

Edenfield Village Residents Association

Chairman, Paul Bradburn

PUBLIC EXAMINATION OF ROSSENDALE BOROUGH COUNCIL'S LOCAL PLAN **RESPONSE TO M.I.Q.s**

Matter 8 c Exceptional Circumstances. It seems to us that Rossendale Council decided to allocate the land in Edenfield, particularly H72 first and then try to work up a case for it afterwards. We had been asking the Council Forward Planning Dept right up to September last year what were its "Exceptional Circumstances" for the release of the land west of Market St and they replied that they were still working on them, yet in the case law quoted in the Council's own Green Belt Topic Paper it quotes from a number of cases on page 7 including " A local planning authority must find that exceptional circumstances exist before they make any alteration to a Green Belt boundary, whether it is considering extending or diminishing the Green Belt" so clearly the Council is in breach of this finding.

When searching the Council's Green Belt Topic Paper (August 2018) and in Rossendale Local Plan Submission Version (March 2019) the Council states that Exceptional Circumstances are considered to exist but is vague on what these actually are. In the circumstances that as this is a major strategic development we expected a clear unequivocal exposition of the Council's case point by point but found only weak answers. For instance, on pages 21 & 22 of the Green Belt Topic Paper it gives these "Exceptional Circumstances" as;

Located in the popular South West of the Borough

Helps ensure a balanced supply between east & west of the Borough

The Site is large enough to ensure a mix of housing types, including affordable provision in an area where affordability ratios are high

We argue that none of these are exceptional, the location is a fact of life, balancing development is a normal planning aim and as is the aim of a mix of housing types.

On page 8 of the same paper Case law is quoted as; "Case Law also established that general planning merits cannot be Exceptional Circumstances."

It states on pages 7 & 15 of its final "Submission Version" document (March 2019) mentioned above referring to Edenfield; "At Edenfield the justification for Green Belt release relates to the strong defensive boundary of the A56 and the opportunity to Master Plan the site to produce a high quality planned housing development" This implies that the reason for the change is to provide a new defensible boundary rather than release land for development which is obviously not the case. The reason why the Council wishes to

develop this land is because it would be easy as they have a willing developer. This site was not included in the previous plan, withdrawn in 2015, but that picture changed when Taylor Wimpey bought this site (land west of Market St) further confirming that the "New Defensible Boundary" is an excuse not a reason. We would also add that the opportunity to produce a High Quality Development is something we would expect of all plans not something that comes about because of the possible availability of one new site.

Just going back to the Council's "defensible boundary" claim for a moment; it seems to us that the existing Green Belt boundary has been in situ for many decades and remains substantially unchanged, so who does it need to be defended against? The only organisation posing a threat to it is Rossendale Council!

The National guidelines state that Exceptional Circumstances must be "fully evidenced and justified" We would argue that for reasons given above the Council has failed to do this in relation the Green Belt allocations in Edenfield, as stated above they decided to do it first and and look for justification afterwards and for these reasons the plan is unsound