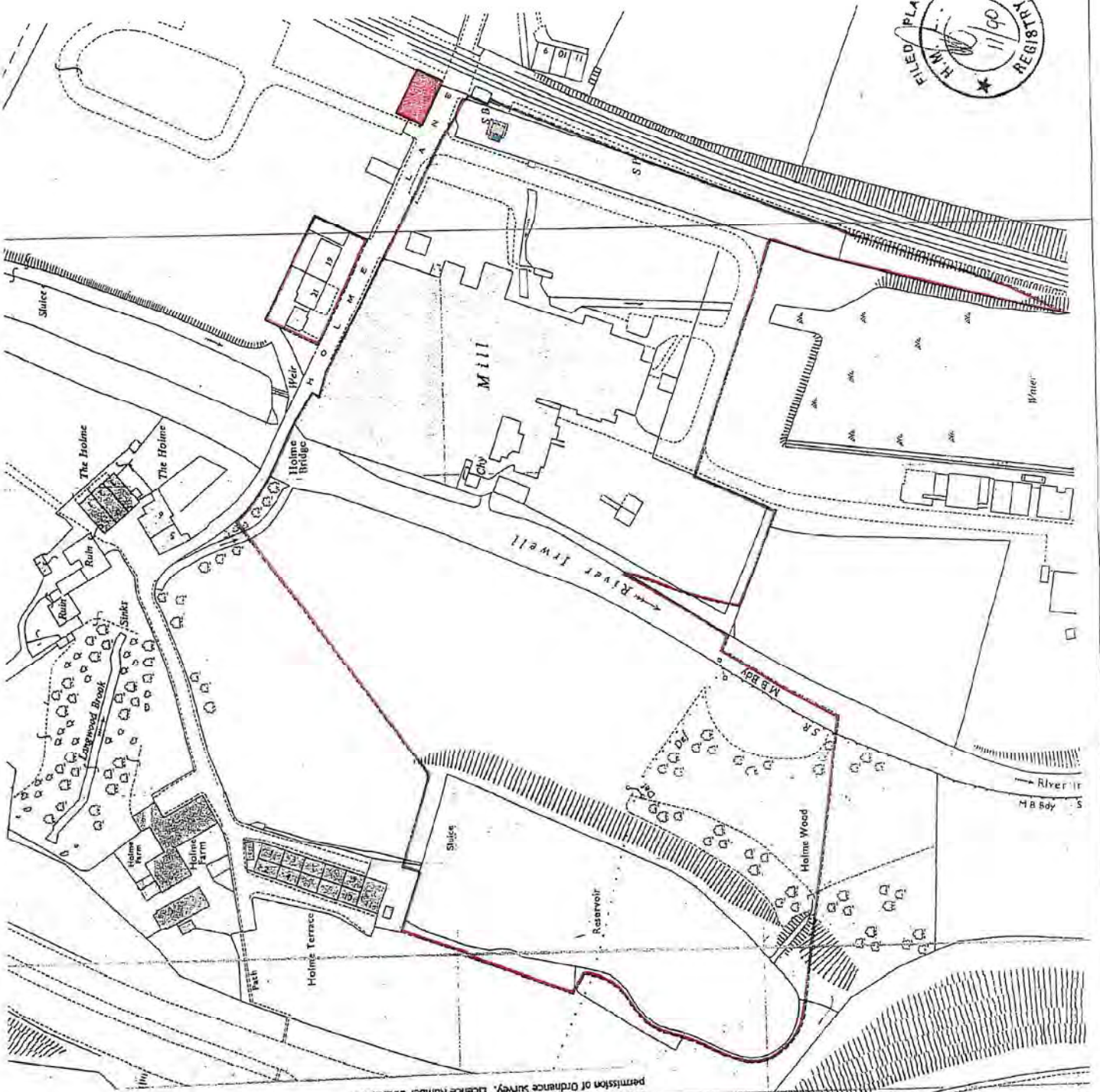
6. CONCLUSIONS

- 6.1 The starting point for consideration of the Council's Local Plan is the well- established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 6.2 The Framework is clear at Paragraph 83 that Green Belt boundaries can be amended in exceptional circumstances, through the local plan process. Paragraph 84 further states that this can only be done in order to facilitate sustainable development.
- 6.3 It has been highlighted in this Representation that the land adjacent to the existing Riverside Business Park does not meet the five purposes of the Green Belt as set out in Paragraph 80. As a result, and in order to future-proof the site, an extension to the existing employment site is recommended following the land ownership boundary of B&E Boys. Through implementing this sustainable extension, land at Riverside Business Park has an opportunity to be a significant contributor to the local economy in Rawtenstall, and the Borough of Rossendale more widely.
- 6.4 In conclusion, Local Plan Policy EMP2.50 should be modified to include land to the west of Riverside Business Park and this land should be removed from the Green Belt accordingly.

Hourigan Connolly

9 October 2017

Appendix 1



This title plan shows the general position of the boundaries; it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - Title Plans.

This official copy shows the state of the title plan on 10.03.11 at 10.10.06.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 12 OCT. 2007

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LA646716



ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

B&E Boys Ltd

SITE:

Waterfoot Mills, Burnley Road East, Waterfoot

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
20.09.17	06.10.17	09.10.17

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Appendices

Appendix 1 Masterplan Strategy Document

1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.2 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.3 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.4 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
 - Strategic Housing Market Assessment (SHMA) (2017).
 - Employment Land Review (2017).
 - Green Belt Review (2016).
 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
 - Town Centre, Retail, Leisure and Tourism Study (2017).
 - Playing Pitch Strategy (2016) (previously published).
 - Strategic Flood Risk Assessment (SFRA) (2016).
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
 - Landscape Study (2015) (previously published).

- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.5 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

1.6 Hourigan Connolly is instructed to review and comment on the emerging Local Plan in relation to the Waterfoot Mills site, Waterfoot. Part of the site has a proposed allocation for B1, B2 and B8 employment uses under draft Policy **Reference EMP2.53**.

1.7 The site comprises a collection of mill buildings and other commercial / industrial premises in single ownership which extend along the eastern side of Burnley Road East for circa 430m. The site has four distinct areas currently comprising of Dale Mill, Waterfoot Business Centre, Globe Mill and Albion Mill, but collectively the entire site is known as 'Waterfoot Mills'. There are a number of vehicular access points off Burnley Road East which provide access to the various businesses located across the site. The site is located in the area known as Waterfoot between Rawtenstall (which is 2.5 km away), and Bacup (which is 3 km). Whitewell Brook runs through the centre of the site running parallel to Burnley Road East.

1.8 The site is proposed to be designated as an Existing Employment Area. However to recognise the full potential that the entire site has to offer to the future growth of the Borough of Rossendale, on behalf of the landowner, this Representation seeks to promote the site as an employment-led, mixed-use allocation. This Representation will set out how the site should be included in the Council's proposed list of Mixed Use Allocations listed under Policy EMP2.

SCOPE

1.9 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.

1.10 This document follows earlier Representations and discussions made by Mr Brian Boys as part of previous consultation stages in the Local Plan process, albeit that parts of the Local Plan were subsequently halted in favour of a complete new Local Plan.

OVERVIEW

1.11 The starting point for consideration of the emerging Local Plan document is the well-established principle embodied in Paragraph 158 of the National Planning Policy Framework (hereafter referred to as the Framework) that Development Plans must be based on adequate, up-to-date

and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The RBC Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and guide the preparation of Local Plans.

MINISTERIAL STATEMENTS

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
 - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
 - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
- 2.16 Paragraph 152 of the Framework goes on to deal with adverse impacts on any of the dimensions of sustainable development and sets out three tests:

- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
- Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- Where adequate mitigation measures are not possible, compensatory measures may be appropriate.

2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”.*

2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

HOUSING

- 2.21 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.22 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

BUSINESS

- 2.23 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.24 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

INFRASTRUCTURE

- 2.25 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.26 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European

Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

2.27 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014

2.28 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

2.29 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Report, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

“Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence

which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.30 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

“WHAT CONSTITUTES A ‘DELIVERABLE SITE’ IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

2.31 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 of the section titled ‘Local Plans’ (Reference ID 12-008-20140306) that:

“HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.”

GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)

- 2.32 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.
- 2.33 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.34 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.35 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.
- 2.36 Crucially the link between housing growth and economic activity must be recognised, along with the importance of directing such uses to viable locations.

3. POLICY EMP2: EMPLOYMENT SITE ALLOCATIONS

INTRODUCTION

3.1 Draft Policy EMP2: Employment Site Allocations identifies all sites within the Borough which have been allocated for employment development. For each site allocated, site area, available area for development and proposed use class is set out.

3.2 The Waterfoot Mills site is identified as Employment Allocation Ref. EMP2.53 as shown below. It is classed as an 'existing employment' site and is considered suitable for B1, B2 and B8 uses.

Employment Allocation Ref.	Employment Land Study Ref	Site name	Gross Area (ha)	Area available for development (ha)	Use Class	Policy
EMP2.53	EMP24	Waterfoot Mills	1.84	0.00	B1, B2, B8	

Fig. 1 Extract from Site Allocations Table (Policy EMP2)

3.3 The proposed allocation is identified in purple in Figure 2.

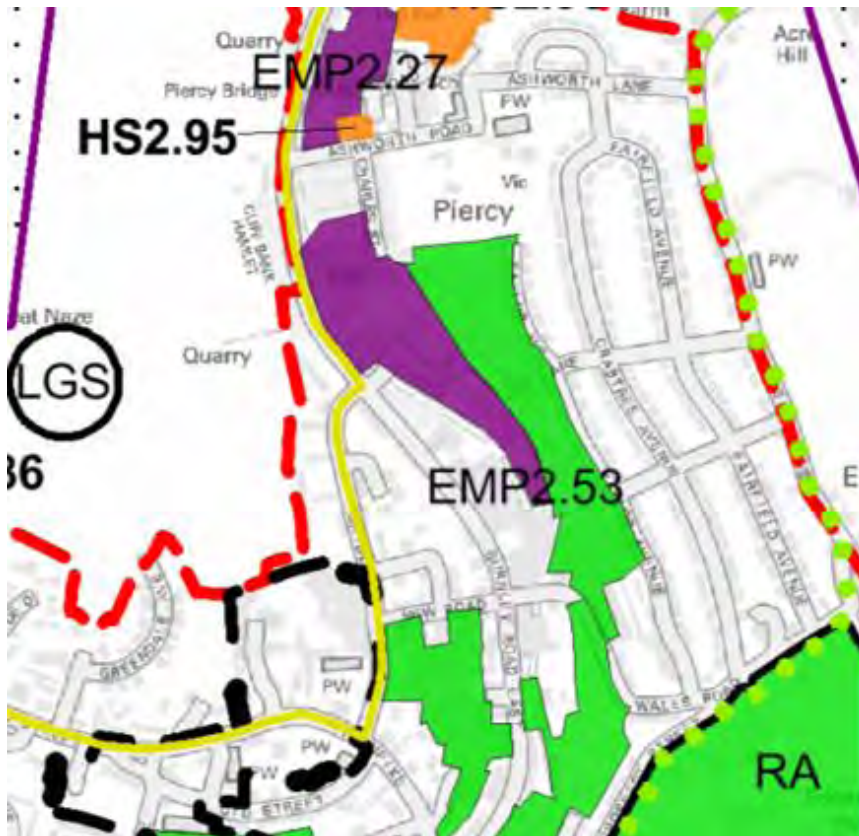


Fig. 2 Extract from Draft Proposals Map

- 3.4 We support the aims of the Local Plan to identify key development sites which are central to the delivery of the overall strategy for new and existing employment assets and the Borough's economy. Crucial to the economy is the delivery of appropriate uses in the right locations.
- 3.5 Given the nature of the site and premises at Waterfoot Mills, we do not consider that the proposed allocation for B1, B2 and B8 uses will secure viable use and investment in the site going forward. As referred to in the Policy Explanation, much of the committed supply of employment sites is not considered to be fit for purpose, and is often in the wrong location with sites to the west of the Borough being more attractive due to better links to the A56 and M66.
- 3.6 We provide greater details of the site and its current use in Section 4 of this Representation, however we consider that flexibility of acceptable Use Classes is necessary to enable the land owner to continue to market the site to a wide range of potential employment-generating occupants, whilst also diversifying from the existing employment uses to allow some residential development on the site.
- 3.7 To this end we consider that it would be more appropriate for the site to be listed as a 'Mixed-Use Allocation' under the provisions of draft Policy EMP2.

PROPOSED MODIFICATION

- 3.8 The Council is respectfully requested to modify the current employment allocation EMP2.53 to allow for mixed-use development including both employment and residential development. The Council is invited to include this modification in the Local Plan document by the allocation of a mixed-use allocation for the site under draft Policy EMP2. Mixed-use development in this location is considered appropriate in order to facilitate the viable regeneration of the site in part or whole.
- 3.9 We contend that this would properly reflect Paragraph 22 of the Framework which seeks to avoid the long term protection of employment uses where there is no reasonable prospect of a site being used for that purpose. In such circumstances, more appropriate and viable uses, such as housing, should be acceptable.

4. WATERFOOT MILLS – A MIXED USE DEVELOPMENT SITE

SITE CONTEXT

- 4.1 The site at Waterfoot Mills fronts onto Burnley Road East, located in Waterfoot. Waterfoot Mills comprises four separate areas:
- i. Dale Mill.
 - ii. Waterfoot Business Centre
 - iii. Globe Mill.
 - iv. Albion Mill.
- 4.2 Contained in **Appendix 1** is a masterplan strategy document which illustrates the distinct mill areas.

DALE MILL

- 4.3 Dale Mill is located in the far north of the Waterfoot Mills area. Dale Mill comprises a collection of mainly single storey buildings and maintains high levels of occupancy due to good vehicular access; currently 65% of this mill is occupied, sustaining 33 jobs.
- 4.4 It is intended that Dale Mill would continue in employment use with areas of the existing buildings being subject to a strategy of upgrade and refurbishment, with relocated self-storage units positioned on site (relocated from the existing site at Gagghills Lane). As part of the upgrade strategy, new employment floorspace could be generated through selective demolition and the creation of up to an additional 1,400 sqm workshop floorspace.

WATERFOOT BUSINESS CENTRE

- 4.5 Moving southwards along Burnley Road East, the next section of the site is known as Waterfoot Business Centre. This element of the site currently only has 21% of its total space occupied, which equates to only 18 jobs on site. This section comprises a collection of buildings of varying heights and construction, with a mill building being located at the front of the site immediately adjacent to the main road. The buildings at the rear of the site are built into the banking of the brook and pose structural challenges for any redevelopment, but they have reasonable access for vehicles. Vehicular access is limited to the remainder of the site for heavy goods vehicles due to the orientation of the existing buildings; this is a prohibitive factor to attracting potential commercial occupants.
- 4.6 Accordingly it is submitted that owing to technical constraints therefore, the retention and / or redevelopment of large parts of the Business Centre are unviable for continued / new employment

use. The Business Centre offers no reasonable prospect of being retained as a whole in viable employment use across the Plan period.

- 4.7 The Waterfoot Business Centre site is considered suitable for residential redevelopment. Whilst an element of employment may be retained in more viable, suitable, and accessible areas, our clients believe there to be an opportunity to positively redevelop a previously developed site within the Urban Boundary for a more viable residential use.

GLOBE MILL

- 4.8 Globe Mill has only 2% of its 3,000 sqm of available floorspace occupied; this results in only 5 people being in employment at Globe Mill. The site comprises another large mill building where the upper floors are impossible to let for current employment space needs due to the nature of the construction and layout of the mill building and the fact that the goods lift can only provide access to limited space in the building. Due to the age of the mill building, the floors of the mill are constructed mainly in timber and present a fire risk.
- 4.9 Globe Mill had once been wholly occupied by a single user, but since that business closed down the building has remained empty. There are issues with access for vehicles and goods, and problems with the fabric of the construction of the building. The resultant position is that this element of the Waterfoot Mills site is unattractive to new tenants and is financially unviable for retention in employment use either as existing or as a redevelopment employment proposal.
- 4.10 Accordingly, the site should not be retained for employment purposes. Globe Mill is considered more suitable for residential redevelopment.

ALBION MILL

- 4.11 Albion Mill is sandwiched between the main road (Burnley Road East), the adjoining Wales Road, and an area of existing woodland. Albion Mill recently had its road frontage demolished as a consequence of structural obsolescence, and as such only 20% of the site is now occupied, providing jobs for 5 people. Following the demolition of the mill this element of the site is more suited to a residential use which would complement the existing residential properties which surround the site. The site should not be retained for employment purposes for the duration of the Plan period.
- 4.12 An indicative proposed layout is shown on the masterplan contained in **Appendix 1** which illustrates how the Albion Mill section of the site could potentially be redeveloped for residential purposes.

POTENTIAL FOR SUSTAINABLE MIXED USE DEVELOPMENT

- 4.13 Allocating the Waterfoot Mills for Mixed Use Development rather than restricting it to an Existing Employment Area presents a very positive opportunity to redevelop the whole of the site in a holistic and strategic manner.
- 4.14 The Framework makes it very clear that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose (Paragraph 22). It has been demonstrated in this Representation that the site should not be retained solely for employment purposes. The Council should recognise the potential for the site to be brought back into beneficial use through a mix of complementary uses including retained and new employment and new residential proposals. A mixed use allocation would facilitate the delivery of sustainable development within the Borough.
- 4.15 Not only could the site contribute to the local economy through the retention and creation of employment-generating uses, but the site presents the opportunity to contribute to the delivery of housing over the Plan period.
- 4.16 Policy HS1 within the Draft Local Plan relates to 'Meeting Rossendale's Housing Requirement' and identifies a net housing requirement for the period 2019 to 2034 of at least 4,000 additional dwellings, equating to 265 dwellings a year. In addition, it is stated that a prior underprovision of 425 dwellings is to be met in the first five years.
- 4.17 We support the aims of the Local Plan to identify key development sites which are central to the delivery of the overall strategy for new housing and this subject site could make a positive contribution to the delivery of housing in the Borough; a mixed use development would embody the aims of the Framework to meet the development needs of the area for both housing and employment.
- 4.18 Importantly, the site is in a single ownership, and the land owners are willing to have open discussions with the Council to deliver a really exciting project across the whole site which could make a key contribution to the sustainable growth of the Borough. The site in its current state is not financially viable, and as the existing buildings remain vacant and continue to fall into disrepair, the situation is only going to be exacerbated. The flexibility of a Mixed Use Allocation would enable a more sustainable approach to the future protection and development of the site at Waterfoot Mills.
- 4.19 There is potential for a Development Brief to be drafted for the redevelopment of the site to encourage key stakeholders, the land owner and the Council to work together for the benefit of the site itself, the immediate environs in Waterfoot, and to the benefit of the local economy in Rossendale Borough. Additional work is forthcoming in this regard.

CONCLUSIONS

- 4.20 It has already been described how each of the distinct areas which form the 'Waterfoot Mills' site are only partly occupied by commercial and industrial operators and employers. The site does not operate on a financially viable basis, but the land owner is committed to retaining existing tenants where possible and attracting new employers through the creation of additional floorspace. However, there are deficiencies with many of the existing buildings and the associated environs which prohibit the site being fully occupied for solely employment use.
- 4.21 This Representation has set out how there is an exciting opportunity for the site to make a contribution to the continued retention of existing employment floorspace, the creation of new employment floorspace, and the delivery of new housing over the Plan period and beyond.
- 4.22 This subject site comprises previously developed land, within the Urban Boundary, in a sustainable location and therefore would accord with the principles of sustainable development as set out in the Framework.

5. CONCLUSIONS

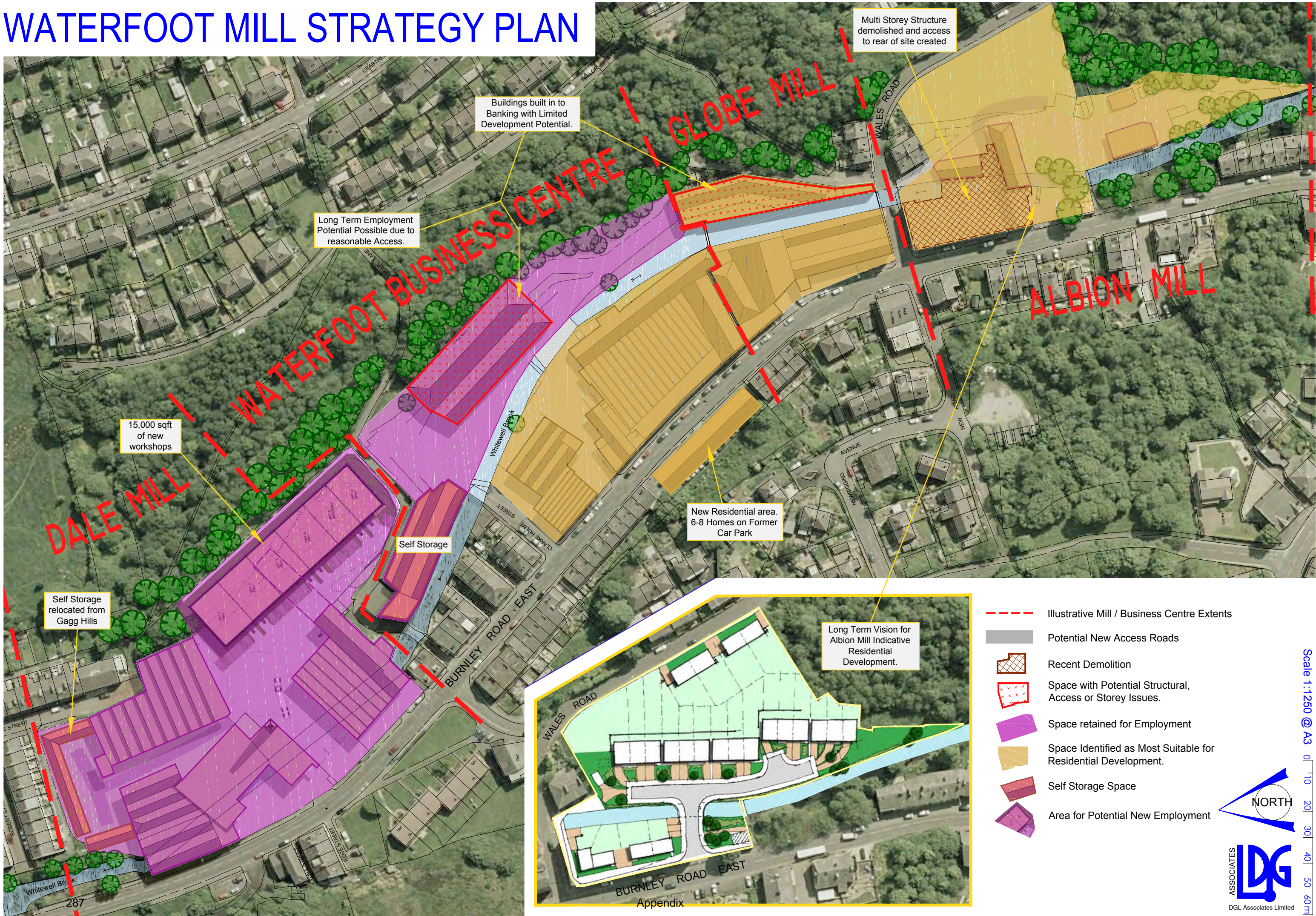
- 5.1 The starting point for consideration of the Council's Local Plan is the well- established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 5.2 The Framework is clear at Paragraph 22 that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Paragraph 160 outlines the importance of local planning authorities having a clear understanding of business needs within the economic markets operating in and across their area.
- 5.3 It has been shown in this Representation that the site at 'Waterfoot Mills' on Burnley Road East presents an exciting opportunity to make a sustainable contribution to the local economy through employment and housing redevelopment. The site is currently proposed to be designated as an Existing Employment Area, however it has been demonstrated that the site should be allocated for Mixed Use. Some parts of the site are occupied by commercial businesses, however many of the existing buildings are in limited use, some buildings have remained long-term vacant, and some buildings are not in a suitable condition to meet the needs of modern-day employers. The site as a whole does not present an attractive employment environment and it is for these reasons that the site should not be protected for sole-employment uses only.
- 5.4 The site would be more suitable as a Mixed Use allocation. This would enable the necessary flexibility in planning policy for the site to attract other employment-generating uses, as well as providing the opportunity to develop parts of the site for housing. The site has an opportunity to contribute to the delivery of housing over the Plan period on a site which comprises previously developed land within the Urban Boundary.
- 5.5 In conclusion, Local Plan Policy EMP2 should be modified to include the site at Waterfoot Mills as a Mixed Use Development site. The site presents an exciting opportunity to plan properly for the holistic redevelopment and regeneration of a major site within the Urban Boundary in sustainable location.

Hourigan Connolly

9 October 2017

Appendix 1

WATERFOOT MILL STRATEGY PLAN



- - - Illustrative Mill / Business Centre Extents
- Potential New Access Roads
- X Recent Demolition
- + Space with Potential Structural, Access or Storey Issues.
- Space retained for Employment
- Space Identified as Most Suitable for Residential Development.
- Self Storage Space
- Area for Potential New Employment

Scale 1:1250 @ A3 0 10 20 30 40 50 60m



Your Ref :
Our Ref : 2017-10-09 Conway Road
Date 09 October 2017

Draft Local Plan Consultation
Rossendale Borough Council
Forward Planning
The Business Centre
Futures Park
Bacup
OL13 0BB

BY EMAIL ONLY: forwardplanning@rossendalebc.gov.uk

Dear Sir/Madam

SUBMISSION TO THE ROSSENDALE DRAFT LOCAL PLAN (REGULATION 18) CONSULTATION

CONWAY ROAD, RAWTENSTALL

Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. This consultation is the first public consultation stage in the production of the Local Plan (Regulation 18) and includes the Draft Local Plan (Written Statement) and its accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.

Hourigan Connolly is instructed by A Sutcliffe and Company to submit and provide comment on the above in relation to land at Conway Road, off Edge Lane. We have previously submitted representations in response to consultation relating to the Local Plan Part 2 in 2015 and subsequently the 'Call for Sites' exercise relating to the preparation of the new Local Plan in 2016.

Along with this letter, we also submitted an electronic consultation form via the Council's website and this letter should be read in conjunction with the submitted form.

Submissions

We note that within the draft Local Plan land Conway Road, Rawtenstall has been included within the settlement boundary for Rawtenstall. The changes to the Urban Boundary to include the subject site are welcomed. It has been demonstrated that the site, when assessed against the Urban Boundary Assessment Criteria results in a positive conclusion where the development could contribute to sustainable development in the Borough. In addition, it has been shown, within our previous representations, that the development on the site would not have a severe impact on highway matters.

In conclusion, we agree with the Council's draft Proposals to include the subject site within the urban boundary. The site is capable of being developed for residential development without causing harm to neighbouring amenity.

We have requested that the Conservation Area Boundary in this location be amended to reflect that of the Cloughfold Conservation Area Appraisal which identified the following within the Townscape Appraisal Map (Appendix 1):



Fig 1: Extract from Appendix 1 of the Cloughfold Conservation Area Appraisal. The subject site is edged in red (the full extent of the site is not included on the Appraisal Map).

Having regard to the recommendations contained in the Conservation Appraisal, it is submitted that the Council should redraw the Draft Proposals Map to accurately reflect the revised Conservation Area boundary for Cloughfold.

We reserve the right to provide further supporting statements and evidence during the preparation of the Plan process and ask that we continue to be informed as the Local Plan progresses.

Yours faithfully

ELINOR GEORGE MTCP (Hons) MRTPI
Senior Planner

cc: Daniel Connolly Hourigan Connolly

Encl.



ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

Mr Ken Howieson

SITE:

Land opposite 1019 Burnley Road, Loveclough

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
RT	DC	DC
06.10.2017	09.10.2017	09.10.2017

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Appendices

Appendix 1 Proposed change to Urban Boundary

1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. The Council are asking for comments on the Draft Local Plan which will replace the Core Strategy once it is adopted.
- 1.2 The Draft Local Plan document has been informed by a series of evidence base documents, and previous consultations undertaken on proposed changes to the Urban Boundary and the Green Belt¹.
- 1.3 The evidence base comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) - Stages 1 & 2 and Site Assessments 2017
 - Strategic Housing Market Assessment (SHMA) 2017
 - Employment Land Review 2017
 - Green Belt Review 2016
 - Environmental Network Study 2017
 - Gypsies and Travellers Accommodation Assessment 2016
 - Town Centre, Retail, Leisure and Tourism Study 2017
 - Playing Pitch Strategy 2016 (previously published)
 - Strategic Flood Risk Assessment (SFRA) 2016
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing 2017
 - Landscape Study 2015 (previously published)
 - Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- 1.4 Rossendale's Local Plan will designate land and buildings for future uses to meet the Borough's needs and set out what developments should look like and how they should fit in with their surroundings.

¹ Consultation was undertaken on the Green Belt & Urban Boundary Review between October – December 2012, January 2013 and December 2014, with further comments accepted by the Council during 2015 and 2016 to inform the previous Local Plan Part 2 consultation, which was late withdrawn.

- 1.5 Sites have been proposed for development (such as housing or employment sites), for environmental protection and for recreation uses on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation areas and an extension to an existing Conservation area are being considered.

BACKGROUND

- 1.6 Hourigan Connolly is instructed to review and comment on the Draft Local Plan in relation to land opposite 1019 Burnley Road in Loveclough, Rossendale. Currently the site is designated as being located beyond the Urban Boundary within the open countryside. On behalf of our client, we seek to promote a change to the Urban Boundary to include the subject site.
- 1.7 This Statement will demonstrate that a change to the Urban Boundary to include the subject site would accord with the criteria set out by the Council as part of their consultation for the Review of existing Green Belt and Urban Boundary in 2012 / 2013 (no update to this appears to be available as part of the 2017 consultation).
- 1.8 The location of the site is shown below, at Figure 1.1.

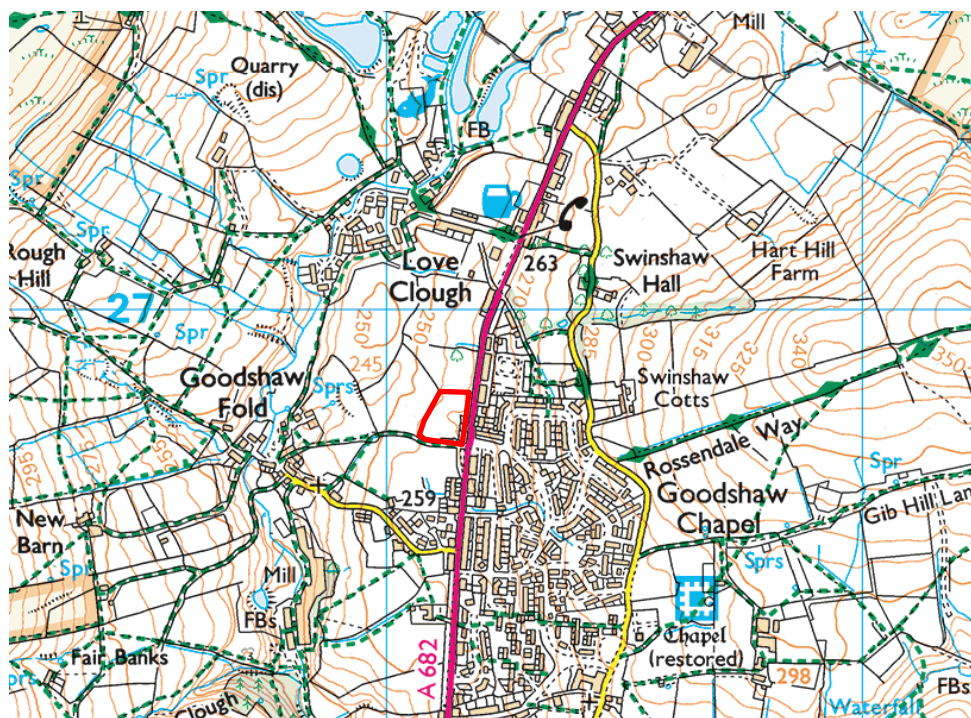


Figure 1.1 Site Location & Context (NB. Red line is for indicative purposes only).

- 1.9 The site itself has been previously developed and includes nine existing garages, which are currently used for storage purposes, with two being used as workshops for local builders. These are accessed via an existing track which is in private ownership but is a public right of way. Abutting the site to the east is an allotment and further garage which is under separate ownership. The to the south is greenfield land, beyond which is existing residential development.



Figure 1.2 Existing garages within the site, viewed from Burnley Road

- 1.10 The site is bordered to the north by recreational sports fields (Loveclough Sports Field), to the east by Burnley Road with residential uses beyond and to the south by further existing residential uses.
- 1.11 Land to the north west of the site benefits from a recent planning permission for a large allotment development², which was approved by the Council's Planning Committee on 10 December 2013 and is under construction. This development is known as Badgercote Allotments and is on land owned by the Council. Also to the west is the settlement of Goodshaw Fold.
- 1.12 The site is within walking distance of a number of settlements including Goodshaw, Crawshawbooth and Dunnockshaw, which provide a variety of services, and the topography of the area is conducive to walking, with good, well-surfaced and street-lit footways on both sides of all the roads in the area. There are a number of facilities within a 5km cycling distance of the site, including primary, secondary and further education facilities, convenience and large-format foodstores, accessible via traffic-free routes.
- 1.13 The site has previously been subject to an appeal against the Council's decision to refuse full planning permission on 05 February 2015 for the erection of 15no. detached dwellings including formation of access from Burnley Road and landscaping³. The appeal was dismissed by the Planning Inspectorate, primarily on the grounds of landscape impact on 4th February 2016.
- 1.14 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.

² Council ref: 2013/0461

³ PINS Reference: APP/B2355/W/15/3130570

OVERVIEW

- 1.15 The starting point for consideration of the Draft Local Plan document is the well-established principle embodied in Paragraph 158 of the National Planning Policy Framework (hereafter referred to as the Framework) that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 1.16 On behalf of Mr Ken Howieson we strongly recommend that the Council redraw the Urban Boundary so that it includes the area of land subject to this Representation.
- 1.17 Needless to say we will wish to participate in the Examination in Public and attend the relevant hearings and will make further representations at the Regulation 19 Submission stage.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Development Strategy.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The Rossendale Borough Council Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and will guide the preparation of Local Plans.

MINISTERIAL STATEMENTS

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
 - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
 - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
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- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
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2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
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2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

HOUSING

- 2.21 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.22 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

BUSINESS

- 2.23 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.24 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

INFRASTRUCTURE

- 2.25 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.26 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European

Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

2.27 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE

2.28 The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

2.29 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Submission, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.30 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

WHAT CONSTITUTES A 'DELIVERABLE SITE' IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply

2.31 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 (Reference ID 12-008-20140306) that:

HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.

GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)

2.32 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.

- 2.33 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.34 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.35 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.

3. DRAFT LOCAL PLAN POLICIES

POLICY SD1 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

- 3.1 This policy is in line with the Framework and supports sustainable development in accordance with the Local Plan, unless material considerations indicate otherwise. In addition, where policies are out of date or irrelevant the Council will grant permission unless material considerations indicate otherwise, taking into account any adverse impacts that would demonstrably outweigh the benefits or any specific policies in the Framework that indicate development should be restricted.
- 3.2 This policy is supported as it is directly in line with the Framework.

POLICY SD2 URBAN BOUNDARY AND GREEN BELT

- 3.3 This policy seeks to restrict new development to within the Urban Boundary, except where development specifically needs to be located within a countryside location and the development enhances the rural character of the area.
- 3.4 The principle of this policy is supported; however, the proposed extent of the Urban Boundary is not. We consider that there is scope within the Borough to further revise the line of the Urban Boundary to accommodate the level of growth required to ensure the Borough's growth is sustainable and meets the aspirations of the Council moving forward.

SUGGESTED MODIFICATION

- 3.5 The Council should change the Urban Boundary to include the subject site within this boundary line to further deliver a sustainable level of growth. To change the Urban Boundary at this location would be sound and would not harm the objectives of the Local Plan and would accord with the Council's criteria set out in the Review of the Urban Boundary.
- 3.6 The detailed proposed amendment to the Urban Boundary is shown in the following Chapter.

HS1 HOUSING

- 3.7 This Policy sets out the need to provide at least 4,000 additional dwellings over the plan period (2019-2034), equating to 265 dwellings per annum. The policy seeks to address prior under-provision in the first five years of the plan period, by increasing the annual requirement to 350 in the first five years. This strategy is supported.
- 3.8 It is however noted that the SHMA sets out a range of need from 265-335 dwellings per annum, it is therefore questionable as to why the Council has simply chosen the lower end of this range,

rather than opting for an aspirational target to ensure need is met and sustainable growth achieved.

4. PROPOSED AMENDMENT TO THE URBAN BOUNDARY

INTRODUCTION

- 4.1 Previous consultations by the Council on the Review of the Green Belt and Urban Boundary has resulted in a number of proposed changes to the Urban Boundary line as shown on the draft Proposals Maps⁴. The Council used a number of criteria to assess whether a change to the Urban Boundary would accord with the purpose of the Urban Boundary to clearly define and differentiate between designated settlements, Countryside and Green Belt.
- 4.2 The subject site is situated within the Ward of Goodshaw in Loveclough. Loveclough is a village located between Burnley and Rawtenstall with quick and direct access by public transport to both towns via Burnley Road (A682). The bus shelters opposite the site are served by the X43 'Witch Way' bus service which provides an express service into Manchester City Centre.
- 4.3 **Appendix 1** contains an extract from the Goodshaw Ward Proposals Map where the location of the subject site has been indicated with an arrow. Currently the site is located directly adjacent to the Urban Boundary. In the second extract, we have indicated how the Urban Boundary should be changed to include the site. The amendment to the delineation of the boundary line is minor.
- 4.4 By assessing the inclusion of the site within the Urban Boundary against the Council's criteria (as listed above), we reach the following conclusions:

1	<i>The Urban Boundary will be amended to correct any cartographic errors, anomalies and inconsistencies where:</i>	
(a)	Boundaries are inaccurately drawn, or	The current Urban Boundary in this location is some 20 years out of date, representing the old field boundaries in this locality.
(b)	Do not follow strong, robust and permanent boundaries, on the ground, or	The boundary should include the subject site which would be bounded by a clearly defined boundary line associated with the allotment development immediately adjacent to the west. The new boundary would be well established, permanent and robust.
(c)	Areas of land no longer read as part of the wider built up area, or	N/A
(d)	Areas of land clearly read as part of the wider built up area.	This site reads as part of the built up area along Burnley Road, where there is residential development on both sides of the main road. This relationship has been strengthened following the development of the approved allotments to the immediate west of the site.
2	<i>To meet the Borough's future development and community needs, additional land will be considered for inclusion within the Urban Boundary where</i>	
(a)	It is capable of being developed sustainably and integrated into the existing built-up area, and	Yes. The site is sustainably located and is already integrated into the existing built-up area.

⁴ The Council has produced a Borough-wide Proposals Maps and a number of Ward Proposals Maps.

(b)	It would not adversely affect aspects of the natural environment unless it is capable of full mitigation, and	Yes. There would be no adverse effect.
(c)	It would not result in the amalgamation of settlements or adversely affect the character of the settlement; and	Yes. There would be no amalgamation of settlements or adverse effect on the character of the settlement.
(d)	It would not adversely affect heritage assets or their setting, and	N/A
(e)	It is capable of being developed without a significant adverse impact on local views and viewpoints, including where appropriate the use of appropriate mitigation measures.	Yes. Development could be achieved without significant impact.
3	<i>Open land on the edge of existing settlements will be excluded from the Urban Boundary where it has existing recreational or community value (e.g. playing fields, allotments, playgrounds etc) to ensure it remains undeveloped</i>	
	The site is not used for recreational purposes.	

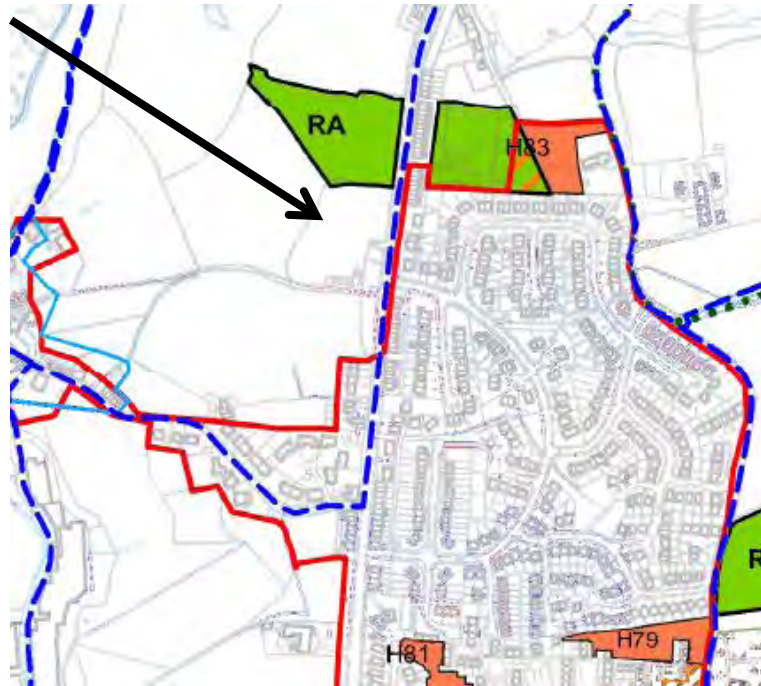
- 4.5 The subject site is sustainably located and any future development, would represent sustainable development, which the Framework establishes a presumption in favour of.
- 4.6 The Framework also encourages Local Planning Authorities to positively seek opportunities to meet the objectively assessed development needs of their area unless, inter alia, any adverse impacts of doing so would **significantly and demonstrably** outweigh the benefits.
- 4.7 With this in mind, we would recommend that the draft Proposals Map for Goodshaw Ward be revised to take account of a change to the Urban Boundary so that the site on land opposite 1019 Burnley Road, Loveclough is included within the Urban Boundary.
- 4.8 We reserve the right to add to make further submissions to the Council during the Local Plan preparation period.

5. CONCLUSIONS

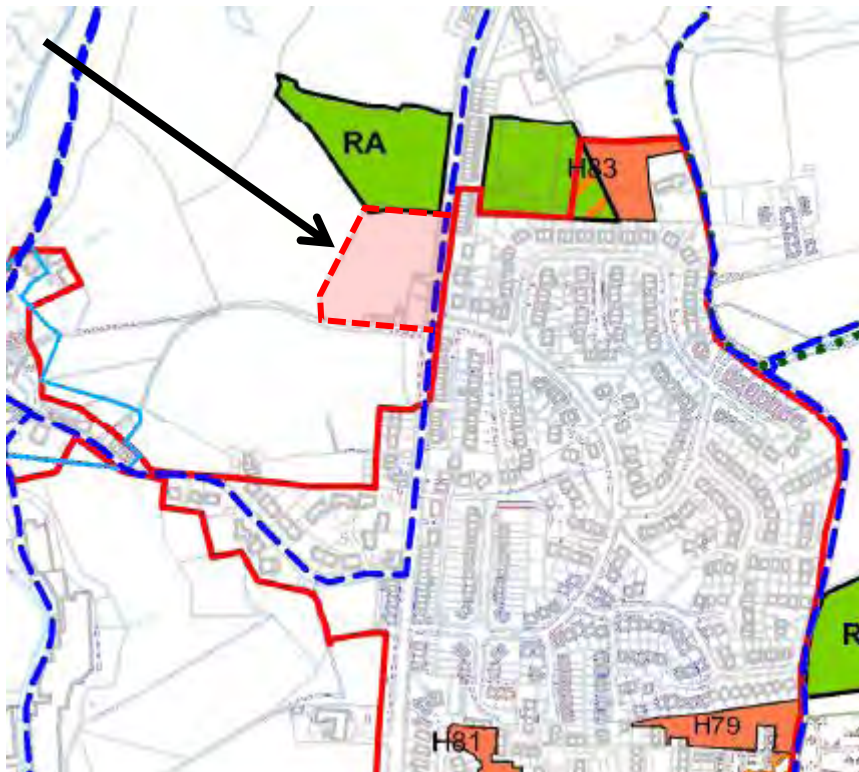
- 5.1 The Council should amend the Urban Boundary to include the subject site within this boundary line to further deliver a sustainable level of growth and to properly reflect the lie of the land. To amend the Urban Boundary at this location would be sound and would not harm the objectives of the Local Plan and would accord with the Council's criteria set out in the Review of the Urban Boundary.

Goodshaw Ward

Proposed Urban Boundary:



Hourigan Connolly's Suggested Amendment to Proposed Urban Boundary:





ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

Mr N Teague

SITE:

Land at Elm Street, Edenfield

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
ELG	DC	DC
06.10.17	06.10.17	09.10.17

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1. INTRODUCTION

BRIEF

- 1.1 Hourigan Connolly is instructed by Mr N Teague in respect of his land interests at Elm Street, Edenfield.
- 1.2 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.3 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.4 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.5 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
 - Strategic Housing Market Assessment (SHMA) (2017).
 - Employment Land Review (2017).
 - Green Belt Review (2016).
 - Environmental Network Study (2017).
 - Gypsies and Travellers Accommodation Assessment (2016).
 - Town Centre, Retail, Leisure and Tourism Study (2017).
 - Playing Pitch Strategy (2016) (previously published).
 - Strategic Flood Risk Assessment (SFRA) (2016).

- Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
- Landscape Study (2015) (previously published).
- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.6 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

BACKGROUND

1.7 Hourigan Connolly is instructed to review and comment on the emerging Local Plan in relation to land at Elm Street, Edenfield. The site falls outside of the urban boundary and is designated at Green Belt, and this Representation sets out why the Council should consider amending the urban boundary in this location order to promote sustainable development.

SCOPE

1.8 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.

1.9 This representation is structured as follows:

- Legislative and Policy Context.
- The Site.
- Green Belt Review.
- Proposed Extended Employment Allocation.
- Conclusions.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

LEGISLATIVE CONTEXT

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- 2.3 The RBC Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
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- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people and that Local Planning Authorities should plan for the release of land for development.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
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2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

GREEN BELT

- 2.21 In respect of Green Belt Paragraph 80 of the Framework lists the five national purposes of the Green Belt as follows:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and,
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 2.22 Paragraph 83 goes on to state that Local Planning Authorities (LPA's) with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
- 2.23 Paragraph 84 states when drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.
- 2.24 Paragraph 85 sets out that when defining new Green Belt boundaries LPA's should:
- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
 - not include land which it is unnecessary to keep permanently open;
 - where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
 - make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
 - satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and

- 2.25 define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

BUSINESS

- 2.26 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.27 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

HOUSING

- 2.28 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.29 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

INFRASTRUCTURE

- 2.30 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.31 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

- 2.32 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014

- 2.33 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.
- 2.34 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Report, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

“Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight

should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.35 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

“WHAT CONSTITUTES A ‘DELIVERABLE SITE’ IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

2.36 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 of the section titled ‘Local Plans’ (Reference ID 12-008-20140306) that:

“HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.”

GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)

- 2.37 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.
- 2.38 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.39 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.40 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.

3. THE SITE

SITE LOCATION

3.1 The site's general location is identified below in Figure 3.1.



Figure 3.1 – Land at Elm Street, Edenfield– not to scale.

- 3.2 The site lies to the south of Elm Street, with properties along Rochdale Road forming the south western boundary and the line of a former hedgerow forming the eastern boundary. This parcel of land forms part of a much larger parcel which is also within the ownership of our client – this wider parcel is bounded by Gincroft Lane, Michael Wife Lane and Plunge Road.
- 3.3 As is evident from the aerial image above, land at Elm Street has a close physical relationship with the existing built up part of the settlement, and the parcel provides an opportunity for rounding off the urban area.

SITE DESCRIPTION

- 3.4 The site extends comprises vacant greenfield land currently located within the Green Belt. Adjacent to the site, to the north east, there is a barn which has recently been converted to 2 No. apartments. This is also within the ownership of Mr N Teague and is outlined in red below.



Figure 3.2 – Land at Elm Street, Edenfield.

SURROUNDING AREA

- 3.5 The subject site is located on the edge of the settlement of Edenfield. The site is approximately 1 mile to the north of Ramsbottom and 2.5 miles south of Rawtenstall. The village is mainly residential in nature and it has seen recent growth as a commuter settlement serving Greater Manchester and Lancashire.
- 3.6 The village centre is located along Market Street (approximately 150 metres from the site) where a range of local services and facilities can be found, including a baker, butcher, pharmacy, post office newsagent and takeaway.
- 3.7 The centre of Edenfield lies at the intersection of the A676 providing links to Bolton, the A680 providing links to Accrington and Rochdale and the A56 to Rawtenstall and Bury. The M66 motorway terminates at Edenfield where it becomes the A56 dual carriageway known as the Edenfield Bypass.
- 3.8 This unremarkable site has a close physical relationship with the existing settlement (being surrounded by development to the north, south and west), and it does not relate to the wider

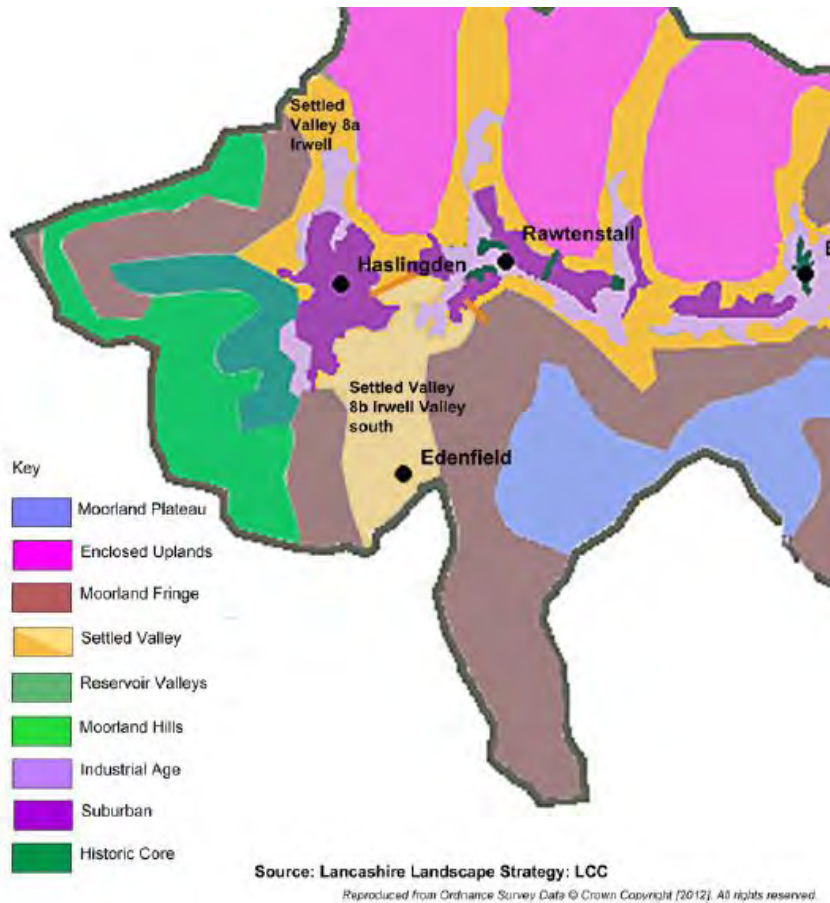


Figure 3.3 – Extract from Landscape Character Areas Plan

3.11 The Landscape Character Assessment goes on to assess specific sites in relation to their development potential, although land at Elm Street is not considered in detail in this regard.

PUBLIC RIGHTS OF WAY

3.12 Footpath number 14-3-FP164 runs in close proximity to the site to the south. The wider land which is in the ownership of our client is bounded by further footpaths as shown within Figure 3.4.

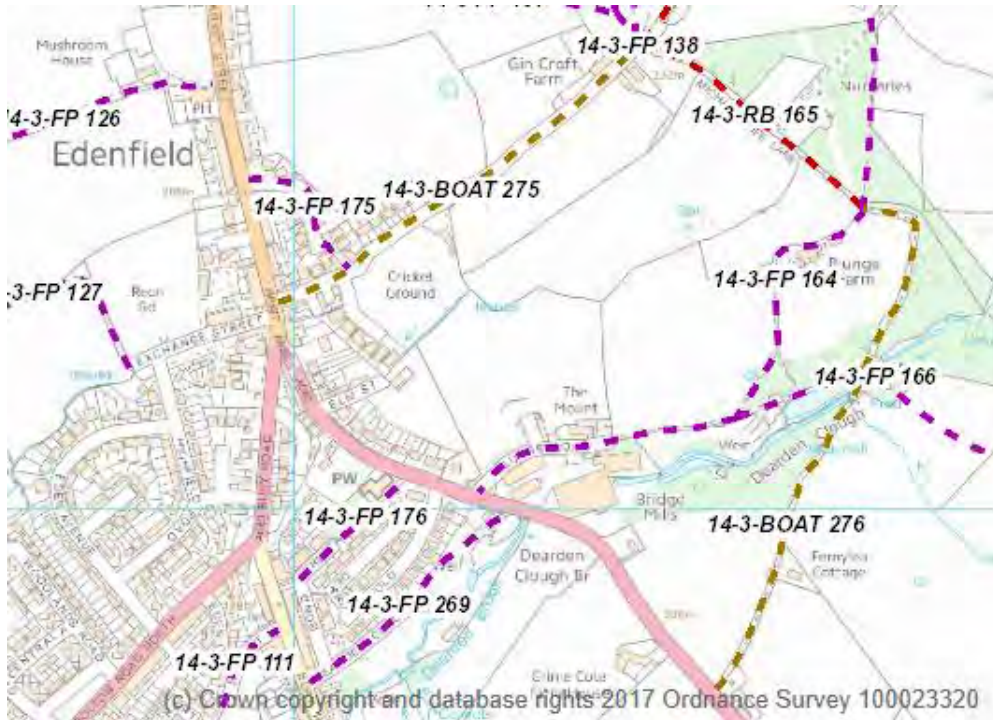


Figure 3.4 Extract of Lancashire County Council’s PROW Mapping

AGRICULTURAL LAND QUALITY

3.13 According to the agricultural land quality database, land in this area is considered to be of poor or very poor value. This is identified in Figure 3.5 below.

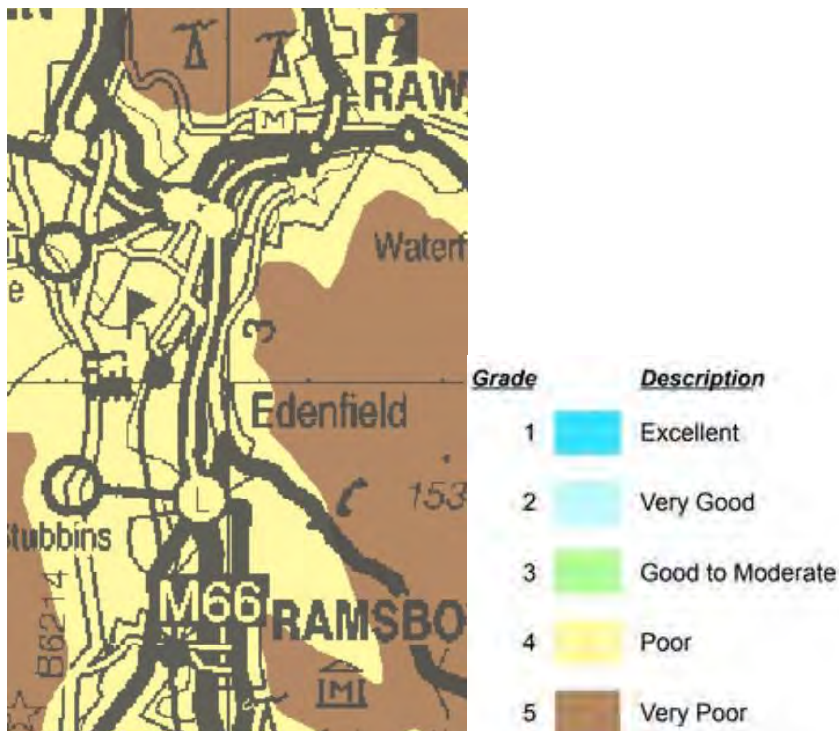


Figure 3.5 Extract of Natural England’s Agricultural Land Classification Mapping

ECOLOGY

- 3.14 The site is not a statutory Ecological or Heritage asset neither is it within 1 km of a National Nature Reserve, Ramsar Site, Site of Special Scientific Interest or Special Protected Area.

SUMMARY

- 3.15 In summary, none of the statutory or other designations identified would preclude development of the site.

4. GREEN BELT REVIEW

4.1 As part of the evidence base to inform the emerging Local Plan, a Green Belt Review was carried out by LUC with the final report being published in November 2016. The purpose of the review was to carry out an independent and comprehensive assessment of Green Belt within the Borough to inform the preparation of the new Local Plan. One of the key aims of the review was to provide clear conclusions on the relative performance of Green Belt which will enable Rossendale Borough Council to consider whether there are 'exceptional circumstances' (as per Paragraph 83 of the Framework) to justify altering Green Belt boundaries through the Local Plan process to meet development needs.

4.2 As previously identified, the Framework sets out five purposes of the Green Belt as follows:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and,
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.3 In common with other studies we have reviewed the LUC Green Belt Assessment firstly establishes Green Belt parcels – in this instance there are 80 parcels included within five broad areas of Green Belt. In that respect the subject site falls within Parcel 47, as identified below.

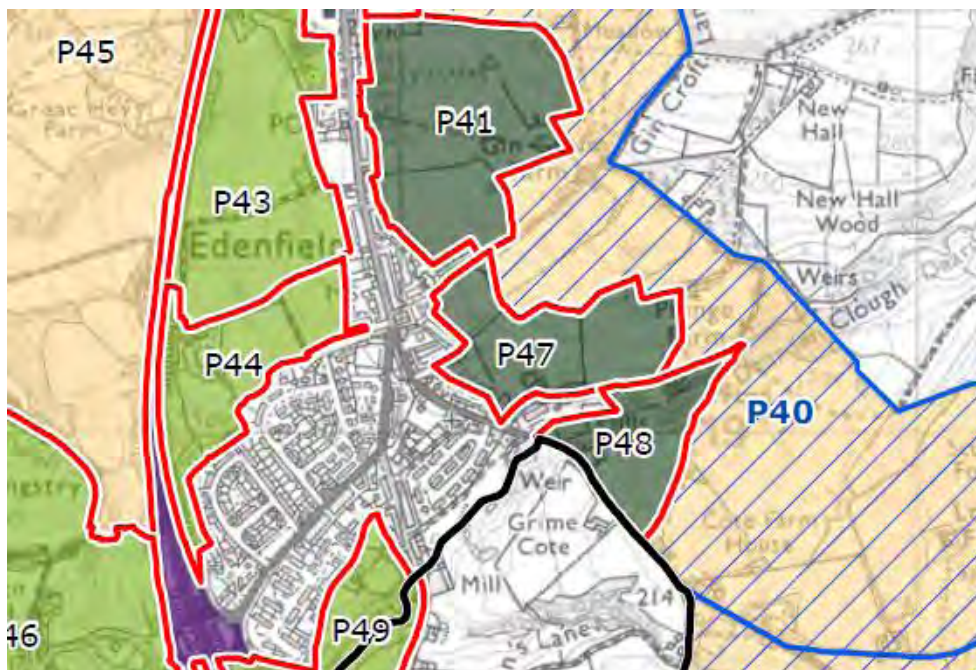


Figure 4.1 Extract from Green Belt Review (2016) Green Belt Parcels around Edenfield

4.4 Parcels were formed through the identification of land that contains the same or very similar land uses or character bounded by recognisable features. These features are described as:

- Natural features i.e. substantial watercourses; and
- Manmade features i.e. motorways A and B roads, railways.

4.5 Less prominent features such as walls, woodland, hedges, tree lines, streams and ditches were also considered where other more permanent boundaries were not present.

4.6 Two types of parcel were identified:

- Areas adjacent to built up areas (relatively small parcels); and
- Broad areas of Green Belt that may be more remote from settlement.

4.7 The boundary of Parcel 47 is identified in further detail in Figure 4.2 below.



Figure 4.2 Extract from Green Belt Review (2016) identifying Parcel 47

4.8 An assessment has then been made by LUC as to the ratings of the Green Belt parcels in Rossendale against the first four objectives of including land within the Green Belt as set out in Paragraph 80 of the Framework.

Parcel ref	Purpose 1a	Purpose 1b	Purpose 2	Purpose 3	Purpose 4
45	Not Applicable	Not Applicable	Moderate	Strong	Weak
46	Moderate	Moderate	Strong	Moderate	No Contribution
47	Strong	Strong	Weak	Moderate	Weak
48	Strong	Strong	No Contribution	Moderate	Weak
49	Moderate	Moderate	Strong	Weak	No Contribution
50	Moderate	Moderate	Strong	Weak	No Contribution
51	Strong	Strong	Weak	Strong	Moderate

Figure 4.3 Extract from Green Belt Review (2016) – Overall Assessment Table

Parcel Ratings	
Strong	Parcel performs strongly against this Purpose.
Moderate	Parcel performs moderately well.
Weak	Parcel performs poorly.
No Contribution	Parcel makes no contribution.
Not Applicable	It is not applicable to make an assessment. (This is particularly relevant to P1a and 1b and whether the parcel is adjacent to the large built up area or not)

Figure 4.4 Extract from Green Belt Review (2016) – Parcel Ratings

4.9 It can be seen in Figure 4.3 that the Council’s Green Belt Assessment for Parcel 47 concluded that the parcel has a ‘strong’ role in relation to Purpose 1a and Purpose 1b, a ‘weak’ role in relation to Purpose 2, a ‘moderate’ contribution in relation to Purpose 3 and a ‘weak’ contribution in relation to Purpose 4. Purpose 5 is not detailed within the table given that all sites have been considered as equal in this regard.

4.10 We have considered the Council’s Green Belt Review and the analysis of the subject site below.

PARCEL 47

4.11 The assessment for Parcel 47 states that it lies adjacent to Edenfield and it lies between Edenfield and Rawtenstall.

4.12 In our view Parcel 47 is far too broad a study area which has led to skewed conclusions being reached by LUC. In our opinion there is a clear distinction between the western most part of Parcel 47 to that in the east. In that respect we comment on the conclusions reached by LUC below.

PURPOSE 1A - DOES THE PARCEL EXHIBIT EVIDENCE OF EXISTING URBAN SPRAWL AND CONSEQUENT LOSS OF OPENNESS?

- 4.13 As identified within the assessment of the subject site, the land lies on the edge of Edenfield which forms part of the large built up area of Ramsbottom/Bury. The assessment considers that there are few urbanising features within the parcel and that there is a strong sense of openness. This may be the case for the eastern part of the parcel, however, the area to the west has a strong relationship with the existing urban area and the sense of openness is limited. Parts of the parcel are distinctly different in character and this means the assessment is flawed.
- 4.14 The western side of the parcel offers a sensible opportunity to round off the settlement and would not constitute unrestricted sprawl of the built up area.

4.15 **Result: No contribution.**

1B - DOES THE PARCEL PROTECT OPEN LAND FROM THE POTENTIAL FOR URBAN SPRAWL TO OCCUR?

- 4.16 Land on the western side of the parcel makes a **Weak Contribution** to protecting land from the potential for urban sprawl. Containment can be achieved using existing building lines and former field boundaries.
- 4.17 **Result: Weak contribution.**

PURPOSE 2: TO PREVENT NEIGHBOURING TOWNS MERGING INTO ONE ANOTHER

- 4.18 The assessment identifies that although this parcel lies between Edenfield and Rawtenstall, the settlements are 2km apart and so this parcel has a weak role in terms of preventing neighbouring towns merging into one another.
- 4.19 Again, the varying nature of land included within Parcel 47 makes it difficult to make a fair assessment and we consider that land on the western side of the parcel would have no contribution to this purpose.
- 4.20 **Result: No contribution.**

PURPOSE 3: TO ASSIST IN SAFEGUARDING THE COUNTRYSIDE FROM ENCROACHMENT

- 4.21 It is stated within the assessment of Parcel 47 that properties along Plunge Road already give a sense of encroachment in this area.
- 4.22 In our view, existing buildings along Plunge Road, and others to the north along Boundary Edge and Gincroft Lane mark out the limits of the existing urban area. The western part of Parcel 47

does not go beyond these limits and therefore inclusion of some of this land within the urban area would not constitute encroachment. There is no basis for the Council considering that this site has a moderate role in this regard.

4.23 **Result: No contribution.**

PURPOSE 4: TO PRESERVE THE SETTING & SPECIAL CHARACTER OF HISTORIC TOWNS

4.24 The assessment of Parcel 47 considers its relationship with the historic settlement of Ramsbottom. However, it is concluded that the effects of development within this parcel on the character of the historic settlement are likely to be limited. We therefore agree with the conclusion that the site is rated as 'weak' in this regard.

4.25 **Result: Weak.**

PURPOSE 5: TO ASSIST IN URBAN REGENERATION BY ENCOURAGING THE RECYCLING OF DERELICT & OTHER URBAN LAND

4.26 It is noted that in line with the methodology all sites have been considered as having an equal contribution to this purpose, though it is not stated what this is.

4.27 **Result: Equal contribution.**

OVERALL ASSESSMENT

4.28 We consider the assessment which has been carried out for the subject site, which comprises part of the land included within Parcel 47 to be flawed as it overestimates the value of the Green Belt in this location. This is largely due to the fact that the parcel is too large and varied in nature for a fair assessment to be made.

4.29 We advocate that our client's land, particularly that to the west, makes a very weak to no contribution to four of the purposes of including land in the Green Belt and the remaining purpose 5 cannot be used for assessment purposes as all of the sites in the Borough are given equal weighting.

4.30 In line with the Council's methodology **the overall assessment for our client's site should therefore be weak.**

4.31 We consider the subject site as an appropriate site for release from the Green Belt as it is adjacent to the settlement boundary and has existing development on 3 sides. The site would form a logical extension to Edenfield in this location.

4.32 We reserve the right to make further representations in support of the release of the subject site from the Green Belt.

5. REPRESENTATIONS

- 5.1 In light of the assessment included within this report, we consider that land at Elm Street, Edenfield should be considered for release from the Green Belt.
- 5.2 Figure 5.1 shows the current Green Belt designation which covers the site in the emerging Local Plan Proposals Map. The extent of the urban boundary of Edenfield is marked with a red line.



Figure 5.1 Extract from Local Plan Proposals Map identifying urban boundary

- 5.3 It is clear that the area which lies immediately behind properties on Rochdale Road is enclosed on three sides and, as set out in Section 4 of this report, has a very limited role in terms of the five purposes of the Green Belt as identified in the Framework.
- 5.4 The nature of the existing urban boundary in this location means that this part of the Green Belt provides an opportunity for rounding off the settlement without causing encroachment into the surrounding Green Belt which is more open in nature. In a Borough such as Rossendale which has a significant amount of smaller settlements and a large amount of countryside, it is imperative that sustainable sites on the edge of existing urban areas are fully considered in terms of their ability to meet the Borough's development needs where appropriate. Rossendale is further limited due to its topography and the subject site lies in a relatively flat part of the Borough.
- 5.5 Edenfield is a sustainable settlement and the subject site is within 150m of local services along the high street. The village has good road links to Ramsbottom, Rawtenstall and beyond. Access to the site is achievable via Elm Street.

5.6 The site is entirely appropriate for inclusion within the urban boundary of Edenfield. Indeed, part of the wider Green Belt parcel may have a future role in delivering sustainable development beyond the emerging Local Plan period.

PROPOSED MODIFICATION

5.7 The Council is respectfully requested to modify the proposed urban boundary of Edenfield to include land to the rear of properties along Rochdale Road as shown below.



Figure 5.2 Proposed Amendment to Green Belt Boundary

5.8 The extension of the urban boundary in this location is considered entirely appropriate having regard for the site's limited Green Belt function and the fact that it is bounded by the urban area on three sides.

5.9 We contend that this would properly reflect the provisions of Paragraph 83 of the Framework which sets out that amendments to Green Belt boundaries can only be made in exceptional circumstances and through the local plan process. In addition, the amendment to the Green Belt boundary in this instance would be fully in accordance with Paragraph 84 of the Framework which sets out that such amendments should only be made to facilitate sustainable development patterns.

6. CONCLUSIONS

- 6.1 The starting point for consideration of the Council's Local Plan is the well- established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 6.2 The Framework is clear at Paragraph 83 that Green Belt boundaries can be amended in exceptional circumstances, through the local plan process. Paragraph 84 further states that this can only be done in order to facilitate sustainable development.
- 6.3 It has been highlighted in this Representation that land at Elm Street does not meet the five purposes of the Green Belt as set out in Paragraph 80. As a result, and in order to provide for sustainable development over the plan period, the land should be included within the urban boundary of Edenfield and subsequently it should be removed from the Green Belt.

Hourigan Connolly

9 October 2017



ROSSENDALE BOROUGH COUNCIL

DRAFT LOCAL PLAN

REGULATION 18 CONSULTATION

CLIENT:

Mr M Nelson

SITE:

Land at Leabrook Garden Centre

DATE:

9 October 2017



Report Drafted By	Report Checked By	Report Approved By
RT	DC	DC
06.10.2017		09.10.2017

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1. INTRODUCTION

- 1.1 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. The Council are asking for comments on the Draft Local Plan which will replace the Core Strategy once it is adopted.
- 1.2 The Draft Local Plan document has been informed by a series of evidence base documents, and previous consultations undertaken on proposed changes to the Urban Boundary and the Green Belt¹.
- 1.3 The evidence base comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) - Stages 1 & 2 and Site Assessments 2017
 - Strategic Housing Market Assessment (SHMA) 2017
 - Employment Land Review 2017
 - Green Belt Review 2016
 - Environmental Network Study 2017
 - Gypsies and Travellers Accommodation Assessment 2016
 - Town Centre, Retail, Leisure and Tourism Study 2017
 - Playing Pitch Strategy 2016 (previously published)
 - Strategic Flood Risk Assessment (SFRA) 2016
 - Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing 2017
 - Landscape Study 2015 (previously published)
 - Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- 1.4 Rossendale's Local Plan will designate land and buildings for future uses to meet the Borough's needs and set out what developments should look like and how they should fit in with their surroundings.

¹ Consultation was undertaken on the Green Belt & Urban Boundary Review between October – December 2012, January 2013 and December 2014, with further comments accepted by the Council during 2015 and 2016 to inform the previous Local Plan Part 2 consultation, which was late withdrawn.

- 1.5 Sites have been proposed for development (such as housing or employment sites), for environmental protection and for recreation uses on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation areas and an extension to an existing Conservation area are being considered.

BACKGROUND

- 1.6 Hourigan Connolly is instructed to review and comment on the Draft Local Plan in relation to land at Leabrook Nurseries, Burnley Road, Rossendale. Currently the site is designated as being located beyond the Urban Boundary within the open countryside. On behalf of our client, we seek to promote a change to the Urban Boundary to include the subject site.
- 1.7 This Statement will demonstrate that a change to the Urban Boundary to include the subject site would accord with the criteria set out by the Council as part of their consultation for the Review of existing Green Belt and Urban Boundary in 2012 / 2013 (no update to this appears to be available as part of the 2017 consultation).
- 1.8 The location of the site is shown below, at Figure 1.1.

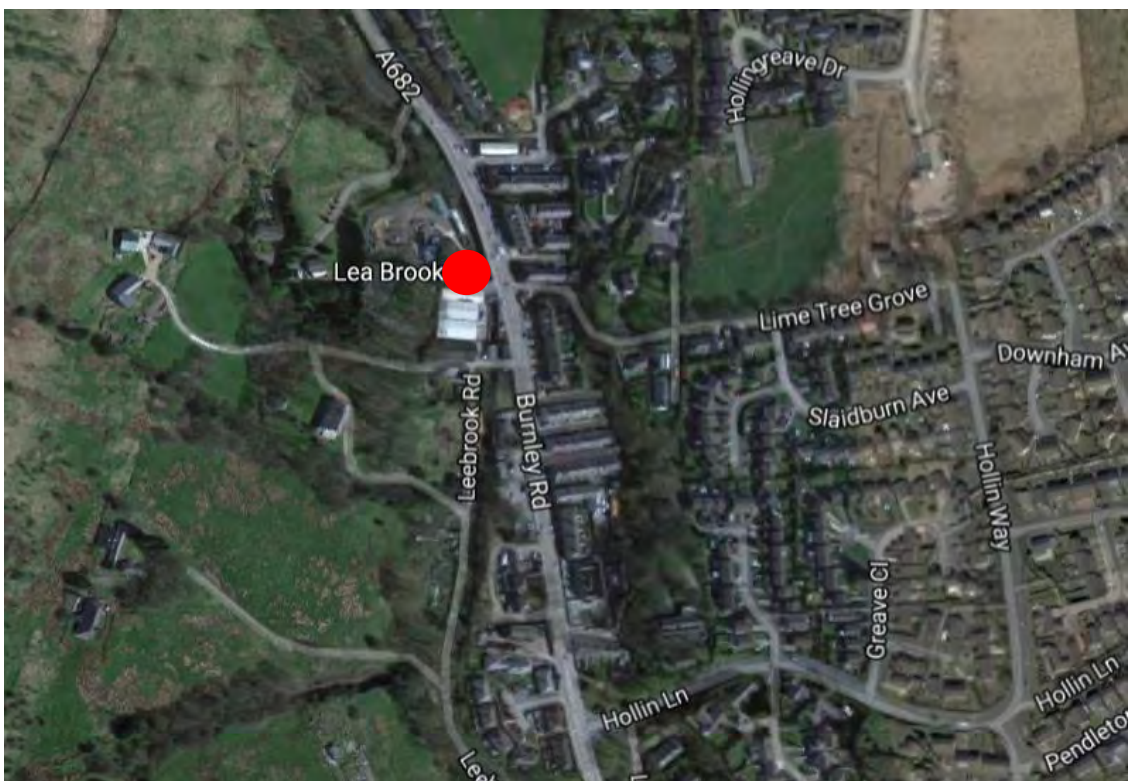


Figure 1.1 Site Location & Context.

- 1.9 The site itself previously developed and includes the garden centre and associated structures, areas of hardstanding for display and sale of goods and parking areas. These are accessed via an existing bridge from Burnley Road, which also serves the adjacent commercial premises to the south. The site is generally flat though it does slope from west to east in its western part.



Figure 1.2 The site, viewed from Burnley Road

- 1.10 The site is bordered to the north by an established belt of trees, lining a farm access road. To the east lie terraced residential properties, whilst to the south lie commercial premises in a mix of uses compatible with this residential location. To the west, the site is bounded by an established belt of mature trees beyond which lies a farmstead converted to residential use.
- 1.11 The site is within walking distance of a number of shops and services, and the topography of the area is conducive to walking, with good, well-surfaced and street-lit footways on both sides of all the roads in the area. There are a number of facilities within a 5km cycling distance of the site, including primary, secondary and further education facilities, convenience and large-format foodstores, accessible via traffic-free routes. The site also lies on an established bus route with regular facilities calling the bus stops immediately adjacent to the site.
- 1.12 It is beyond question that the site is sustainably located.

OVERVIEW

- 1.13 The starting point for consideration of the Draft Local Plan document is the well-established principle embodied in Paragraph 158 of the National Planning Policy Framework (hereafter referred to as the Framework) that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 1.14 On behalf of Mr M Nelson we strongly recommend that the Council redraw the Urban Boundary so that it includes the area of land subject to this Representation to properly reflect the up-to-date position on the ground.
- 1.15 Needless to say, we will wish to participate in the Examination in Public and attend the relevant hearings and will make further representations at the Regulation 19 Submission stage.

2. LEGISLATIVE & POLICY CONTEXT

INTRODUCTION

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Development Strategy.

LEGISLATIVE CONTEXT

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The Rossendale Borough Council Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and will guide the preparation of Local Plans.

MINISTERIAL STATEMENTS

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people.

FRAMEWORK REQUIREMENTS

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
 - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
 - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
- 2.16 Paragraph 152 of the Framework goes on to deal with adverse impacts on any of the dimensions of sustainable development and sets out three tests:

- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
- Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- Where adequate mitigation measures are not possible, compensatory measures may be appropriate.

2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”.*

2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

HOUSING

- 2.21 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
- 2.22 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:
- *“meets household and population projections, taking account of migration and demographic change;*
 - *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
 - *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

BUSINESS

- 2.23 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.
- 2.24 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

INFRASTRUCTURE

- 2.25 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

ENVIRONMENT

- 2.26 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European

Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

SOUNDNESS

2.27 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

NATIONAL PLANNING PRACTICE GUIDANCE

2.28 The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

2.29 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Submission, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”

2.30 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

WHAT CONSTITUTES A 'DELIVERABLE SITE' IN THE CONTEXT OF HOUSING POLICY?

Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply

2.31 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 (Reference ID 12-008-20140306) that:

HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?

To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.

3. DRAFT LOCAL PLAN POLICIES

POLICY SD1 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

- 3.1 This policy is in line with the Framework and supports sustainable development in accordance with the Local Plan, unless material considerations indicate otherwise. In addition, where policies are out of date or irrelevant the Council will grant permission unless material considerations indicate otherwise, taking into account any adverse impacts that would demonstrably outweigh the benefits or any specific policies in the Framework that indicate development should be restricted.
- 3.2 This policy is supported as it is directly in line with the Framework.

POLICY SD2 URBAN BOUNDARY AND GREEN BELT

- 3.3 This policy seeks to restrict new development to within the Urban Boundary, except where development specifically needs to be located within a countryside location and the development enhances the rural character of the area.
- 3.4 The principle of this policy is supported; however, the proposed extent of the Urban Boundary is not. We consider that there is scope within the Borough to further revise the line of the Urban Boundary to accommodate the level of growth required to ensure the Borough's growth is sustainable and meets the aspirations of the Council moving forward.

SUGGESTED MODIFICATION

- 3.5 The Council should change the Urban Boundary to include the subject site within this boundary line to further deliver a sustainable level of growth. To change the Urban Boundary at this location would be sound and would not harm the objectives of the Local Plan and would accord with the Council's criteria set out in the Review of the Urban Boundary.
- 3.6 The detailed proposed amendment to the Urban Boundary is shown in the following Chapter.

HS1 HOUSING

- 3.7 This Policy sets out the need to provide at least 4,000 additional dwellings over the plan period (2019-2034), equating to 265 dwellings per annum. The policy seeks to address prior under-provision in the first five years of the plan period, by increasing the annual requirement to 350 in the first five years. This strategy is supported.
- 3.8 It is however noted that the SHMA sets out a range of need from 265-335 dwellings per annum, it is therefore questionable as to why the Council has simply chosen the lower end of this range,

rather than opting for an aspirational target to ensure need is met and sustainable growth achieved.

4. PROPOSED AMENDMENT TO THE URBAN BOUNDARY

INTRODUCTION

- 4.1 Previous consultations by the Council on the Review of the Green Belt and Urban Boundary has resulted in a number of proposed changes to the Urban Boundary line as shown on the draft Proposals Maps². The Council used a number of criteria to assess whether a change to the Urban Boundary would accord with the purpose of the Urban Boundary to clearly define and differentiate between designated settlements, Countryside and Green Belt.
- 4.2 The subject site is situated with quick and direct access by public transport to Burnley to the north and Rawtenstall to the south with both towns via Burnley Road (A682). The bus stops adjacent to the site are served by the X43 'Witch Way' bus service which provides an express service into Manchester City Centre.
- 4.3 Our proposed amendment is shown below:

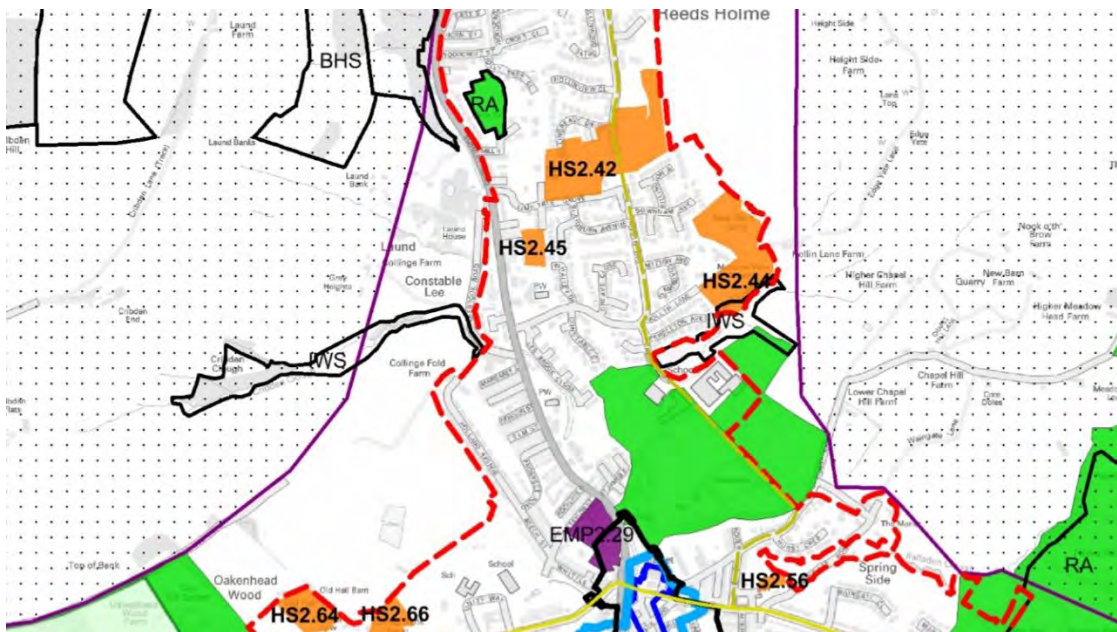


Fig. 4.1 Current Draft Boundary

² The Council has produced a Borough-wide Proposals Maps and a number of Ward Proposals Maps.

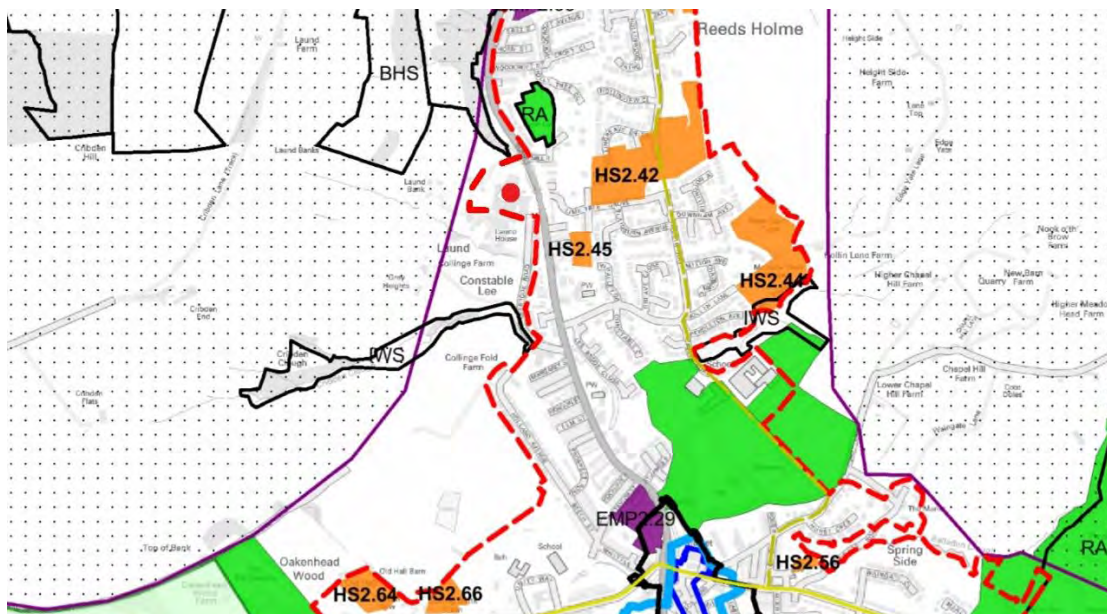


Fig. 4.2 Proposed Draft Boundary (site indicated by red dot)

4.4 By assessing the inclusion of the site within the Urban Boundary against the Council's criteria (as listed above), we reach the following conclusions:

1	<i>The Urban Boundary will be amended to correct any cartographic errors, anomalies and inconsistencies where:</i>	
(a)	Boundaries are inaccurately drawn, or	The current Urban Boundary in this location is some 20 years out of date and do not reflect the urban area on the ground.
(b)	Do not follow strong, robust and permanent boundaries, on the ground, or	The boundary should include the subject site which would be bounded by a clearly defined boundary line associated with the established boundaries to the garden centre. The new boundary would be well established, permanent and robust.
(c)	Areas of land no longer read as part of the wider built up area, or	N/A
(d)	Areas of land clearly read as part of the wider built up area.	This site reads as part of the built-up area along Burnley Road, where there is already development on both sides of the main road.
2	<i>To meet the Borough's future development and community needs, additional land will be considered for inclusion within the Urban Boundary where</i>	
(a)	It is capable of being developed sustainably and integrated into the existing built-up area, and	Yes. The site is sustainably located and is already integrated into the existing built-up area.
(b)	It would not adversely affect aspects of the natural environment unless it is capable of full mitigation, and	Yes. There would be no adverse effect.
(c)	It would not result in the amalgamation of settlements or adversely affect the character of the settlement; and	Yes. There would be no amalgamation of settlements or adverse effect on the character of the settlement.

(d)	It would not adversely affect heritage assets or their setting, and	N/A
(e)	It is capable of being developed without a significant adverse impact on local views and viewpoints, including where appropriate the use of appropriate mitigation measures.	Yes. Development could be achieved without significant impact.
3	<i>Open land on the edge of existing settlements will be excluded from the Urban Boundary where it has existing recreational or community value (e.g. playing fields, allotments, playgrounds etc) to ensure it remains undeveloped</i>	
	The site is not used for recreational purposes.	

- 4.5 The subject site is sustainably located and any future development, would represent sustainable development, which the Framework establishes a presumption in favour of.
- 4.6 The Framework also encourages Local Planning Authorities to positively seek opportunities to meet the objectively assessed development needs of their area unless, inter alia, any adverse impacts of doing so would **significantly and demonstrably** outweigh the benefits.
- 4.7 With this in mind, we would recommend that the draft Proposals Map for be revised to reflect the urban area correctly so that the land at Leabrook Garden centre is included within the Urban Boundary.
- 4.8 We reserve the right to add to make further submissions to the Council during the Local Plan preparation period.

5. CONCLUSIONS

- 5.1 The Council should amend the Urban Boundary to include the subject site within this boundary line to further deliver a sustainable level of growth and to properly reflect the lie of the land. To amend the Urban Boundary at this location would be sound and would not harm the objectives of the Local Plan and would accord with the Council's criteria set out in the Review of the Urban Boundary.

Goodshaw,
Rossendale,
Lancs.

01 / 10 / 2017

Dear Sir / Madam,

I strongly object to the proposed plan:-
SHLAA 16197 ----- HS2.51 – Land adjacent Laburnum cottages.

The proposal is the building of 23 houses on 0.77 hectares of greenfield land of which a percentage is a recreational field. This area has been maintained and mown as a playing field for the past thirty plus years. It was to replace the park (now Hawthorne Meadows) dismantled after a child was seriously injured on the slide. It is the only level playing field in the area on which football / cricket can be played safely. Areas like this are being promoted by the government for a healthier community.

Access to the proposed site is via Church St. which is already congested by cars parking on both sides of the road making passage difficult to existing properties at the top of the road (Hawthorne Meadows etc.), The exit to Burnley Rd. is dangerous as traffic approaches quickly from the bend in the road to the north. The prospect of at least another forty cars is daunting.

The church of St. Mary's and All Saints is a listed building with its graveyard bordering the proposed site. During construction of 126, Goodshaw Lane, because of land movement, bones were uncovered which needed to be held in the church and re-buried. There is a potential that this may recur if foundations and site work are carried out in the vicinity of the graveyard. New houses would detract from its setting and historic value.

I think we are all aware that because of the necessity of new houses being built to accommodate an ever increasing population much of the countryside is being encroached upon. Surely we need to keep small parcels of land to provide a wild life corridor and haven for small nesting birds, foxes, badgers, deer and owls. There is a badger sett on the land, please can you assure me that this will be dealt with in the correct manner. For the past eight years we have been fortunate enough to feed and enjoy watching a wide variety of creatures in the greenfield land in question. (A fact we have never generally advertised)

(Photograph included)

Finally, surely the infrastructure of the area must be dealt with before any more houses are built.

Yours Sincerely,
Ken Iveson



Received 05/10/17



JANET ANDERSON MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Cllr John Holt
Leader of the Council
Rossendale Borough Council
Town Hall
Rawtenstall
Lancs BB4 7LZ

28 June 2001

Dear John,

Sale of land, Curven Edge, Helmshore

I am writing about the above proposed sale by Rossendale Borough Council.

I have been contacted by constituents of mine who are most concerned about the proposed sale of this land, which has provided a safe area of land for children to play on for over 20 years. You will be interested to know that over 650 local people have signed a petition objecting to this sale of land.

I am disgusted that this has been proposed by the Council and urge you to reconsider the decision to put this land up for tenure. I would like to think the mistakes of previous Conservative Governments, who sold off many school playing fields, have been learnt and am worried that this is a way for the Council to make an easy profit, whilst neglecting the views of, and facilities available to, the local community.

I understand that this particular piece of land is frequently used by local children for sports activities, as well as the venue for an annual bonfire and other communal uses. Local parents are very concerned that the sale of this land will mean that getting to the nearest play area would entail children crossing the busy B6214 road.

Having learnt of the trust funds that the council has available, I would have thought that this money could be used to ensure that land, such as that at Curven Edge, could be retained by the Council and possibly developed into much needed park facilities for the local community.

I do hope, given the strong local objections, that the Council seriously reconsiders its proposals on this matter.

Yours sincerely,

JANET ANDERSON MP



1



2



3

① FINISHED LEVEL AFTER INFILL, SHOWING 25'-30' DEPTH LEVELLED OUT.

②③ DRAINAGE PROBLEM THAT IS STILL THERE.—THIS IS WATER ON TOP OF THE INFILL, WHICH NO LONGER SHOWS AS A BIG PROBLEM BECAUSE THE AREA IS GRASSED OVER NOW



1



2



3



4



5



6

1 TO 3 SHOWING ORIGINAL DEPTH OF DIP

4 TO 6 THE WATER THAT USED TO FILL REGULARLY TO THIS LEVEL WHENEVER WE HAD HEAVY RAIN

15
is
item 11

REPORT TO: CORPORATE POLICY COMMITTEE
DATE OF MEETING: 27th AUGUST 2002 7.00 pm
REPORT BY: MARK WESTON
BOROUGH SOLICITOR AND SECRETARY
SUBJECT: LAND AT FAIRHILL, HELMSHORE
P/L/R1169

1. PURPOSE OF THE REPORT

- 1.1 For Members of this Committee to consider the application to purchase the above mentioned land.

2. BACKGROUND INFORMATION

- 2.1 The Council received the following application under its Purchase/Lease/Rental Scheme:-
- 2.1.1 A.1169 – From Mr. A. Davis to purchase the land for the purposes of the erection of a bungalow.
- 2.2 The site is included on the Schedule of Sites for Possible Disposal approved by the Council on 20th December 2000.
- 2.3 The Council offered this site for sale on the open market by way of tender but no tenders were received thereon.
- 2.4 At its meeting held on 12th September 2001 the Council resolved that no future action be taken at the present time to market the sites on the Schedule for Possible Disposal and that any applications to purchase these sites should be dealt with under the Council's P/L/R Scheme.
- 2.5 Following public notice of A.1169, I have attached a copy of a letter of objection received from Mr. R. Peat.
- 2.6 The land in question is located within the Urban Boundary in the Rossendale District Local Plan and designated as Greenland – Policy E.1:-

Greenlands

E.1 The Council will seek to protect and enhance the Greenlands – a comprehensive network of public and private land – within urban areas and linking with the countryside and other recreational features, where only development appropriate to the functions of the Greenlands will be permitted.

Reasons

These Greenlands respond to the need to prevent town cramming and to retain valuable open space in the Borough. Parks, playing fields, informal open spaces, allotments etc. are of great importance to the character of a neighbourhood. They can provide particularly valuable opportunities for recreation in urban areas. The Council seeks to achieve a reasonable balance between the need to make adequate provision for development and the need to protect open land from development. This policy distinguishes some of those sites which need to be retained for amenity, recreation and nature conservation purposes. In order to maintain the open character of these areas the Council will protect them from development, particularly urban type development that will detract from the open character. However, a limited amount of development will be allowed where the retention of the open character of the land will still predominate, the development being in all cases ancillary to the use of the land: for example – extension to school buildings; new changing facilities on a sports field; creation of recreational routes; car park; picnic site etc.

Open space within and around the urban areas is essential to the quality of life; it provides a breathing space; it is the most important means of providing recreational opportunities in built up areas; it complements private open space close to homes, especially for terraced housing and it provides a link out in the countryside. The Greenlands will include land in private ownership and therefore not open for public access and it is not intended that all areas will be planted with trees. The Council will endeavour to provide more Greenlands using such means as land reclamation.

Many of these sites form part of linear belts of often steep, sometimes wooded, open areas within the existing settlement pattern. Together they form a significant landscape element and this particular feature should be retained and, wherever possible, enhanced.

- 2.7 The Council's Contaminated Land Officer has assessed this site, and reported that the site of this application lies within 250m of a landfill site.

3. REPORT AND MAIN ISSUES FOR CONSIDERATION

- 3.1 The objection to the application is summarised as follows:-
- 3.1.1 That the land should not be sold other than for public recreational use.
 - 3.1.2 That the local residents' views have not changed in 12 months and they are currently trying to have the land declared a Village Green.
 - 3.1.3 A copy of the petition previously presented to Members at the meeting held on 29th August 2001 was enclosed with Mr. Peat's letter as being relevant to this application as well as the Council's exercise to market the site.

The petition was signed by 1044 persons (I have enclosed a copy of the common form with this report)

- 3.2 The Council's Director of Development and Environmental Services has advised that it is unlikely that the designation of the site will be amended in the current review of the Rossendale District Local Plan.
- 3.3 The information now available to the Council shows that this site would have to be monitored for gas and chemical testing prior to any development.
- 3.4 For any application to have the land designated as a Town Green to be successful, the residents must prove their use has been "as of right", i.e. not by force nor stealth nor by the licence of the owner and not by implied permission, for a period of over 20 years and by a group of residents collectively.

4. CONCLUSION

- 4.1 Having regard to the problems of possible contamination the inclusion of this site on the Schedule of Sites for Possible Disposal is not appropriate.
- 4.2 The responsibility of assessing whether a site is suitable for a particular purpose primarily rests with a developer. It seems clear however, that any planning application for residential development is likely to be recommended for refusal.
- 4.4 I am therefore recommending that this application be refused.

5. FINANCIAL/RESOURCE IMPLICATIONS

- 5.1 The potential contamination risks and any remedial measures which would be required for safe development would have an adverse effect upon the market value of the site.

6. LA21/ENVIRONMENTAL IMPLICATIONS

- 6.1 The land in its present use provides amenity value for the vicinity.

7. CRIME & DISORDER/COMMUNITY SAFETY IMPLICATIONS

- 7.1 Nil.

8. EQUAL OPPORTUNITIES AND HUMAN RIGHTS IMPLICATIONS

- 8.1 The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report.

9. **RECOMMENDATIONS**

- 9.1 That A.1169 be refused.
- 9.2 That the site be removed from the Schedule of Sites for Possible Disposal.

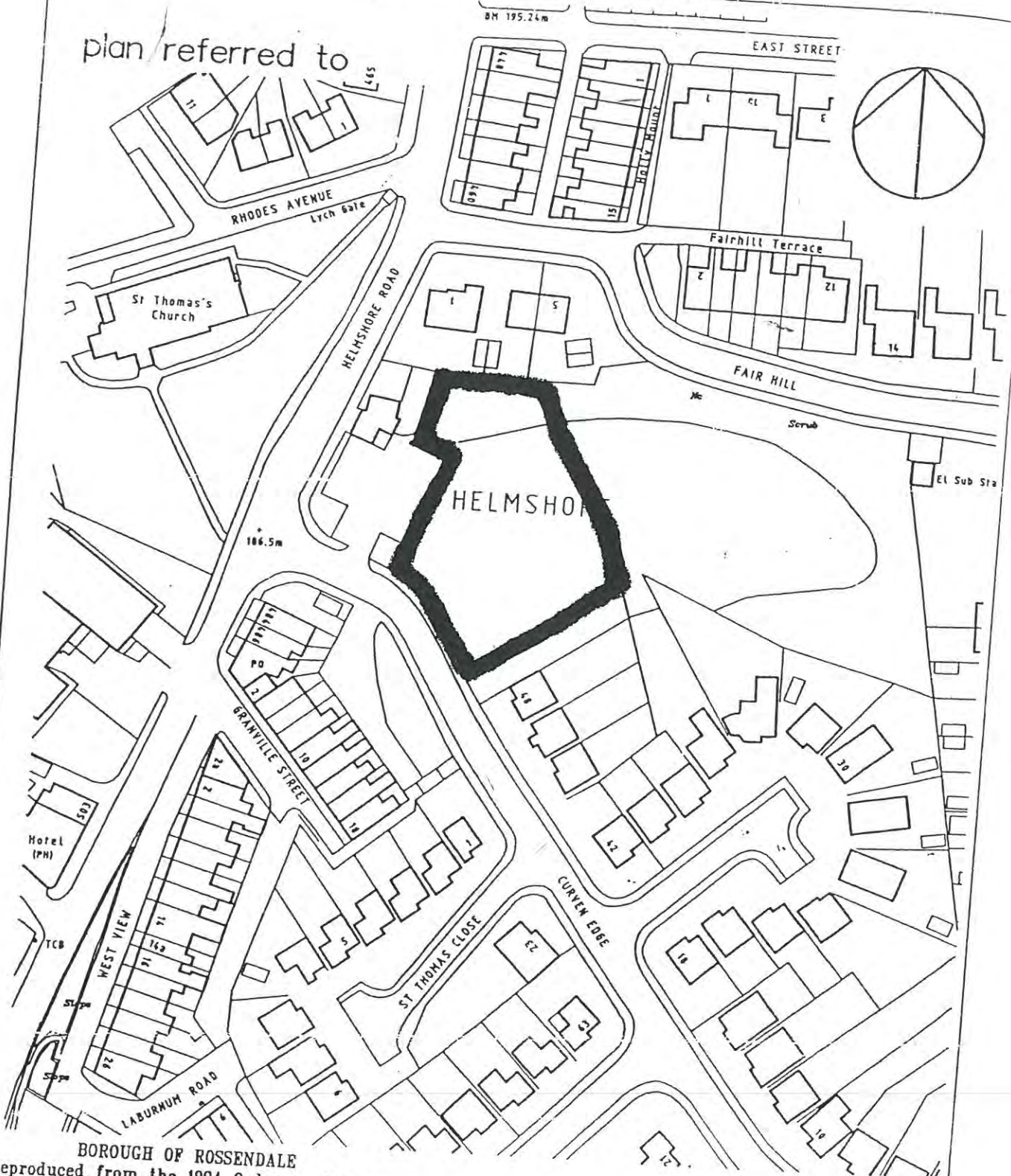
10. **AUTHOR OF THE REPORT**

- 10.1 Mrs. C. Sheasby – Estates Officer – extension 4521
E-mail: christinesheasby@rossendalebc.gov.uk

11. **BACKGROUND PAPERS**

- 11.1 A.1169

plan referred to



2154m²

BOROUGH OF ROSSENDALE
 Reproduced from the 1994 Ordnance Survey
 1:1250 map with the permission of the
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SD7821SW

BOROUGH OF ROSSENDALE	contract		Land at Fairhill Helmshore	scale	1 : 1250
	Douglas Newton BA (Arch) RIBA			date	March 2001
	Architect		Town Hall, Rawtenstall, Rosendale	drawn	KAB
				drawing number	332/210



HELMSHORE RESIDENTS 'SAVE OUR GREEN' ACTION GROUP

Mr R. PEAT, Campaign Chairman

TELEPHONE

Rossendale
Lancashire

Tel 01706

30 June 2002

Ref CS/V/PLR/A

C5

Legal Department
Town Hall
RAWTENSTALL
Rossendale
Lancashire
BB4 7LZ

Dear Sirs

Re Planning Application 1169 – Land at Fairhill Helmsnore

I see from the Free Press 28/6/02 that a request to purchase this piece of land and build a bungalow on it has been received by the council.

This plot was the one that created so much attention and local objection last year, resulting in a 1044 name petition being handed over to Mr J Holt at a residents meeting in July. (See attached copy letter).

The aims of the local residents have not changed in 12 months and we are currently trying for village green status with County Hall. A point well known by last year's council and councillors.

Our objections will always remain the same when referring to this piece of land. Apart from it's dubious past and therefore suitability or otherwise for building on, the fact remains that the land is used and has been for years by families and children for recreational purposes.

At the meetings we have had with councillors over the years they have always leaned towards agreement on this point. The only problem last year was the cost of maintaining the land.

Whilst we are actively pursuing ways of keeping this land for recreational purposes it would help if the council stopped trying to sell it!

We have support for our aims from all sides of the council last time, including county councillors and our local MP. Perhaps you could take the land off the "schedule of sites for possible disposal".

I enclose a copy of the petition which is as relevant to this application as it was to last year's council attempts to sell the land.

I trust you will not continue with the sale of the Curven Edge Plot for other than public recreational use.

Yours faithfully

R C Peat
Campaign Chairman and Local Resident

Enc

WE, THE UNDERSIGNED, TOTALLY DISAGREE WITH ANY
DEVELOPMENT OF THE LAND AT THE BOTTOM OF
CURVEN EDGE OTHER THAN FOR RECREATIONAL PURPOSES

Mr. M. Weston
Borough Solicitor & Secretary
Town Hall, Rawtenstall
BB4 7LZ
Telephone

This matter is being dealt with by Mrs. C. Sheasby
Telephone ()
Fax no. ()
E-mail:
**THE COUNCIL DOES NOT ACCEPT SERVICE
OF DOCUMENTS BY E-MAIL**

Our Reference: CS/LH/PLR/1169

Your Reference

12th September 2002

Mr. R. Peat

Rossendale
Lancashire

Dear Sir,

LAND AT FAIRHILL, HELMSHORE

I refer to my letter dated 2nd July 2002, concerning the above mentioned land.

At its meeting held on 27th August 2002, the Council's Corporate Policy Committee resolved that the application to purchase this land be refused.

The Council also resolved that the site be removed from the Schedule of Sites for Possible Disposal.

Yours faithfully,

CHRISTINE SHEASBY
ESTATES OFFICER

David A. Trippier, R.D., J.P., M.P.



HOUSE OF COMMONS
LONDON SW1A 0AA

20th December 1989

Dear Rick,

Thank you for your recent letter, concerning the proposed development of land off Fairhill and Curven Edge.

I am grateful to you for letting me have your views, and I have already written to the Borough Planning Officer to draw his attention to the concern felt locally about this particular application.

Thank you for writing to me.

Yours sincerely,

R. Peat Esq.

Rossendale
Lancs.

JANET ANDERSON MP



HOUSE OF COMMONS
LONDON SW1A 0AA

Mr Rick Peat

Rossendale
Lancs

28 June 2001

Dear Mr Peat,

Thank you very much for your informative letter about the land at the bottom of Curven Edge.

I am very concerned about this matter and enclose a letter I have sent to Cllr John Holt, the Leader of Rossendale Borough Council. I understand that the Conservative members of the council are proposing to sell off several pieces of land and I am worried that land, which is useful to local communities, is being proposed to be sold, despite local objections. As you can see from my letter, I am appalled that the Council are making this proposal and am in full support of the local community's objections.

I will send you a copy of any reply I receive from Cllr Holt and please do not hesitate to contact me if you feel I can be of further assistance with this matter.

With all good wishes,

JANET ANDERSON MP

RS. If you'd care to meet to discuss what else we might do, please get in touch.

JANET ANDERSON MP



HOUSE OF COMMONS
LONDON SW1A 0AA

Mr Rick Peat

Rossendale
Lancs

4 September 2001

Dear Rick,

Land at Bottom of Curven Edge

I am writing further to my previous letter on the above issue. Thank you for keeping me informed of the situation. I understand that you had a meeting with John Holt in July, but John has not contacted me to let me know of the outcome of this meeting.

I am happy to continue to be of assistance with this matter and am now asking for the latest update on the matter from Mr Steven Hartley, the Chief Executive of Rossendale Borough Council. Once I have received that I will contact you again and we will see where we can go from there.

With all good wishes,

JANET ANDERSON MP

PS. If you & the other residents would like to meet me to discuss what else we can do, I should be happy to arrange it.

JANET ANDERSON MP



HOUSE OF COMMONS

LONDON SW1A 0AA

28 September 2001

Mr Rick Peat

Helmshore, Rossendale
Lancs,

Dear Rick,

Many thanks for your letter of 25 September and the latest newsletter from your Action Group. I am most grateful to you for keeping me informed.

I am getting in touch with County Councillor Hazel Harding, leader of the County Council, to support your application. I suggest you also contact Bob Wilkinson, who is your own County Councillor in Helmshore. I am sure he would be glad to help.

I will come back to you as soon as I have any news. In the meantime, I enclose details of my advice surgeries etc. If you would like to arrange a separate meeting, I could fit this in on Saturday 13 October at around 5.30 pm. Please let me know if this would be convenient for you and your neighbours. I would have telephoned you but I am afraid I do not have your number.

With all good wishes,

Yours sincerely,

Rochdale Road
Bacup

16th July 2001

C R Peat Esq.

Rossendale

Dear Mr Peat

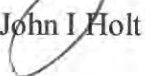
Re. Land at Curven Edge

I refer to our meeting on Thursday last and thank you and your neighbours for receiving us. I thought we had a useful discussion and as promised I am enclosing a copy of the minutes to which I referred. I can also confirm that the next meeting to which this matter might be referred is the 29th August. If by then you have any further information please let me know.

I formally acknowledge receipt of the petition and have passed this to the Borough Solicitor. If and when the matter comes before the committee I will ensure publication of the petition and your views as expressed at our meeting. I will also, in the meantime, make enquiries as to the implications for the Council of Village Green status.

Thank you again and I look forward to hearing from you.

Yours sincerely


John I Holt

Minutes of Rossendale Borough Council re: Derelict Land Scheme
- Curven Edge, Helmshore

Curven Edge, Off Helmshore Road, Haslingden 19/6/78

(e) The Chief Planning Officer reported that certain difficulties had been encountered with regard to the acquisition of certain areas of land required in connection with the implementation of the derelict land scheme at Curven Edge. He pointed out that the negotiations had not yet proved successful although they were still proceeding but in the circumstances he recommended that subject to a derelict land grant being available a compulsory purchase order be made in respect of the acquisition of the interest in the land required in connection with the above scheme.

Resolved (i) that a compulsory purchase order be made in respect of the acquisition of the land required for the above derelict land scheme under Section 89 of the National Parks and Access to the Countryside Act, 1949;

(ii) that the Solicitor and Estates Officer be authorised to submit the compulsory purchase order to the Secretary of State for the Environment for confirmation and to do all things precedent and subsequent thereto; and

(iii) that the Solicitor and Estates Officer be authorised to acquire the land included in the Order at the District Valuer's valuation.

Curven Edge, Helmshore

(d) The Chief Planning Officer reminded the Committee that it had been agreed to make a Compulsory Purchase Order in respect of certain land in the above area to enable the derelict land scheme for the area to be carried out, subject to the Department of the Environment being prepared to fund the acquisition and subsequent reclamation work.

He informed the Committee that the Department had agreed to accept the scheme in principle but were concerned at the high cost of reclamation and the Council would be notified of the amount of grant which might be forthcoming in due course. He also pointed out that the owner of approximately half the land had been in contact with his department with a view to submitting a planning application for housing development on the land and the Committee discussed the matter in detail.

Resolved that the making of a Compulsory Purchase Order in respect of the land required for the above scheme be deferred at the present time pending the outcome of the negotiations with the Department of the Environment and until such time as the question of any future development on the site has been determined.

Curven Edge, Helmshore

(c) Further to Minute No. 860 (d) of the October meeting, the Chief Planning Officer reported that no planning application had been received for housing development on part of the land included within the above Derelict Land Scheme.

He also pointed out that the Department of the Environment had now agreed to the costings involved in the scheme and he therefore recommended that the Committee proceed with the making of a Compulsory Purchase Order in respect of the land required for the Derelict Land Scheme.

Resolved that the Solicitor and Estates Officer be instructed to proceed with the making of a Compulsory Purchase Order in respect of the land required for the above scheme, in accordance with Minute No. 133 (e) of the July, 1978, meeting.

Curven Edge, Helmsore

10/9/79

(a) The Chief Planning Officer reported that the Council had previously resolved to make a Compulsory Purchase Order in respect of certain land included within the above derelict land scheme but stated that it now seemed possible that the matter might be resolved by the owner of this land granting the Council a 10 to 15 year lease of the land for a nominal sum. This would then enable the tipping to proceed using spoil from the By-Pass scheme and for the early implementation of the overall scheme for the site.

Resolved that the Solicitor and Estates Officer be requested to negotiate for a 10 to 15 year lease of the above land at a nominal rent so that the derelict land scheme can be implemented as soon as possible and, subject to this lease being obtained, the Compulsory Purchase Order previously made in respect of this area of land be withdrawn.

12/1/79

Derelict Land Schemes

885. The Chief Planning Officer submitted a progress report upon the under-mentioned Derelict Land Schemes with which his department was concerned:-

Albert Works Site, Whitwell Bottom
Prinny Hill Site, Haslingden
Coupe Road Junction, Waterfoot
Freeholds Mill Site, Whitworth
Spodden Valley Site, Whitworth
Curven Edge Site, Helmsore

Resolved (i) that the report be noted, and

(ii) that in connection with the scheme for the Curven Edge Site, Helmsore, the Chairman and the Chairman of the Policy and Resources Committee be given authority to negotiate the best possible terms for the infilling required on this site.

10/12/79

Curven Edge, Helmsore

(b) Further to Minute No. 885, the Chief Planning Officer reported that the Chairman and the Chairman of the Policy and Resources Committee had negotiated satisfactory terms with a firm for the infilling of this site and that work had now commenced on the tipping up of the site prior to it being soiled and seeded during Spring. He stated that there was a further small area of land on Curven Edge, opposite the above site, on which it had previously been suggested purpose-built garages might be erected if there was sufficient demand.

He pointed out that following a survey to ascertain the demand for garage accommodation, only two persons had expressed an interest in erecting garages on this site and he therefore suggested that the Committee might wish to consider the landscaping of this area of land rather than the erection of garages on the site.

Resolved that the Chief Planning Officer be authorized to obtain detailed costs for the landscaping of this particular area of land and to report back to a future meeting of the Committee so that further consideration can be given to the improvement of this site.

**WE, THE UNDERSIGNED, TOTALLY DISAGREE WITH ANY
DEVELOPMENT OF THE LAND AT THE BOTTOM OF
CURVEN EDGE OTHER THAN FOR RECREATIONAL PURPOSES**

Neighbourhood News

■ Covering: Waterfoot, Stacksteads, Helmshore, Irwell Vale, Rising Bridge, Stonefold, Water, Whitewell Bottom, Lumb, Cowpe, Crawshawbooth, Newchurch, Britannia, Sharneyford, Weir, Edenfield and Stubbins.

Play area saved from threat of bulldozers

Relief for residents as bungalow plan rejected

by Laura Ashton

CAMPAIGNERS have welcomed news that a piece of land will not be sold off for housing.

An application to buy council-owned land off Curven Edge and Fairhill, Helmshore, and build a bungalow on it, has been refused, much to the delight of residents who protested against the move.

Helmshore Residents' Action Group has campaigned for several years against building on the plot, saying it is well-used as a recreation area.

The land had been on a Rossendale Council list of sites earmarked for sale, and several planning applications had been

submitted in the last few years.

But members of Rossendale Council's Corporate Policy Committee decided that, as well as refusing the sale, the land should be taken off the Schedule of Sites for Possible Disposal, preventing similar applications from being

submitted in the future. Campaign chairman Rick Peat, of Curven Edge, said: 'I am really, really pleased that the land is not going to be sold.'

'It has been used for recreation for years and it would be a shame if this had to stop because it was built on.'

'We have had to fight three big battles over the last 12 years, to pre-

vent people from buying the land and building on it. Hopefully we will not have to do it again.'

'But we will not go away and will continue to fight if the issue arises again.'

Councillor David Hancock, vice-chairman of the corporate policy committee, said: 'The land is a valuable local amenity and it would be a shame to lose it.'

'There are few enough places where children can play, and I for one am very pleased that this decision has been made.'

The residents are now trying to have the land registered as a village green.

Banned drink-driver faces further penalty

A DRINK-DRIVER who was three times over the limit when he hit a car has clocked up his second conviction for excess alcohol, a court heard.

Burnley Magistrates were told how Simon Buckler, 29, stayed at the scene after the smash and co-operated with police.

Buckler, of South Villas, Stacksteads, admitted driving with excess alcohol and was bailed until September 17, for a pre-sentence report. The bench, who gave him an interim driving ban, said they were thinking of a community-based penalty.

Andy Robinson, prosecuting, said although there had been an accident, the defendant was not charged with driving without due care and attention. It seemed he had been travelling towards

Waterfoot and two cars were coming in the opposite direction.

Buckler's car went onto the opposite carriage-way, narrowly missing one vehicle but hitting the one following behind.

Mr Robinson said police were called and the defendant co-operated with officers.

He was taken to the police station and the lower of two breath tests showed 105 microgrammes of alcohol in 100 millilitres of breath - the legal limit is 35.

Philip Whittaker, defending, said two weeks before the accident, Buckler realised his drinking was out of control. He had been to see his GP and had been referred for treatment, but that had not taken place when the offence was committed.

Transplant girl's golden games Centre scheme on target

'I am so proud of her' says mum

A PLUCKY girl has for her to get through a



Appendix

TWO very different kinds of sharpshooters were on display at a youth and community centre.

The armed response unit from Lancashire Constabulary was at Whitewell Bottom Youth and Community Centre as part of the summer 'Break Out' scheme.

And then the 12 youngsters in the scheme practised their

football match at the centre, before tucking in to a barbecue.

Nasreen Akhtar, project manager, said: 'The day was part-funded by Lancashire County Council and Lancashire Constabulary, and is designed to give youngsters from Haslingden and Rawtenstall something to do over the summer months.'

'We had an energetic but

Neighbourhood NEWS SCENE

COVERING: Waterfoot, Stackstead Helmshore, Irwell Vale, Rising Bridge, Fold, Water, Whitewell Bottom, Lumb, Crawshawbooth, Newchurch, Britanneyford, Weir, Ramsbottom, Holcombe Shuttleworth, Edenfield and Stubb

Talks raise 'play area' rescue hopes

by FIONA SMITH

COUNCILLORS received a 1,044-name petition when they met campaigners to discuss the fate of a Helmshore recreational area.

Representatives from the Helmshore Residents' Action Group, headed by businessman Rick Peat, met with council leader John Holt and his deputy, Helmshore's Neil Smith, to discuss the future of grass-ed land off Curven Edge and Helmshore Road.

The land was one of 10 'surplus' areas offered for sale by the council in June.

The land, used for dumping spoil during construction of the A56 Haslingden Bypass, is

used for recreation, community bonfires and as a 'safe' play area for children.

A culvert runs underneath the land, which is prone to flooding, and councillors admitted that any development on the land would be unlikely to receive planning permission.

Mr Peat, production director at the former Helmshore-based company Hamilton McBride, said: 'The councillors were quite sympathetic to our views.'

Three options were discussed:

● The possibility of obtaining Village Green Status, which would mean applying to Lancashire County Council for funding.

● Doorstep Green Funding for park equipment, an option which is not favoured by protesters.

● Rossendale Council leasing the land to residents who would then try to obtain funding through public funding bodies such as Rural England.

Mr Peat said: 'Rossendale MP Janet Anderson is supporting us and assisting with the funding issues.'

'The next step for us is to see what the residents want.'

'We did consider buying the land outright but the culvert that runs underneath it too risky.'

'We are very pleased with the outcome of the meeting.'

'It really shows what the ordinary person can do if we pull together.'



GANGSTERS: Back, from left, Thomas Taylor, Craig Baxter, Oli Elliot Waddington. Front, from left, James Beedie and Euan

Don't push me too far...

THE television show Changing Rooms may be famous for using MDF hard board instead of wood, but ingenious parents have found another use for it ... guns.

Pupils at Emmanuel Holcombe Primary School, Holcombe Village, needed the guns for their end-of-term production of Bugsy Malone.

So parents got together and made them from silly

string and MI also helped pr suits and gang The show w performed for by 60 children a sell-out crow



JOHN Holt.

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Arson cases: Man in court

A MAN has been accused of starting three fires, two with intent to endanger life.

Ryan Webber (20) of Palatine Drive, Walmersley, Bury, was remanded in custody by Bury magistrates on Saturday to Manchester Crown Court today (Friday) for a preliminary hearing.

Webber was arrested last Friday in Summerseat and charged with arson with intent to endanger life by setting light to a carport which spread to an adjoining house in Cliff Avenue, Summerseat.

The fire forced the family to flee to safety.

He is also accused of starting a second fire, with intent to endanger life, a £15,500 caravan in Lumm Street, Walmersley, last week.

All the offences are alleged to have happened between 25 May and 11 July.



AWARDS: Back, from left, Laura Cheetham, Janet Anderson pupil Samantha Barrett. Front, from left, Arran Brooks, he David Duncan and David Stratton.

Minister raises church profile for community

PLANS have been laid to enhance Irwell Vale Methodist Church's status as a village focal point.

The Rev Ken Fitzsimons, who last year was appointed to the church circuit which also includes Manchester Road Methodist Church, Haslingden, has been liaising with Groundwork Rossen-

dale to improve the village church gardens.

He also plans to construct a ramp for disabled access.

In September, he hopes to host a community barbecue and invite villagers to come along and enjoy the church.

He said: 'The church is the only community build-

ing in Irwell Vale and it belongs to everyone.'

'It is not in a terribly scruffy state at the moment we are just trying to improve it.'

'Irwell Vale is not a very large village and the church has around 12 regular members and I hope this number will increase.'

Honours for top pupils

THE achievements of 1 Rossendale School were celebrated at an award ceremony attended by Anderson MP.

The school, in Turn Villa, presented its top pupils with emotional and difficult and hired a mar annual ceremony.

The Endeavour Award for great effort was presented to Hill (15) and Laura Cheetham.

Headteacher David Duncan presented certificates to the children. Anderson presented the Endeavour Award.



STRENGTH in numbers: Villagers gather on the land they are desperate to save. (26109-01)



Council No2 backing villagers united in protest



BLACK hole: The land, above and above (left) filled with water was used as a dumping ground before the council's infill in the early 80s.

news Briefly

Councillor recovering

A COUNCILLOR is well on the way to recovery after surgery to remove tumours.

Edenfield's Jeff Cheetham was admitted to hospital for surgery four weeks ago after being diagnosed with cancer of the throat and stomach.

Jeff, of Gincroft Lane, Edenfield, was unconscious in intensive care for nearly three weeks after the five-and-a-half hours operation. He regained consciousness last Wednesday and was moved onto a ward last Friday.

His voice is returning and the amateur pub singer is looking forward to hitting the karaoke when he returns home in a couple of weeks.

His wife Anne said: 'He has received lots of cards from well-wishers, which have really cheered him up. He is very grateful to everybody that has sent them.'



Attack plea

POLICE are appealing for witnesses to a town centre attack on an 18-year-old teenager.

The youth suffered a broken nose when he was kicked about his head and body.

The youth was walking home through Rawtenstall between 2.15am and 2.45am on Saturday after a night out in a town centre nightclub when five white males chased him through the Asda supermarket car park in Bochoft Way.

Police are hoping that for people on their way home who saw the chase or assault will contact them on 237442.

Woodland saved

A WOODLAND area has been saved from the chop after protests from locals.

A portion of land at Warcock Lane, Bacup, will not be sold off after councillors agreed that its use as a public amenity was too great.

A larger, adjacent patch, between Warcock Lane and Rosendale Crescent, is still set for 'disposal', as Rossendale Council seeks to explore all possible sources of finance.

Houses are likely to be built on the land, but the Warcock Lane patch was removed from plans after residents, who had worked with Groundwork to plant trees in the area, submitted a petition.

Hands off our 'playground'

by FIONA SMITH

A MOVE to sell a popular recreation area has united more than 600 villagers in protest.

And the campaign to block Rossendale Council's sale of grassed land at Helmshore has the backing of the council's deputy leader, Councillor Neil Smith.

Anger erupted when the 'for sale' sign went up last Thursday on the former dumping ground, at Curven Edge, behind Truffles restaurant off Helmshore Road. A campaign team was hastily put together and the rush began to sign a petition.

The council has promised to take their views in to account.

The land is one of 10 spots dotted around Rossendale considered 'surplus' by the council and earmarked as money-earners.

It used to contain a huge 'hole' that was used as a dump during construction of the A56 Haslingden Bypass. The council completed infill

in the 1980s and the land became the area's only children's play 'ground'.

But protesters determined to oppose the loss of that facility are also quick to point out that a culvert runs beneath the land, which is prone to flooding, and there are suggestions that toxic substances were dumped there three decades ago and could be disturbed if the area was developed.

Villagers have criticised the council's 'ambiguous' advert for the sale.

Rick Peat, campaign frontman and production director at former Helmshore-based company Hamilton McBride, said: 'It was advertised as land off Fairhill, Helmshore, so nobody made any protest until the sale sign went up.'

'I have lived at Curven Edge since the estate was built 25 years ago and the land is unsuitable for development.'

'Original plans for the estate show there was to be another house built on the end of Curven Edge, on this land, but the builders deemed it unsuitable.'

I'll meet residents—council leader

THE council leader is prepared to meet residents to discuss the idea of establishing a 'trust fund' to maintain the land at Curven Edge.

That 'concession' did not contain an intimation that the sale would not proceed if a buyer comes forward.

Councillor John Holt (pictured) in explaining the land-sale policy across Rossendale, said: 'Eventually these small pieces of land cost money in maintenance and, to benefit the taxpayer, they were deemed surplus to requirements by the council.'

'The advertisement we placed for the sale of land at Curven Edge was technically correct but, I understand, could have been misleading. We will take the residents' representation into account with any offers for the land.'

'The land's suitability for development is not a matter for the council. I would be delighted to

speak to residents about the possibility of their starting a trust fund to maintain the land.'

In a letter to Councillor Holt, Rossendale's MP Janet Anderson expressed 'disgust' at the sale proposal.

She wrote: 'I am worried that this is a way for the council to make an easy profit, whilst neglecting the views of, and facilities available to, the local community.'

'Having learnt of the trust funds that the council has available I would have thought that this money could be used to ensure that land such as Curven Edge could be retained by the council and possibly developed into much-needed park facilities for the local community.'



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ABTA







Rossendale Borough Council
The Business Centre
Futures Park
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OL13 0BB
For the attention of the Forward Planning Department

5th October 2017

Dear Sirs,

Rossendale Draft Local Plan - July 2017

I object to the proposed housing development sites referenced HS2:11, HS2:12, HS2:13 and HS2:32 listed in Chapter 1 (HS2) of the above plan. My concern is that the connectivity of each of these sites to essential facilities in Bacup Town Centre is unsuitable for the following reasons:

There are only two routes from the sites to the Town centre, one of which is Lodge Lane and the other is Bankside Lane.

Lodge Lane is to the South and East of the four sites, and is closed to motor vehicles as a through road. It has a very steep slope with an average gradient of 15% (1 in 7) **and therefore does not comply with any national or regional planning guidance as being acceptable for use by pedestrians, the mobility impaired and cyclists.** It would therefore be improper to suggest Lodge Lane as a route from the sites to Bacup Town Centre.

This means that Bankside Lane is the only acceptable access to the Town Centre for all highway users. However Bankside Lane has a particularly steep section for a length of 242 metres between its junctions with Market Street and Maden Road and I believe it to be unsatisfactory as a means of access to the proposed housing developments as evidenced in the following disclosures attached to this letter:

Disclosure 1.

- a. Non Compliance with the Lancashire County Council Code of Practice on Mobility '*Inclusive Mobility*' Section 3 Footways
- b. Non Compliance with the Lancashire County Council Transport and Design Guidance '*Creating Civilised Streets*' Section 5.5 Connected Streets
- c. Non Compliance with the Department for Transport '*Manual For Streets*' Section 7.6 Visibility Requirements.
(Note this section includes calculations that have safety implications for highway users and I request that it is submitted to LCC Highways Engineers for verification).

Disclosure 2.

Breach of the Rossendale Draft Local Plan Policies:

ENV1 - High Quality Development in the Borough

ENV2 - Heritage Assets.

Disclosure 3.

Prior refusal of a planning application for development off Bankside Lane.

On the basis of the above submissions I request that the proposed housing sites HS2:11, HS2:12, HS2:13 and HS2:32 be removed from the Rossendale Draft Local Plan.

Yours Faithfully,

David Thompson

DISCLOSURE 1

a. NON COMPLIANCE WITH LANCASHIRE COUNTY COUNCIL CODE OF PRACTICE ON MOBILITY ‘INCLUSIVE MOBILITY’ Section 3 Footways.

To meet the target in Policy HS6(a) of the Rossendale Draft Local Plan, 30% of the proposed houses on sites HS2:11,12,13 and 32 will need to accommodate elderly and disabled residents. Clearly any residents with mobility difficulties will require access to public transport and local facilities. **Such access will be via the steep section of Bankside Lane between its junctions with Maden Road and Market Street (a distance of 242 metres)** which must therefore comply with Lancashire County Council’s Code of Practice on mobility ‘**Inclusive Mobility**’ adopted in March 2003.

Section 3.1 of ‘Inclusive Mobility’ recommends that footways should have a minimum clear width of 2000mm or 1500mm at physical constraints.

Section 3.2 recommends that the gradient of footways be no more than 5% (1 in 20).

Bankside Lane between its junctions with Market Street and Maden Road does not comply with the above criteria at any point.

b. NON COMPLIANCE WITH LANCASHIRE COUNTY COUNCIL TRANSPORT POLICY AND DESIGN GUIDANCE ‘CREATING CIVILISED STREETS’ Section 5.5 Connected Streets

In February 2010 Lancashire County Council published its Transport Policy and Design Guidance document titled – **Creating Civilised Streets**. Section 5.5 of the guide states;

Connected Streets

LCC will ensure new streets are connected to the surrounding environment giving people the opportunity to choose how they travel . . .

Designing links to the external network requires an assessment of the surrounding infrastructure including walking, cycling and public transport . . .

Creating a connected site

People walking should be provided with routes to public transport and key destinations . . .

It is evident that because the footways on Bankside Lane do not comply with the requirements of ‘Inclusive Mobility’ as shown in (a) above, it cannot be demonstrated that the housing sites HS2:11, HS2:12, HS2:13 and HS2: 32 have adequate connectivity to satisfy section 5.5 of LCC’s Transport Policy ‘Creating Civilised Streets’.

c. NON COMPLIANCE WITH THE DEPARTMENT for TRANSPORT PUBLICATION ‘MANUAL FOR STREETS’ – Section 7.6 Visibility Requirements

The following visibility calculations and measurements on Bankside Lane have been made by local residents, **therefore it is requested that LCC Highway Engineers check the figures presented.**

AREA OF STUDY BANKSIDE LANE , BACUP, BETWEEN THE JUNCTIONS WITH MARKET STREET AND MADEN ROAD.

LENGTH OF HIGHWAY = 242 METRES
 AVERAGE GRADIENT 12 %.

HERITAGE SETTING – **WITHIN BACUP TOWN CENTRE CONSERVATION AREA.**

SPEED LIMIT 20 MPH THROUGHOUT.

Visibility splay measurements have been made at the following road junctions with Bankside Lane:

- Maden Road sheet 8
- Dale Street sheet 9
- Bank Street sheet 10
- Princess Street sheet 11
- Lord Street sheet 12

Forward visibility measurements have been made at the following locations on Bankside Lane:

- Opposite No1 The Mount (potential impact for vehicles travelling towards each other) sheet 13
- Opposite No2 The Mount (driver restricted visibility to pedestrians stepping off the footway) sheet 14

1. Calculations for minimum visibility splays at junctions in accordance with Manual for Streets

The basic minimum recommended Vehicle Stopping Sight Distance from section 7.5.3 of MfS is calculated as follows:

$$\text{Basic SSD} = vt + \frac{v^2}{2d}$$

where v = speed in m/s (8.94 at 20mph)
 t = perception – reaction time (t =1.5 secs to section 7.5.7)
 d = deceleration rate (4.41m/s² for a level road).

Bankside lane has steep gradients and hence the deceleration rates must be adjusted accordingly.

MfS section 7.5.9 stipulates that a 10% gradient will increase (or decrease) the deceleration rate d by around 0.1g (0.98m/s²).

Hence for 10% gradient incline $d = 4.41 + 0.98 = 5.39 \text{ m/s}^2$
 10% gradient decline $d = 4.41 - 0.98 = 3.43 \text{ m/s}^2$

Note for practical purposes, the above deceleration figures for 10% gradient are used in the following calculations although Bankside Lane over the audit length has an average gradient of 12% (varying



Rossendale Draft Local Plan – Objections to housing sites HS2:11 HS2:12 HS2:13 HS2:32.

sheet 6

BANKSIDE LANE - JUNCTION WITH MADEN ROAD

VISIBILITY SPLAY MEASUREMENT

HAZARD - VISIBILITY SPLAY DISTANCE FROM MADEN ROAD JUNCTION TOWARDS VEHICLES TRAVELLING NORTH ON BANKSIDE LANE (DECLINE)

MEASURED VISIBILITY SPLAY = 16 metres

MINIMUM VISIBILITY SPLAY REQUIRED TO MFS STANDARD (SEE SHEET 5) = 27.5 metres



Rossendale Draft Local Plan – Objections to housing sites HS2:11 HS2:12 HS2:13 HS2:32.

sheet 7

BANKSIDE LANE - JUNCTION WITH DALE STREET

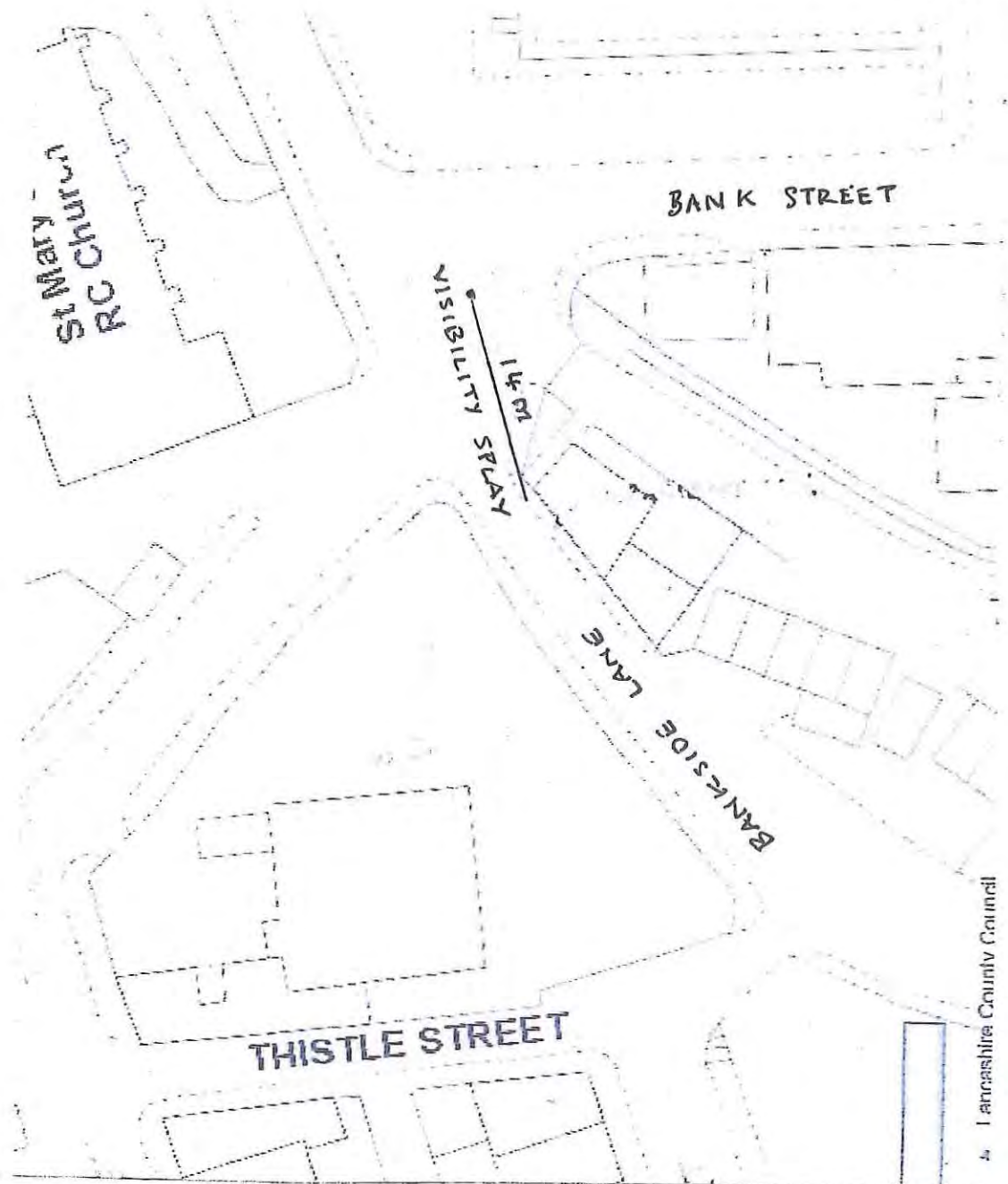
VISIBILITY SPLAY MEASUREMENT

HAZARD - VISIBILITY SPLAY DISTANCE FROM DALE STREET JUNCTION TOWARDS VEHICLES TRAVELLING EAST ON BANKSIDE LANE (DECLINE)

MEASURED VISIBILITY SPLAY = 10 metres

MINIMUM VISIBILITY SPLAY REQUIRED TO MFS STANDARD (SEE SHEET 5) = 27.5 metres

Note cyclists travelling down Bankside Lane are particularly vulnerable because of its steep gradient and restricted driver visibility from Dale Street.



Rossendale Draft Local Plan – Objections to housing sites HS2:11 HS2:12 HS2:13 HS2:32.

sheet 8

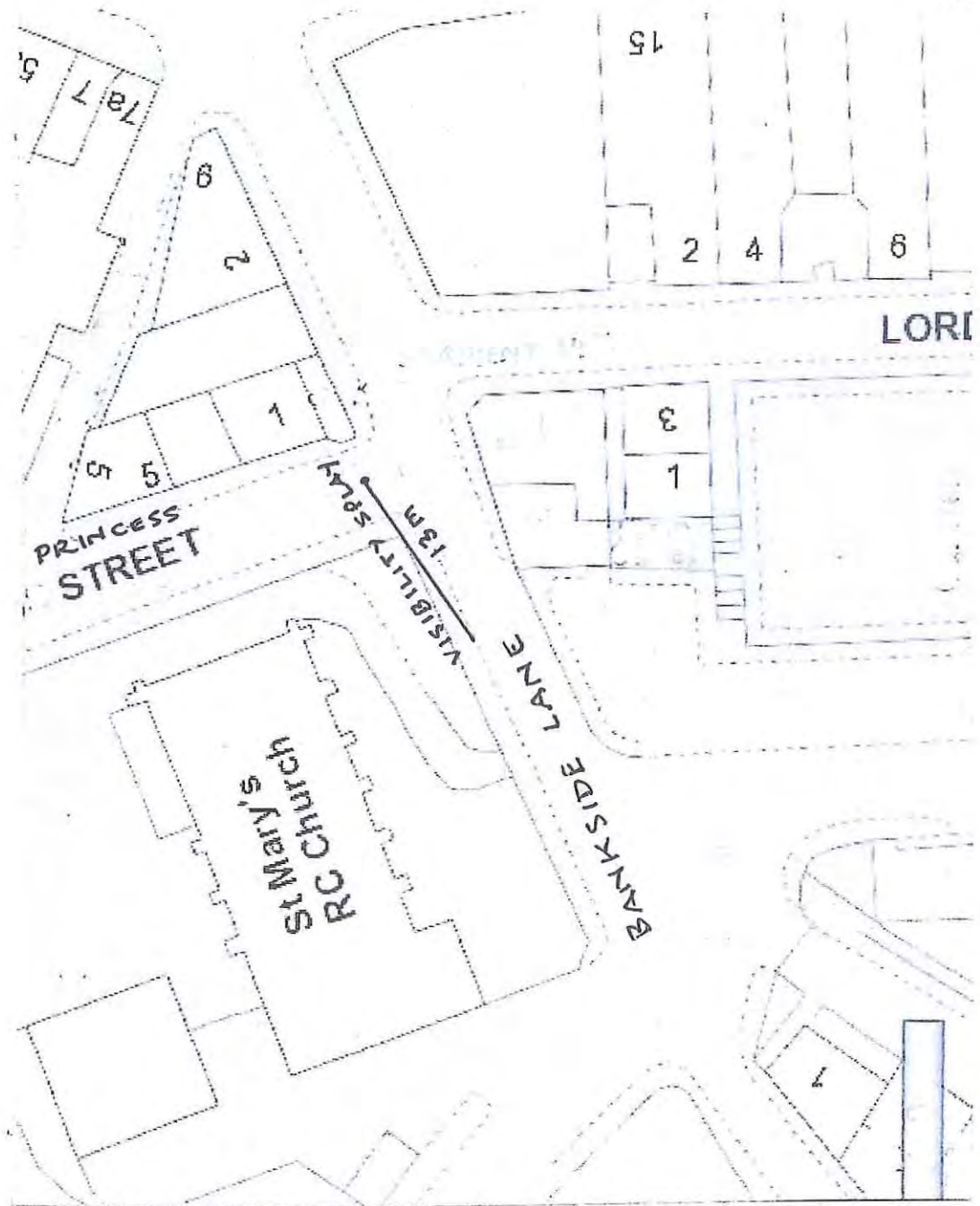
BANKSIDE LANE-JUNCTION WITH BANK STREET

VISIBILITY SPAY MEASUREMENT

HAZARD - VISIBILITY SPAY DISTANCE FROM BANK STREET JUNCTION TOWARDS VEHICLES TRAVELLING EAST ON BANKSIDE LANE (DECLINE)

MEASURED VISIBILITY SPAY = 14 metres

MINIMUM VISIBILITY SPAY REQUIRED TO MfS STANDARD (SEE SHEET 5) = 27.5 metres



Rossendale Draft Local Plan – Objections to housing sites HS2:11 HS2:12 HS2:13 HS2:32.

Sheet 9

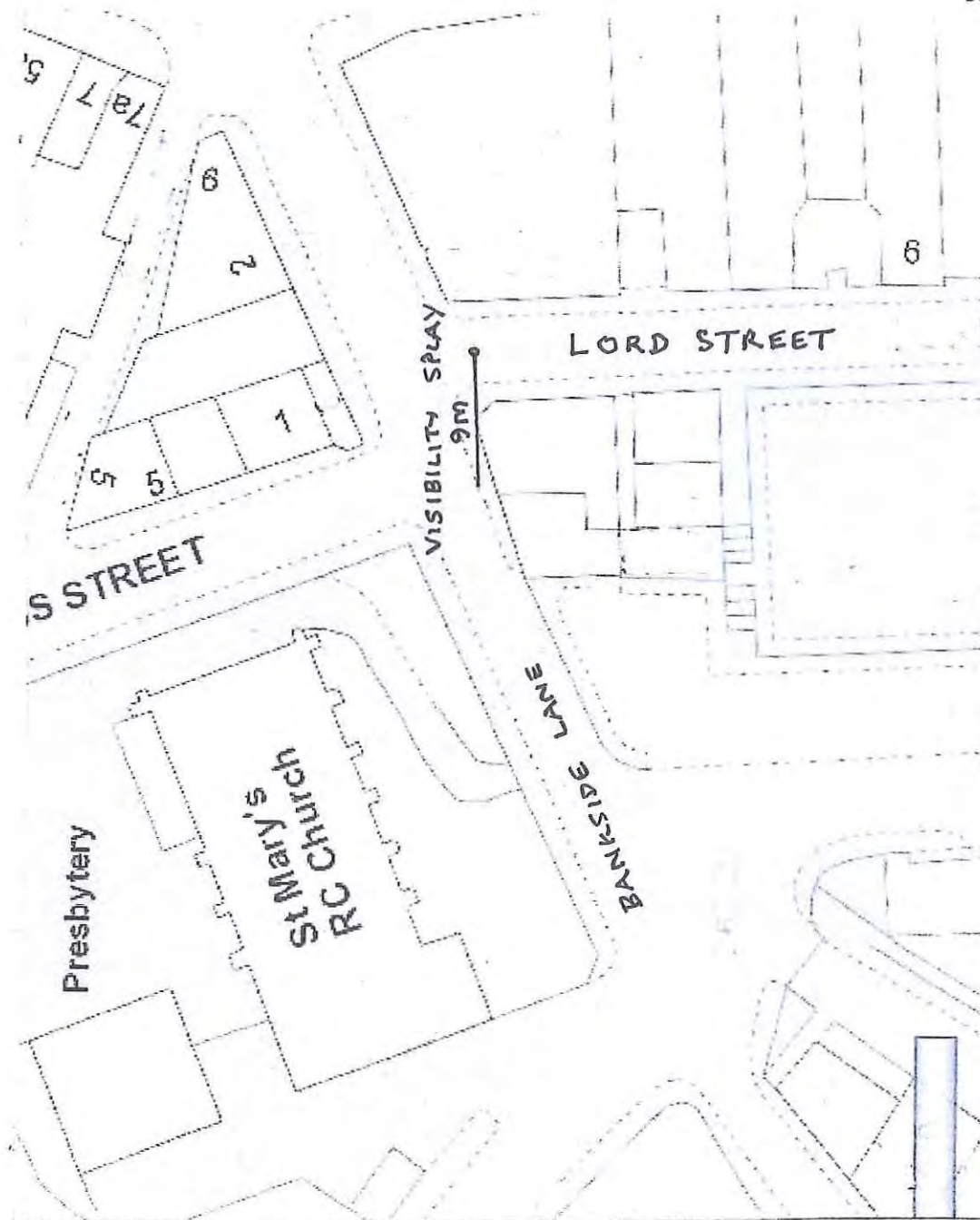
BANKSIDE LANE - JUNCTION WITH PRINCESS STREET

VISIBILITY SPLAY MEASUREMENT

HAZARD - VISIBILITY SPLAY DISTANCE FROM PRINCESS STREET JUNCTION TOWARDS VEHICLES TRAVELLING EAST ON BANKSIDE LANE (DECLINE)

MEASURED VISIBILITY SPLAY = 13 metres

MINIMUM VISIBILITY SPLAY REQUIRED TO MfS STANDARD (SEE SHEETS5) = 27.5 metres



Rossendale Draft Local Plan – Objections to housing sites HS2:11 HS2:12 HS2:13 HS2:32.

Sheet 10

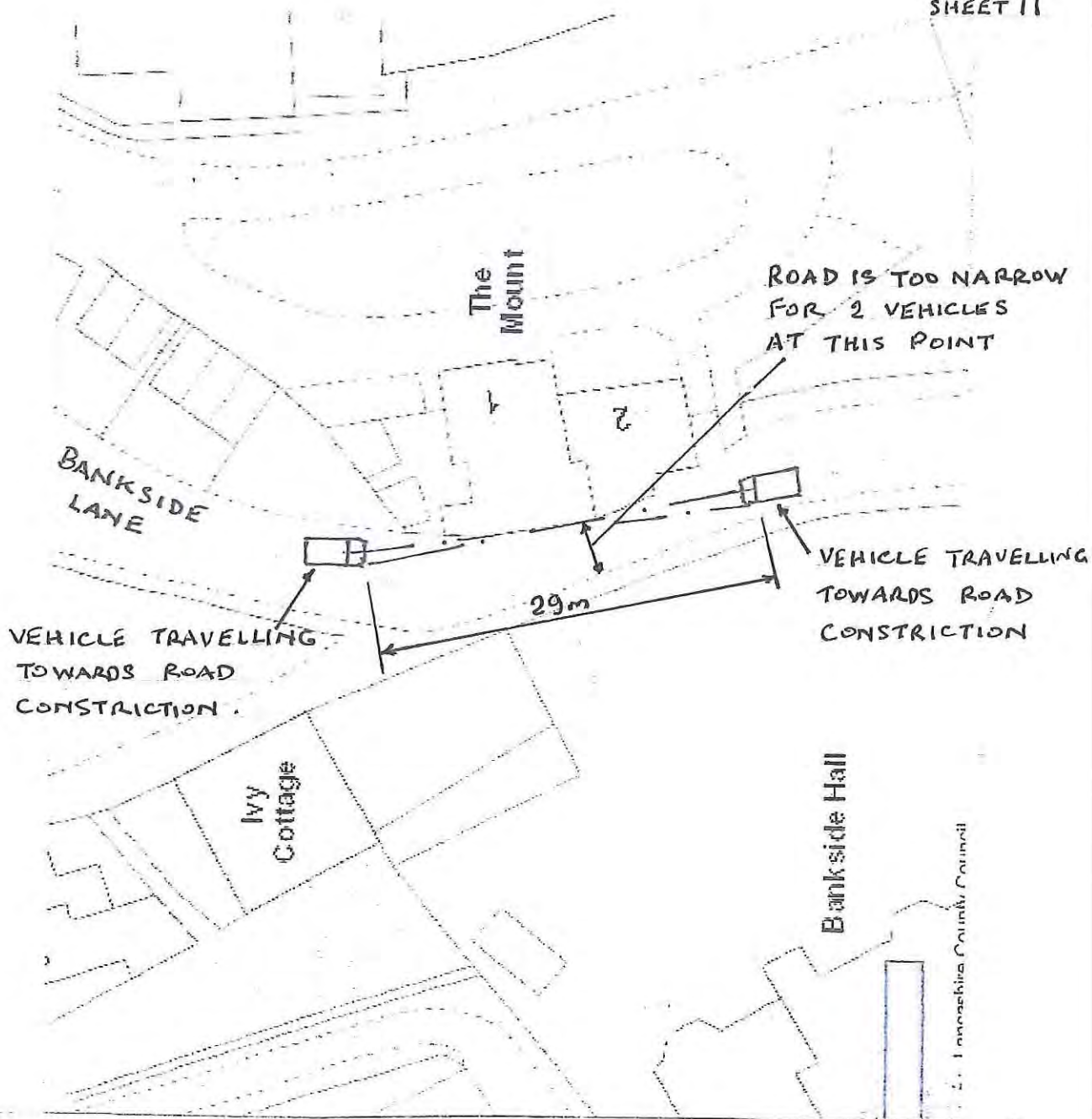
BANKSIDE LANE -JUNCTION WITH LORD STREET

VISIBILITY SPLAY MEASUREMENT

HAZARD - VISIBILITY SPLAY DISTANCE FROM LORD STREET JUNCTION TOWARDS VEHICLES TRAVELLING EAST ON BANKSIDE LANE (DECLINE)

MEASURED VISIBILITY SPLAY = 9 metres

MINIMUM VISIBILITY SPLAY REQUIRED TO MfS STANDARD (SEE SHEET 5) = 27.5 metres



BANKSIDE LANE - ADJACENT TO No 1 THE MOUNT

FORWARD VISIBILITY MEASUREMENT

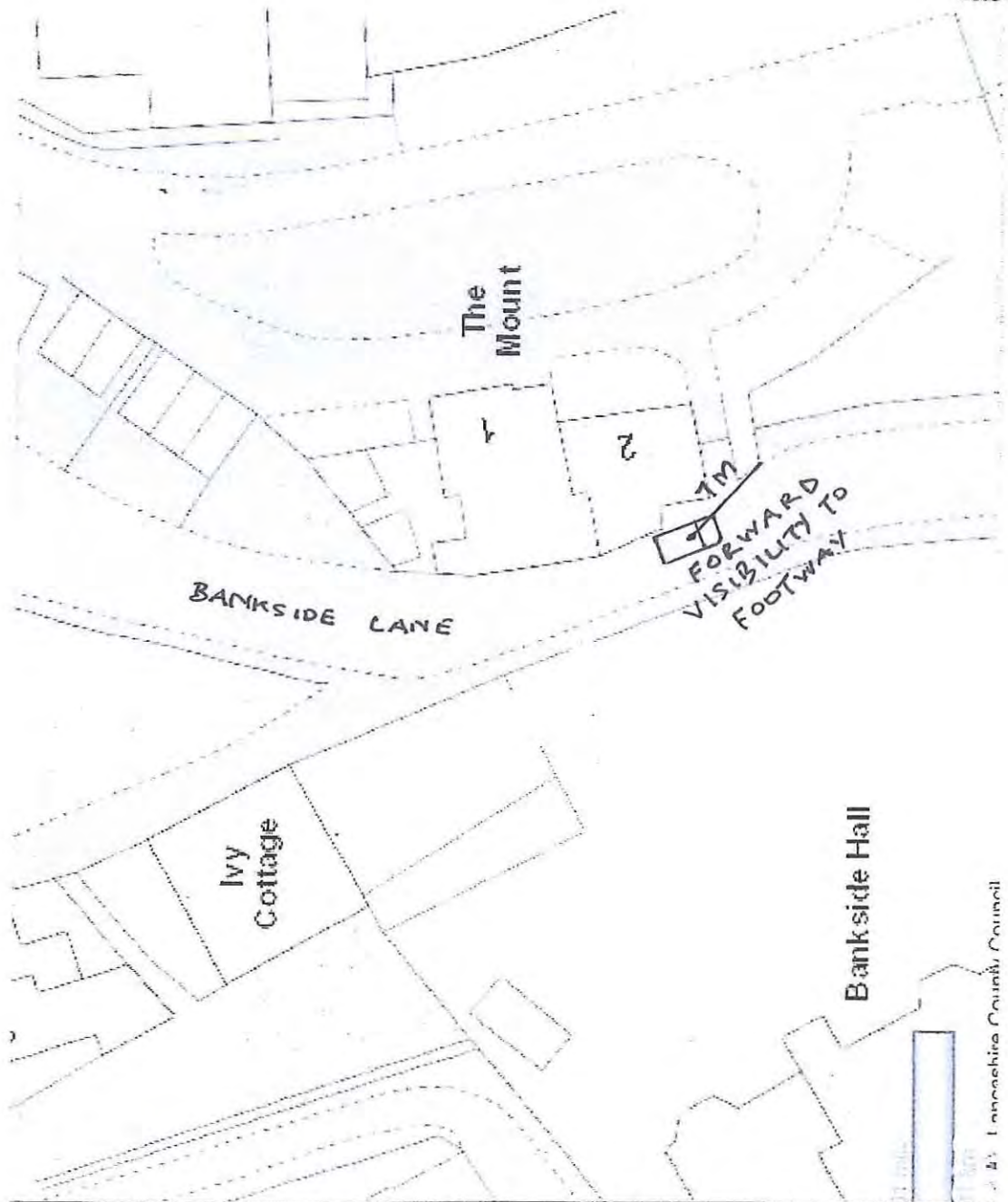
HAZARD – FORWARD VISIBILITY DISTANCE FOR VEHICLES TRAVELLING TOWARDS EACH OTHER ON BANKSIDE LANE AND TOWARDS No 1 THE MOUNT WHERE THE ROAD BECOMES TOO NARROW FOR TWO VEHICLES.

MEASURED FORWARD VISIBILITY = 29 metres BETWEEN ONCOMING VEHICLES.

NOTE SECTION 7.8.1 OF MfS APPLIES TO VISIBILITY TO A STATIONARY OBSTRUCTION, NOT A MOVING VEHICLE

HENCE THE **EFFECTIVE FORWARD VISIBILITY** = $29 \div 2 = 14.5$ metres

MINIMUM FORWARD VISIBILITY REQUIRED TO MfS STANDARD (SEE SHEET 5) ALLOWING FOR INCLINE AND DECLINE GRADIENTS = $(20.8 \div 2) + (25.1 \div 2) = 23$ metres.



BANKSIDE LANE - ADJACENT TO No 2 THE MOUNT

FORWARD VISIBILITY MEASUREMENT

HAZARD – FORWARD VISIBILITY DISTANCE FOR VEHICLES TRAVELLING SOUTH ON BANKSIDE LANE (INCLINE) LOOKING TOWARDS THE EAST SIDE FOOTWAY , WHERE PEDESTRIANS HAVE TO STEP INTO THE ROAD

MEASURED FORWARD VISIBILITY = 7 metres
 MINIMUM FORWARD VISIBILITY REQUIRED TO MfS STANDARD (SEE SHEET 5) = 20.8 metres

DISCLOSURE 2

BREACHES OF ROSSENDALE DRAFT LOCAL PLAN POLICIES ENV 1 and ENV 2

POLICY ENV1 - clause g states:

All proposals for new developments will be expected to . . .

“Demonstrate how new developments will connect to the wider area via public transport, walking and cycling.”

Clearly, because Bankside Lane fails to meet Lancashire County Council standards for connectivity as demonstrated in DISCLOSURE 1, **then the proposals to develop housing sites HS2:11, HS2:12, HS2:13 and HS2:32 would also breach Policy ENV1 (g) of the Draft Local Plan.**

Moreover, the gradient of the steep section of Bankside Lane (average 12% over a distance of 242 metres) greatly exceeds the recommended maximum of 3% for cyclists as stated in section 5.7 of Creating Civilised Streets and hence **also breaches Policy ENV1(g) in respect of connectivity for cyclists.**

It is evident that in order to satisfy the criteria for site connectivity there would need to be a major reconstruction of the highway on Bankside Lane which could not be done without affecting the character and setting of the Bacup Town Centre Conservation Area , **contravening Draft Local Plan Policy ENV2: Heritage Assets.** See photograph below.



Improving the footways on Bankside Lane would change the character and setting of Bacup Town Centre Conservation Area.

DISCLOSURE 3

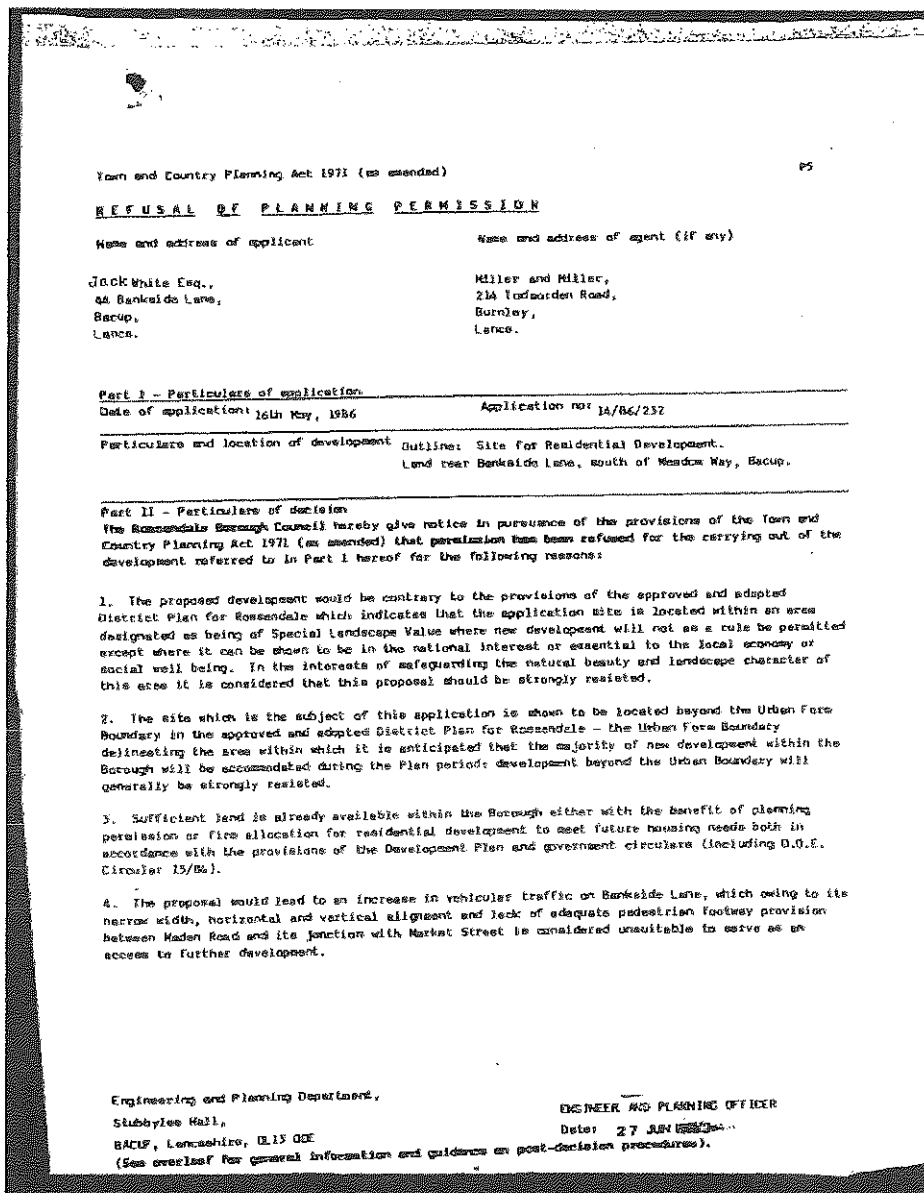
PRIOR REFUSAL OF A PLANNING APPLICATION FOR DEVELOPMENT OFF BANKSIDE LANE.

In June of 1986 Rossendale Council refused a Planning Application, ref 14/86/232, for a housing development off Bankside Lane (see below).

The 4th Paragraph of the refusal notice states:

“The proposal would lead to an increase in vehicular traffic on Bankside Lane, which owing to its narrow width, horizontal and vertical alignment and lack of adequate pedestrian footway provision between Maden Road and its junction with Market Street is considered unsuitable to serve as an access to further development.”

Hence Rossendale Council formally recognise that Bankside Lane and its footways are unsuitable to accommodate additional developments.





REPORT N° 70037748-001

**ROSSENDALE DRAFT
LOCAL PLAN
CONSULTATION**
DOCUMENTATION REVIEW

SEPTEMBER 2017

**ROSSENDALE DRAFT LOCAL
PLAN CONSULTATION
DOCUMENTATION REVIEW**
Highways England

Technical Note (v1 0)
Confidential

Project no: 70037748-001
Date: September 2017

WSP
St John's House, Queen Street
Manchester, M2 5JB

www.wsp.com



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1 INTRODUCTION

1.1 PREAMBLE

Highways England has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015. Highways England is responsible for operating, maintaining and improving the Strategic Road Network (SRN) in England, in accordance with the Licence issued by the Secretary of State for Transport (April 2015) and Government policies and objectives.

Highways England's approach to engaging with the planning system is governed by the advice and guidance set out in:

- **The Strategic Road Network Planning for the Future** - A guide to working with Highways England on planning matters (2015).

The document is written in the context of statutory responsibilities as set out in Highways England's Licence, and in the light of Government policy and regulation, including the:

- National Planning Policy Framework (NPPF);
- Town and Country Planning Development Management (Procedure) Order (England) 2015 (DMPO); and
- DfT Circular 02/2013 The Strategic Road Network and the delivery of sustainable development ('the Circular').

As a statutory consultee in the planning system, Highways England has a regulatory duty to co-operate. Consequently Highways England are obliged to give consideration to all proposals received and to provide **appropriate, timely and substantive** responses.

Highways England's desire to be a proactive planning partner goes beyond this statutory role, but follows the spirit of the Licence, which stipulates that Highways England should:

“Support local and national economic growth and regeneration”

With regard to the preparation of Local Plans, Highways England's key guidance document, '*The Strategic Road Network: Planning for the Future*' (2015) states:

“The preparation of local plans provides an opportunity to support a pattern of development that minimises the need for travel, minimises journey lengths, encourages sustainable travel, and promotes accessibility for all. This can contribute to the achievement of environmental objectives and reduce the cost to the economy arising from the environmental, business and social impacts associated with traffic generation and congestion.”

Paragraph 65 sets out the role of Highways England take in facilitating this:

“For all these reasons we are keen to contribute to the plan-making process. We can help you identify the most suitable locations for development that make best use of the capacity on the SRN, so encourage you to engage with us from the earliest stages of thinking.”

This review also pays cognisance to Paragraph 67, which states:

“In supporting and considering draft local plans, we will seek to influence the scale and patterns of development so that it is planned in a manner which makes best use of capacity on the SRN and will not compromise the fulfilment of the primary function of the SRN. Ideally, development locations should be chosen that would minimise the need for travel and facilitate the use of sustainable transport.”

1.2 OVERVIEW

WSP has been commissioned by Highways England to undertake a review of the Rossendale Draft Local Plan consultation documents. The documents to be reviewed include:

- Rossendale Draft Local Plan and Policies Maps; and
- Rossendale Infrastructure Delivery Plan.

Although the current adopted Rossendale Core Strategy (2011 – 2026) is not considered out-of-date, the Council is now required by the UK Government to prepare a Local Plan. The emerging Local Plan is intended to last over a 15 year period from 2019 – 2034 and will designate land and buildings for future uses to meet the Borough’s needs and set out what developments should look like and how they should fit in with their surroundings. Once it is adopted, the Local Plan will replace the Core Strategy.

The Draft Local Plan was published in July 2017 and the consultation period for the document ends in October 2017. The Council has expressed its desire for a revised Local Plan to be submitted to the Planning Inspectorate in 2019 for examination, with formal adoption expected in 2020. Rossendale Borough Council is asking for comments on the Draft Local Plan and as a statutory consultee, it is Highways England’s role to provide comments, raise potential issues and make recommendations where appropriate.

1.3 THE SRN WITHIN ROSSENDALE

In terms of the extent of Highways England’s Strategic Road Network within the Borough of Rossendale, this consists of the A56 trunk road, which joins the M66 motorway at the southern boundary of the Borough at Edenfield and runs in a northerly direction on its route to join the M65 motorway at Junction 8. On its route, the A56 serves the core settlements within the Borough of Rawtenstall and Haslingden as well as the more dispersed settlements on the local routes that have junctions with the A56. All other roads within the Borough comprise the local highway network, under the responsibility of the local highway authority, Lancashire County Council.

In terms of the A56 itself, as a trunk road it is of a modern, high standard comprising of dual carriageways with a national speed limit, with the exception of a 50mph single carriageway section on the curve at Haslingden and is comparable in character to a motorway.

Against this background, and its vision to upgrade all trunk roads by 2040, Highways England’s position is to take a presumption against supporting sites that would necessitate new and dedicated direct accesses onto the A56. Indeed, given the high-speed nature of the A56, there would be a presumption against any new connections, with Highways England’s focus instead being on upgrading the existing junctions on the route to improve safety and traffic flow. This position is supported by the DfT Policy Circular 02/2013 *‘The Strategic Road Network and the Delivery of Sustainable Development’* which has a presumption against the creation of new junctions and direct connections to motorways and high-speed trunk roads except where it can be demonstrated that such connections are essential to deliver ‘strategic, planned growth’.

1.4 PREVIOUS COMMENTS BY HIGHWAYS ENGLAND

ROSSENDALE LOCAL PLAN 2 (2015)

Rossendale Borough Council was in the process of developing its site allocations in 2015, known as 'Local Plan 2', but this work was subsequently abandoned. Highways England provided comments to the Council in August 2015.

Whilst Highways England raised no objection in principle in the proposals, it was noted that the majority of allocated residential sites were located in Rawtenstall, while the majority of employment sites are allocated in the Haslingden and Rising Bridge area, along the A56 corridor. As such, it considered that there was potential for a significant increase in the number of trips accessing this short section of the SRN.

At that time, the majority of allocated residential sites were on a relatively small scale, with only two sites exceeding 100 dwellings in terms of capacity. It was stated that the resultant impact on the SRN from residential developments would therefore be likely to stem from cumulative increases in traffic generated by many different sites, rather than from large individual sites. This point remains a valid consideration in this review of the Draft Local Plan site allocations, and is reiterated in the 'Housing' section.

In terms of employment sites, five allocated employment sites were in excess of 2ha in area, and were therefore identified as having the potential to create a significant increase in the number of trips accessing the SRN. Several of the sites remain in the Draft Local Plan allocations, or are adjacent to other allocated sites. Hence, several comments made in the 'Employment' section of this review are similar to those made previously by Highways England in 2015.

In terms of vehicular access to the employment sites, Highways England highlighted that the main access point from the sites should be from the local highway network, which is inherently safer than having a reliance on direct access to and from a high-speed trunk road like the A56. It was stated that access points and junctions on busy, high speed roads generate weaving and turning manoeuvres by drivers, impacting on safety and the reliability of journeys. As a consequence, developers of the sites should access their proposals via the local road network or existing junctions on the SRN.

Highways England undertook some initial calculations using a spreadsheet based tool to assess the potential impact of the allocated sites on the SRN. The results of this indicated that the most significant pressure point would likely be the northern end of the M66, on the northbound carriageway between Junction 1 and the start of the A56(T), in the PM peak. The key junctions likely to be impacted by allocated site development traffic were identified as being the A56(T) / A680 roundabout at Rising Bridge, and the A56(T) / A680 / B6527.

Highways England stated that they would welcome any further opportunity to comment on the emerging Local Plan and encouraged maintaining a close working relationship with Rossendale Borough Council to ensure that the Borough achieves its growth potential whilst maintaining the safe operation of the SRN.

COMMENTS ON DRAFT LOCAL PLAN ALLOCATIONS (2017)

Highways England was provided with details of the potential housing, employment and mixed-use site allocations by Rossendale Borough Council on a confidential basis in advance of the start of the Draft Local Plan consultation. In response, Highways England provided comments to Rossendale Borough Council on 18th July 2017.

In its response, Highways England expressed its concern over the lack of any highways evidence base supporting the Draft Local Plan or Infrastructure Delivery Plan. This was highlighted as

being key to enable Highways England to gauge the impacts of the additional development upon the SRN and any associated network improvements required to facilitate it which (if outside of its existing programme of improvements) the Council will need to promote through its IDP. It was also stated that this should also take into account the effects of existing public transport provision as well as realistic assumptions on the timing and deliverability of future public transport provision in relation to the timescale of the Plan. The highways evidence was highlighted as enabling Highways England to identify and support a pattern of development that is sustainable, reduces the potential for creating congestion on the SRN and does not reduce the safety of the network.

As a result of the above comment, Highways England advised that a body of highways impact evidence linked to the proposed site allocations is produced for review by Highways England before the draft land allocations can be finalised. In the absence of this evidence, Highways England highlighted that its response to the Draft Local Plan consultation would be likely to culminate in a recommendation that a suitable evidence base is produced. It stated that without this supporting evidence, the Local Plan is likely to be found unsound by an Inspector, which will result in delay later on.

As is highlighted at the appropriate points in this review, it is apparent that the Draft Local Plan and Infrastructure Delivery Plan have been published for consultation without the required highways evidence base referred to above. As such, the comments made by Highways England to Rossendale Borough Council on 18th July 2017 remain valid and are reiterated in this review.

The remainder of this report will take the following structure:

- Section 2: Review of Rossendale Draft Local Plan
- Section 3: Review of Rossendale Infrastructure Delivery Plan; and
- Section 4: Summary and Next Steps.

2 REVIEW OF ROSSENDALE DRAFT LOCAL PLAN

2.1 DELIVERING SUSTAINABLE DEVELOPMENT

SD1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

The Draft Local Plan makes reference to the NPPF and that a core theme within the Framework is a presumption in favour of sustainable development. It states that the Council will therefore proactively seek opportunities to meet the development aspirations and needs of Rossendale. The Local Plan also states that the document contains policies that follow an approach in favour of sustainable development.

The Policy recognises this, stating the following:

'The Council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area'

Furthermore, the policy adds:

'Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise'

SD2: URBAN BOUNDARY AND GREEN BELT

The Local Plan makes reference to the settlement boundaries set out within the Policies Map and states that Sustainable Development will generally be permissible in such locations. Development in rural areas will be supported if there is an identified need for such activity in the area.

The Policy states:

'All new development in the Borough will take place within the Urban Boundaries, defined on the Policies Map, except where development specifically needs to be located within a countryside location and the development enhances the rural character of the area'

Key Point:

- The Council recognises the importance of Sustainable Development as identified within the NPPF and it will work proactively to ensure that such developments are delivered within the Borough.

2.2 HOUSING

This section of the review focusses on the current context in regard to employment and identifies opportunities that Rossendale's Town Centre and other District Centres within the Borough can capitalise upon to further improve upon their economic output.

HS1: MEETING ROSSENDALE'S HOUSING REQUIREMENT

The Local Plan states that a Strategic Housing Market Area Assessment (SHMA) was undertaken in 2016 by Rossendale Borough Council and recommended that there is a need for additional housing of between 265 and 335 dwellings per year over the Local Plan period (2019 – 2034). The Council has stated that the figure of 265 dwellings per year is sufficient which therefore equates to a total of 3,975 dwellings being delivered over 15 years.

It is also stated that provision of dwellings during the first five year period will need to take into account the requirement to address the under-provision of 425 dwellings. Therefore, the annual delivery of dwellings during the first five year period will increase to 350 dwellings.

The Policy states:

'The net housing requirement for the period 2019 – 2034 will be achieved through:

- *Providing at least 4,000 additional dwellings over the plan period equating to 265 dwellings a year;*
- *Addressing prior under-provision of 425 dwellings (as of 31st March 2017) within the first five years of the plan period.'*

HS2: HOUSING SITE ALLOCATIONS

The Council has provided a list of Housing Site Allocations that contains both existing planning applications which have not started or are still being built out and are not expected to be completed by the end of the 2017/18 financial year. Although the total potential housing number is 3,622, a density of 30 dwellings per hectare has been applied where there is a lack of detailed information.

Of the sites which have been identified, only five are considered to be of significant scale, in that they can accommodate in excess of 100 dwellings. These are listed in the table below.

Table 2-1 – Housing Site Allocations >100 Dwellings

Housing Allocation Ref.	SHLAA Ref.	Site Name	Area (ha)	No. of units	Delivery Timescale	Allocation	Greenfield or Brownfield
HS2.7	SHLAA16067	Land of Cowtoot Lane	5.03	151	Year 6-15	Housing	Greenfield
HS2.54	SHLAA16393	Land off Newchurch Road, east of Johnny Barn	3.5	105	Years 1-5	Housing	Greenfield
HS2.71	SHLAA16262	Land west of Market Street	9.12	273	Year 6-15	Housing	Greenfield

HS2.78	SHLAA16304	Grane Village, Land south of Grane Road/ east of Holcombe Road	3.53	106	Year 6-15	Housing	Mixed
HS2.107	SHLAA16005	Land off Eastgate	3.7	111	Year 6-15	Housing	Brownfield

Key Points

- Of the sites listed above, sites HS2.7 and HS2.107 are located in Bacup and Whitworth respectively, which are both some distance from the A56(T) and hence any traffic generated by housing developments on these sites would be likely to dissipate throughout the local highway network prior to reaching the SRN. Site HS2.54 is located in Rossendale itself, approximately 2km from the A56(T) via the A682. Site HS2.78 is located west of Haslingden, approximately 500m from the A56(T) Haslingden bypass, accessible via the B6232. Whilst these sites are therefore located closer to the SRN, the relatively modest scale of the sites would not necessarily result in a significant or severe traffic impact, however this would be confirmed through a review of Transport Assessments for the sites which would be expected as part of any future planning applications.
- Site HS2.71 is the largest allocated site for housing and is the Edenfield site discussed in detail in Policy HS3. This is summarised in the following section.
- The remaining sites are generally small in size and are sporadically located in various locations within the Borough and the traffic impact of such individual sites is therefore less likely to have a significant impact on the SRN. Notwithstanding this, the potential cumulative impact of this number of sites remains an important consideration and hence it is crucial that all housing sites are appropriately assessed as part of the highways evidence base which is required in order to underpin the Local Plan.
- As a general point, which applies to all allocated sites, no information is provided in relation to access arrangements. Due to the topography of the Rossendale Valley, in many places there are limited existing access points or opportunities, which creates pressure for new accesses onto the A56(T). It is known that some existing employment sites are served by outdated and substandard 'left-in / left-out' access arrangements and any material increase in traffic using these as a primary access to new site allocations would be of concern.
- For reference on the above point, Policy Circular 02/2013 sets out a presumption against new accesses and junctions being created on high-speed routes such as the A56(T), except at the plan-making stage where it can be demonstrated that it would facilitate 'strategic, planned growth'. It is Highways England's view that the scale and of these proposed allocated sites would not meet the criteria of being 'strategic' in the context of the Policy Circular / Highways England Licence. It is recommended that careful consideration is given to the access arrangements for all sites and that Highways England is kept informed of this.

HS3: EDENFIELD

An allocated residential site comprising 26 ha (gross) has been identified as potential for providing residential development. The Local Plan states that any scheme will need to be well designed so that it delivers a sufficient level of accessibility to the site and that there is connectivity to public transport. It is further stated that any development proposals will be subjected to a Scoping Study, Transport Assessment and Travel Plan.

Key Points

- The Edenfield site is located in close proximity to the A56(T) and M66 and as a result of this, and the size of the site, it has the potential to have a significant traffic impact on the SRN. The inclusion of the site in the assessments undertaken as part of the highways evidence base which is required to underpin the Local Plan will allow for a better understanding of the impact of the site. The need for the site to be accessible via a range of travel modes, supported by a Travel Plan as part of a planning application, will be important in reducing the overall traffic impact on the SRN.
- The site lies above the level of the A56, resulting in an embankment between this land and the carriageways. At one location (Woodcliff Cutting), the embankment is unstable due to a gradual landslip that has been moving for a number of years. Whilst this is being monitored regularly, we would advise that this is factored-in to any allocation of this wider site and its subsequent promotion through the emerging Plan as there is a danger that the land-loading pressure of development on top of the embankment could further affect its stability. We would ask that a geotechnical assessment be carried out in this location to advise the Council as to how this issue should be managed.

HS17: SPECIALIST HOUSING

The Policy relating to Specialist Housing states:

'Development proposals for specialist forms of housing will be supported provided that

- *The development is well located so that shops, public transport, community facilities and other infrastructure and services are accessible for those without a car, as appropriate to the needs and the level of mobility of potential residents, as well as visitors and staff'*

Key Points

- As mentioned previously in this review, the need for sites to be accessible via a range of travel modes, supported by a Travel Plan as part of a planning application, will be important in reducing the overall traffic impact of any residential development.
- In terms of specific sites, the Policy identifies three sites for specialist accommodation. These are all small in scale and would be unlikely to have a significant traffic impact in isolation.

2.3 EMPLOYMENT GROWTH AND EMPLOYMENT

EMP1: PROVISION FOR EMPLOYMENT

Policy EMP1 states:

'The Council, together with developers and other partners, will seek to provide sufficient employment land to meet the Borough's requirement of 27 hectares for business, general industrial or storage and distribution for the period up to 2034'.

The explanatory section of the Policy states that the Council's Employment Land Review (ELR) (2017) identified a lack of small to medium sized premises for B2 and B8 use classes, and that demand for such premises is highest in the west of the Borough due to the accessibility to the A56(T) and M66. The ELR also highlighted that there is currently an oversupply of B1a office space, in which such premises are generally focused in and around Rawtenstall and Haslingden.

The stated required provision of 27 hectares of employment use represents the intermediate figure between a lower figure of 22 hectares (the previous delivery of employment land) and an upper figure of 32 hectares (the maximum possible delivery). The provision of 27 hectares is stated as being aligned with the Housing Objectively Assessed Need (based on a labour supply of 220 dwellings per year).

Key Point

- As would be expected for land uses of this type, the demand for employment sites is greatest in areas where the SRN is more easily accessible, i.e. the west of the borough. In particular, distribution-type land uses are reliant on the use of the SRN and a significant proportion of traffic generated by these developments would be expected to use the SRN.

EMP2: EMPLOYMENT SITE ALLOCATIONS

The Council is seeking to allocate 27 ha of B-class employment land in Rossendale over the Local Plan period. The Local Plan states that much of committed employment land supply sites are considered to be of poor quality and do not therefore meet the needs of modern businesses. The Council further states that, as mentioned previously, that there is a need for new sites in the west of Borough where there is good access to both the A56(T) and M66.

The new employment sites which have been identified are shown in the figure below:

Figure 2-1 – New Employment Site Allocations

Employment Allocation Ref.	Employment Land Study Ref	Site name	Gross Area (ha)	Area available for development (ha)	Use Class	Policy
New Employment						
EMP2.12*	EMP10	Extension to Mayfield Chicks	2.81	2.81	B1, B2, B8	
EMP2.15*	EMP13	Land North of Hud Hey	3.43	2.70	B1, B2, B8	
EMP2.23*	ADD6	Carrs Industrial Estate North Extension	5.67	4.84	B1, B2, B8	
EMP2.26*	EMP11	Extension of New Hall Hey to the west	2.76	2.20	B1, B2, B8	EMP7
EMP2.34*	EMP72	Extension to New Hall Hey	3.35	3.00	B1, B2, B8	
EMP2.35*	EMP12	Baxenden Chemicals Ltd, Rising Bridge	4.92	4.40	B1, B2, B8	
EMP2.38*	ADD3	Land adj Hollin Gate Farm	4.43	3.35	B1, B2, B8	
			27.37	23.30		

Of the new sites identified, EMP 2.12 is located west of the A56(T) and east of the B6527. The nearest SRN junction is the A56(T) / A680 / B6527 / Broadway roundabout. There is the possibility of some increased traffic at this roundabout, and at M66 Junction 1, but the majority of development trips generated by this site are likely to impact on the local network without travelling on the SRN.

EMP 2.23 and EMP 2.15 are located north of Haslingden at Hud Hey and may have a potential impact on the A56(T) / A680 Rising Bridge roundabout along with the A56(T) / B6232 junction and the A56 / Todd Hall Road junction. These sites are therefore likely to have a significant localised impact on the SRN at these junctions.

EMP 2.26 and EMP 2.34 are located in New Hall Hey, in close proximity to the A56(T) / A682 junction, thereby potentially having a significant impact on this junction.

EMP 2.35 and EMP 2.38 are located in Rising Bridge and have the potential to impact on the A56(T) / A680 Rising Bridge roundabout. The impact of the development of these sites upon the roundabout junction would need to be assessed by a developer at pre-application stage and impacts and resulting need for mitigation measures discussed with Highways England as part of the planning process.

Key Point

- There are 7 new allocated employment sites, all of which are in excess of 2ha in terms of developable area, and therefore have the potential to create a significant increase in the number of trips accessing the SRN.
- Each SRN junction may be impacted by developments on more than one allocated site. The cumulative impact of all of the sites is therefore an important consideration and this should be reflected in the highways evidence base required to underpin the Local Plan.

- No details are provided of the proposed vehicular access to the sites. The main access point from these sites should be from local roads, which is inherently safer than having a reliance on direct access to and from a high-speed trunk road like the A56. Access points and junctions on busy, high speed roads generate weaving and turning manoeuvres by drivers, impacting on safety and the reliability of journeys. As a consequence, developers of sites such as these should access their proposals via the local road network or existing junctions on the SRN where they may be capable of catering for increased usage without a severer traffic impact or a reduction in safety.

EMP3: EMPLOYMENT SITE AND PREMISES

Policy EMP3 states that:

'All existing employment premises and sites last used for employment will be protected for employment use'

Notwithstanding the above statement, any change of development use classes from employment to residential, if located in proximity to the SRN, may require assessment of the traffic impacts, bearing in mind that the changing of use classes may increase demand on the SRN during peak periods.

EMP4: DEVELOPMENT CRITERIA FOR EMPLOYMENT GENERATING DEVELOPMENT

As stated within the Draft Local Plan, Rossendale Borough Council is keen to reduce the number of individuals who wish to travel to other neighbouring areas for work. Additionally, increasing the amount of medium size enterprises may be achieved through allowing existing small enterprises to easily expand through a streamlined planning process.

Within the criteria set by EMP4, is a condition that a proposal should be supported if:

'The traffic generated does not have a severe adverse impact on local amenity, highway safety or the operation or operation of the highways network'

The above statement is welcomed and evidently should apply to the strategic as well as the local highway network.

EMP5: EMPLOYMENT DEVELOPMENT IN NON-ALLOCATED EMPLOYMENT AREAS

The Draft Local Plan states that new, scale small development will be permitted in areas where employment is not the principal designated land use and there would be no detriment to the environment in which such development would be located. Whilst such individual small scale development may not have a significant impact on the SRN, an accumulation of said units may have a noticeable impact upon the network and therefore planning of such sites should be carefully considered.

EMP6: FUTURES PARK

This 4.6 ha site is located in the eastern part of the Borough in Bacup and therefore any trips associated with the development would be unlikely to result in a severe impact on the SRN in the west of the Borough, with trips likely to disperse throughout the local highway network.

EMP7: NEW HALL HEY

An area comprising 6 hectares to the south of the A682, sites EMP2.26 and EMP2.34, has been allocated in the Policies Map as being suitable for employment development. The site is stated within the Local Plan as being within a highly accessible part of the Borough and that any development proposals will be, as with site HS2.71 at Edenfield, will be subjected to a Scoping Study, a Transport Assessment and Travel Plan.

Key Point

- This area is located in close proximity to the A56(T) and as a result, it has the potential to have a significant traffic impact on the SRN. The inclusion of the sites in the assessments undertaken as part of the highways evidence base which is required to underpin the Local Plan will allow for a better understanding of the impact of the site. The Edenfield housing site is located in close proximity and the highways evidence base will also allow a better understanding of the combined impact of these sites.
- The need for the sites to be accessible via a range of travel modes, supported by a Travel Plan as part of a planning application, will be important in reducing the overall traffic impact on the SRN.

2.4 RETAIL

POLICY R1: RETAIL AND OTHER TOWN CENTRE USES

The Local Plan states that it is expected that major proposals will be directed towards the town centre of Rawtenstall with other large schemes being encouraged to locate in district centres such as Bacup and Haslingden. Retail proposals will be directed to identified Primary Shopping Centres (PSA).

It is stated that impact assessment will be required where the floorspace exceeds the following criteria:

- | | |
|---|-------------------|
| • Rawtenstall Town Centre | 400 square metres |
| • Bacup and Haslingden District Centres | 300 square metres |
| • Crowthawbooth, Waterfoot, Whitworth Local Centres | 200 square metres |

The Local Plan states that Rossendale Borough Council intend to both further improve and enhance centralised retail locations. The Local Plan proposes that major retail developments will be encouraged to be delivered in the town centre of Rawtenstall. The Town Centre is easily accessible from the SRN. Therefore, any encouragement of delivering major retail projects in Rawtenstall Town Centre should be carefully considered to limit any potential impact on the SRN.

Policy R1 states that any proposals that will result in the loss of A1 use in the PSA of the town, district and local centres will only be supported where:

'There would be no significant adverse impacts on the character of the area, the amenity of local residents, road safety, car parking or traffic flows'

POLICY R2: RAWTENSTALL TOWN CENTRE EXPANSION

The Rawtenstall Town Centre redevelopment project involves removal of the former Valley Centre from the PSA and reassigned as a 'Future Primary Shopping Area Extension'. The new extension

is expected to accommodate a mixed-use scheme of employment, retail and residential use classes. The mixed-use scheme will generate a varied pattern of traffic associated with the developments and requires careful consideration due to the close proximity of the Town Centre to the SRN.

Key Points

- Improvement and addition to retail centres that lie in close proximity to the SRN such as Rawtenstall and Haslingden should be carefully considered in order to ensure that any impacts are properly mitigated.

2.5 ENVIRONMENT

POLICY ENV1: HIGH QUALITY DEVELOPMENT IN THE BOROUGH

An identified criteria within the Local Plan is the desire for new developments to demonstrate how they will connect to the wider area via public transport, walking and cycling. The Policies Map 2017 indicates that a significant majority of the allocated residential sites are sporadically located around the Borough and that due to both their location and size, it is assumed that they not have significant impacts on the SRN. The allocated residential site at Edenfield, however, is located immediately adjacent to the A56(T). Due consideration should be given to providing a high level of accessibility to the site, which has the potential to significantly reduce the number of vehicle trips.

POLICY ENV8 & ENV9

The above stated policies included within the Local Plan relate directly to wind power generation within the Borough. Construction of the wind turbines typically requires abnormal loads to use the SRN. Therefore, it is recommended that the construction management plans for such schemes takes into account the potential impact upon the SRN and adopts off-peak travel patterns to minimise any potential disruption upon the network.

2.6 TRANSPORT

POLICY TR1: STRATEGIC TRANSPORT

The Draft Local Plan highlights the high levels of out-commuting to the neighbouring authorities, of which a significant majority travel to Rochdale, Bury and Burnley. It also draws attention to the increasing issue on the M66 regarding peak hour congestion.

In regard to the SRN, a significant proportion of the congestion in Rossendale is located around the gyratory and the Haslingden Tesco roundabout. The issue regarding congestion associated with the Haslingden roundabout is further exacerbated by those wishing to travel from Rawtenstall and the eastern part of the Borough in a northbound movement along the A56(T).

The Local Plan states that Rossendale Borough Council will continue to work with the Local Highway Authority, Lancashire County Council, in examine ways to improve traffic flows whilst also working collaboratively with Highways England to ensure effective management of the A56(T) / M66 corridor. This approach is welcomed.

Although a significant proportion of the Borough's residents travel to work in the neighbouring areas of Burnley, Rochdale and Bury, the suggested upgrading of the East Lancashire Railway would provide an alternative mode of transport for commuters who currently rely heavily on the A56(T) / M66 corridor for travel.

The Council has also stated that they recognise the importance that bus services play to the area and state that a new bus station is currently being constructed at Rawtenstall and that they will continue to explore additional avenues to improve services.

Proposals which reduce the need to travel will also be encouraged. The Policy states that the main focus will be placed upon:

- Improving links to Greater Manchester;
- Development of East Lancashire Railway to enable commuting;
- Developing strategic cycle network;
- Addressing congestion hotspots, especially the gyratory at Rawtenstall ;
- Promotion of sustainable transport solutions;
- Integrating transport more effectively; and
- Ensuring that development that generates significant movement is located where need to travel is minimised and use of sustainable transport modes is maximised.

3 REVIEW OF ROSSENDALE INFRASTRUCTURE DELIVERY PLAN

3.1 INTRODUCTION

The Rossendale Infrastructure Delivery Plan has been published alongside the Draft Local Plan, as part of the evidence base required by NPPF.

In terms of the delivery of new highway infrastructure within the borough, the introductory chapter highlights the challenges that this brings:

“the physical constraints of Rossendale mean that delivery of infrastructure can be significantly affected by the topography of the area. Flat or easy to develop land is at a premium. High levels of flood risk are a feature of the area. Because of the highly urbanised nature of the Borough it is challenging to introduce new infrastructure, such as bypasses or new roads without adversely affecting what is already built.”

3.2 TRANSPORT INFRASTRUCTURE

The Transport section of the IDP refers to Lancashire County Council's East Lancashire Transport Masterplan, prepared by Jacobs and published in December 2016. It states that this Study recommended that the following options should be progressed:

Figure 3-1 - East Lancashire Transport Masterplan Options

Type	Potential Option
Highway Options	Junction improvements on the A56 (between the M65 and M66) in order to reduce congestion and improve journey times
	Upgrade the M66 to a 'Smart' Motorway
	Improvements at Simister Junction (M60/M62 J18)
Bus Options	Junction improvements and bus priority measures on the A56 between the M60 and central Manchester (or on alternative routes into central Manchester if X43/X41 services are diverted), in order to improve X43/X41 service journey times and journey time reliability.

In terms of junction improvements on the A56, as stated in the IDP, Highways England recently completed a scheme to introduce traffic signals to control each arm of the A56 roundabout at Rising Bridge (A56 junction with A680).

To clarify the position of Highways England in regard to the upgrading of the M66 to SMART motorway, the identification and prioritisation of improvements such as this fall within the scope of preparations for the second Roads Investment Strategy (RIS2). Following a period of public consultation during winter 2017/18, DfT and Highways England will each develop outline proposals for RIS2 during 2018, which will then be subject to an efficiency review by the Office of Rail and Road (ORR). Taking ORR's advice on board, an agreed RIS2 will then be published in 2019. At that point, it will be known which major improvements such as this are likely to be funded during the period 2020-25. At this stage, the content of RIS3 (2025-30) isn't known, with evidence-gathering preparations beginning for this from 2022 onwards.

The IDP states that Highways England would be likely to resist the construction of new accesses onto its network in Rossendale in line with DfT Policy Circular 02/2013 *'The Strategic Road Network and the Delivery of Sustainable Development'*, because the scale of development would not be classified as strategic development in national terms. This statement is correct, in that the Circular sets out a presumption against new accesses and junctions being created on high-speed routes such as the A56(T), except at the plan-making stage where it can be demonstrated that it would facilitate 'strategic, planned growth'. It is Highways England's view that the scale and of these proposed allocated sites would not meet the criteria of being 'strategic' in the context of the Policy Circular / Highways England Licence. It is recommended that careful consideration is given to the access arrangements for all of the allocated sites and that Highways England is kept informed of this.

The IDP refers to the geotechnical issues with the A56 embankment in Edenfield that would need to be addressed in any adjacent development proposals. This issue is discussed in this review under the Edenfield Policy of the Drat Local Plan.

The IDP states that the Highway Authority is working with the Borough Council and Highways England to assess key transport issues within the Borough including modelling improvements at key locations. It states that the scope of the Study has yet to be finalised but will form a key component in the development of the Plan, with the following junctions identified by Highways England:

- Rising Bridge
- Todd Hall Road access (only if this left-in/left-out access to the northbound carriageway forms a route into the wider employment allocations E04 / E03)
- Grane Road (probably a lower priority; most influenced by the housing site on the corner of Grane Rd and Holcombe Rd)
- Haslingden Interchange / Tesco roundabout.
- A683 Rawtenstall Spurr roundabouts (in terms of queues back from the roundabouts and onto the A56).
- A56 / M66 'Junction 0' at Edenfield

Whilst the above statement acknowledges the fact that a transport study is required and will form a key component in the development of the Plan, as stated elsewhere in this review, it is now essential that this highways evidence base is produced as soon as possible, to enable Highways England to come to a view on the traffic impact of the Local Plan proposals on the SRN and thereby provide a full response to the consultation. Without it, there may be delays to future stages of the plan-making process. The production of an appropriate highways evidence base will also be used to inform future iterations of the IDP, which is a live document and can therefore be subject to revisions throughout the course of the Local Plan period.

4 SUMMARY AND NEXT STEPS

4.1 OVERVIEW

WSP has reviewed the Rossendale Draft Local Plan on behalf of Highways England and made a number of comments and recommendations regarding those policies that may have relevance on the operation of the SRN.

The following paragraphs summarise our recommendations:

- As a general point, no information is provided in relation to access arrangements. Due to the topography of the Rossendale Valley, in many places there are limited existing access points or opportunities, which creates pressure for new accesses onto the A56(T). It is known that some existing employment sites are served by outdated and substandard 'left-in / left-out' access arrangements and any material increase in traffic using these as a primary access to new site allocations would be of concern. Policy Circular 02/2013 sets out a presumption against new accesses and junctions being created on high-speed routes such as the A56(T), except at the plan-making stage where it can be demonstrated that it would facilitate 'strategic, planned growth'. It is Highways England's view that the scale and of these proposed allocated sites would not meet the criteria of being 'strategic' in the context of the Policy Circular / Highways England Licence. It is recommended that careful consideration is given to the access arrangements for all sites and that Highways England is kept informed of this.
- The lack of any transport evidence base in the Draft Local Plan or accompanying Infrastructure Delivery Plan means that it is not possible to conclusively comment on the suitability of an allocated site or whether there should be phasing or contributions towards additional mitigatory infrastructure. Production of this evidence is essential to enable Highways England to provide a full response to the consultation and without it, there may be delays to future stages of the plan-making process.
- The production of an appropriate highways evidence base will also be used to inform future iterations of the IDP, which is a live document and can therefore be subject to revisions throughout the course of the Local Plan period.
- Overall, as the Local Plan is further developed, Highways England requires that the following approach is taken by Rossendale Borough Council:
 - In order to fully evaluate the impact on the SRN, an impact assessment should be undertaken of the aggregate impact of all proposed allocated sites, alongside assessments of those individual allocations which are expected to result in the most significant traffic impact;
 - Due to the extent of the local highway network within the borough when compared to the extent of the SRN, it is recommended that the local highway authority, Lancashire County Council take a leading role in assisting Rossendale Borough Council in preparing the required highways evidence base. Highways England will work collaboratively with both parties throughout this process. A key role of Highways England will be to review the evidence and to assist in developing solutions for any specific pinch points which are identified on the SRN.
- Highways England should expect to be consulted on the emerging transport evidence documents and may need to be involved in the design of mitigatory measures where

these impact on the SRN. It is expected that the Local Plan and IDP will be updated accordingly as this evidence base is made available, and phasing and mitigation is determined.

East Johnny Barn



Haslam Farm





09 OCT 2017

17 1684

Whitworth,

Rochdale,

8th October 2017

Dear Sir/Madam,

I am writing to you today to object about your future planning of houses around Tonacliffe Way and Horsefield Avenue.

I have lived in this house with my husband for 24 years and we have raised our three children here.

I am quite shocked and very upset that you are even thinking about building houses on this area of moor land you may not be aware of the wildlife that lives behind my home and you are going to destroy all of this.

Firstly I would like to point out to you that the land behind my home is moor land. We are very lucky to back onto the moors and as such we get to see all the wildlife that live here we see family of Foxes to Badgers, Deer with their young fawns Birds of prey, Rabbits, Birds and Bats.

Yet again this year we have had the privilege of watching a Vixen with her fox cubs seeing these little cubs grow up with love and care of their mother watching these little cubs running around playing with each other and even explore their surrounding while we have been watching them they have stopped playing and then watch us as we watch them this Vixen has come back year after year to use the two same dens.

Secondly the School here at Tonacliffe does not have the capacity for more houses as we already struggle with the amount of traffic that come up and down Tonacliffe Way. Please find attached photos that I have taken on a normal School day. These pictures are taken at 3.30 pm when Tonacliffe School closes. As you can see people have no regard for us residents who live here and on numerous occasions I have had my drive blocked by parents going to collect their children. Over the last few years this situation has got worse even when the community police come up nothing seems to get done. I have missed several appointments for my children and I due to parents being selfish and blocking the entrance to my drive and I have been unable to get out please feel free to come and take a look for yourselves it is utter madness on a daily basis and you want to make it ten times harder.

Thirdly during the winter months the ground behind my home can get very water logged and there are patches of marsh land we even have water coming off the moors on a daily basis which then runs straight down Tonacliffe way. If you were to build houses behind my house I would no longer have a back garden but a pond!!!!

If you were to build these houses where would all the children go to School as Tonacliffe Primary and Whitworth High School are already at the full capacity.





Do you have plans to build New Primary and Secondary Schools to cater for all these children if so where are you going to put these buildings?

My husband and I bought our house here because we fell in love with surrounding moor land. We have been very fortunate to have let our children grow up with wonderful memories of playing outside on the moors for hours on end making dens having picnics out on the rocks and under the trees. As a mother you always want the best for your children so letting them play outside where I could see them all the time was very comforting. I knew they were safe many of our extended families have come to our house over the years and said how lucky we are to have this on our door step I see lots of children from around the estate playing out on the moors are you really going to destroy all of this beauty just so you can make a profit.

I also think that you should re think about putting houses on this land due to the mine shafts that are here. Is the ground safe if you start digging it up are you going to open up holes in ground.

We have a dog who enjoys playing and going for walks outside on the moor we often see people who are dog walking ramble's horse riders enjoying the surrounding countryside where all the wildlife live there are flowers plants and trees here.

Please stop and consider what damage you will cause if you do go ahead. Where will all the wildlife go? Our homes already feel like a prison at school time and it will be like running a gauntlet just going to work and carrying out our everyday lives.

Yours Sincerely

Mrs Amanda M Calderbank.