

ROSSENDALE LOCAL PLAN EXAMINATION

MATTER 14: HOUSING SITE ALLOCATIONS: EDENFIELD, HELMSHORE, IRWELL VALE AND EWOOD BRIDGE

HEARING STATEMENT OF THE PEEL GROUP (REPRESENTOR ID 5160)

Issue – Are the proposed housing allocations in Edenfield, Helmshore, Irwell Vale and Ewood Bridge justified, effective, developable/deliverable and in line within national policy?

Introduction

- 1.1 The Peel Group ('Peel') submitted representations to the Pre-submission Publication of the Rossendale Local Plan consultation in October 2018.
- 1.2 Paper 3 of Peel's submission identified a number of points of unsoundness in respect of the identified housing land supply which, as a result, would mean that the proposed housing requirements of the Local Plan would not be met. This included evidence that individual sites were either not proven to be deliverable or developable or where the Council had over-estimated the plan period yield. Further, these representations reveal that the Council has failed to put in place an adequate contingency plan in the event of under-delivery, including a sufficient flexibility allowance.
- 1.3 Paper 3 also identified that the spatial distribution of development would mean that little affordable housing would be provided, contrary to the evidence of need, due to reliance on allocations within weak housing market areas where affordable housing was unviable based on the Council's own evidence base. Further this assessment revealed that the housing land supply was not distributed in a sustainable manner with under provision in the most sustainable settlements of the Borough, most notably Rawtenstall, relative to less sustainable settlements.
- 1.4 Collectively these issues render the Local Plan unsound being in conflict with the National Planning Policy Framework, not justified by reference to a robust evidence base and not effective in being unable to meet the identified development needs.
- 1.5 Peel has submitted a number of Hearing Statements to the Local Plan Examination which should be read in conjunction with each other. Of most relevance to this Matter 14 Hearing Statement are Peel's Statements in relation to Matters 2 and 19. These consider the housing land supply as a whole including, building on its Pre-submission Publication representations, whether, when assessed on a cumulative basis, this supply will meet the overall housing requirement of the Borough, including the need for affordable housing (Matter 19), and is appropriately distributed in a sustainable manner (Matter 2).
- 1.6 This Matter 14 Statement considers individual allocations in Edenfield, Helmshore, Irwell Vale and Ewood Bridge. Each site is considered independently. Hearing Statements in relation to Matters 9 to 13 follow the same approach.

- 1.7 The General Questions (GQ) set out will be answered against each site and where appropriate the site specific questions will also be addressed:

H70: Irwell Vale Mill

Local Plan proposal: 45 dwellings within Years 1 to 5

- 1.8 There is insufficient evidence to demonstrate that the site is suitable for residential development. The site specific constraints identified in the Strategic Housing Land Availability Statement 2017 (SHLAA) (Evidence Base document EB005) include potential land contamination issues, ecology as the site adjoins a Woodland Stepping Stone Habitat and heritage as the site is partly within the Irwell Vale Conservation Area and adjoins a Listed Building on Aitken Street.
- 1.9 Flood risk is a primary concern with the site as a parcel is within flood zone 3 and almost the entirety of the site is in flood zone 2. Mitigation measures to enable the residential development of the site will impact the viability of any scheme at the site.
- 1.10 The SHLAA (Evidence Base document EB005) concludes that the site is:

"... not suitable for a housing development due to the high risk of flooding from the river Ogden and from surface water. The site is also isolated from local services. Any application for the site would be subject to the Exception Test."

Conclusion: the site is not proven to be developable and should be removed from the residential allocations.

H72: Land west of Market Street, Edenfield

Local Plan proposal: 400 dwellings within Years 6 to 10

- 1.11 Peel owns part of this draft allocation (see below) and has submitted representations to previous consultation exercises supporting its removal from the Green Belt. As part of the consultation on the Pre-submission Local Plan Peel submitted a Development Framework for the site (see Appendix A) which identifies land at Blackburn Road, Edenfield as a sustainable location for new housing and proposes a logical, defensible and long term change to the Green Belt and urban boundary to facilitate its development.



Figure 1.1: Aerial site location plan (extent of Peel's land ownership)

1.12 The parcel of land in Peel's ownership is central within the allocation and it has been demonstrated that access can be taken off Blackburn Road. The site is capable of delivering approximately 65 dwellings of varying tenures.

1.13 The Inspector's site specific questions relate to draft allocation H72 as a whole. Where appropriate (i.e. the questions are not directed to Rossendale Borough Council) we have answered the questions specifically in relation to Peel's land ownership.

a) What effect would the proposed housing allocation H72 have on local landscape character and appearance, and the setting of the village? Could impacts be mitigated?

1.14 A Landscape Appraisal has been prepared by Randall Thorp and can be viewed at Appendix B. The Landscape Appraisal considers that the effects on landscape features or landscape character as a result of the proposed development are not significant, with a beneficial effect on landscape features through the introduction of trees, garden planting and mitigation planting along the site boundaries.

b) What effect would the scheme have on the function, form and identity of the village?

1.15 The site is effectively surrounded by existing development and road infrastructure; it is well related to the rest of Edenfield and is within walking distance of local services and facilities. It also has good public transport access to local destinations including Rawtenstall Town Centre. Its development would represent a sustainable rounding off of the built up area of this part of Edenfield and would have no significant environmental impacts. The site can be developed within changing the character, form or identity of the village given its small size and its well contained setting.

c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it?

The release of this site would retain a strong and defensible permanent Green Belt boundary along the A56. It would not encroach into wider open countryside or materially reduce the existing gap between Edenfield and Rawtenstall and would not impact on longer distance views. It would not have an adverse impact on the purposes of the wider Green Belt which lies to the west of the A56. The site is substantially contained by defensible boundaries on all sides, including major road infrastructure to the east and west, and thus its release would not give rise to strategic harm to the Green Belt and its inherent function.

e) Are there any delivery issues or phasing implications? (in relation to transport and access)

- 1.16 There are no delivery constraints to the parcel of land within Peel's land ownership. Land within Peel's ownership is at grade with Blackburn Road and safe access can be achieved (see Technical Note prepared by SCP at Appendix C). The delivery of the site is therefore not reliant on the delivery of another parcel of the draft allocation being delivered.
- 1.17 Draft Policy HS3 includes a requirement to prepare a masterplan and design code to demonstrate how the entire draft allocation can be developed comprehensively and in accordance with the existing character of the area. Peel considers this requirement unnecessary, onerous and it may jeopardise the delivery of the site. There are two distinct parts to the allocated site as there is a belt of woodland across the middle that would need to be retained, thus restricting the development of a road or any form of infrastructure linking the sections of the site (northern and southern parcels).
- 1.18 The requirement for the preparation of a masterplan for the entire allocation should be removed from draft Policy HS3.

f) What scale and form of additional primary school provision would be needed to support the development? Is an expansion of Edenfield Primary School justified, deliverable and consistent with the Green Belt status of the land?

- 1.19 No evidence has been provided in relation to the requirement for additional primary school provision.
- 1.20 The requirement for additional primary school provision is not justified and can be addressed at the planning application stage.

h) What geotechnical work has been undertaken on the proposed site? What mitigation measures are necessary to ensure effective development and to resolve the concerns of Highways England?

- 1.21 Highways England provided a response to RBC on 25 January 2019 that removed the objection to the allocation. The objection raised concerns with the land stability and possible disturbance caused by building along the A56 boundary.
- 1.22 The letter dated January 2019 confirms that Highways England is satisfied in principle that the site allocation can be developed for housing without adverse impact upon the A56 trunk road, provided that a careful approach is taken to its planning and construction.

i) Have other constraints including heritage, biodiversity and trees, flood risk, drainage, noise, air quality and contamination been satisfactorily investigated and addressed? Are related mitigation measures/requirements necessary and clearly expressed in Policy HS3?

1.23 Updated technical reports (see Appendix B – E) on the following topics have been prepared by Peel in relation to land within their ownership:

- Landscape
- Highways and access
- Flood Risk Assessment
- Ecology

1.24 The Development Framework (see Appendix E) demonstrates that the site can address and mitigate against impacts from site constraints. There is no indication at this stage that the site constraints will impact the proposed capacity of the site (65 dwellings) or the deliverability of the site.

1.25 Appendix F of the Habitat Regulation Assessment update 2019¹ prepared as part of the evidence base to the Rossendale Local Plan places the allocation site (Policy HS3) within an assessment category that confirms the policy is not likely to have a significant effect either alone or in combination on the Natura 2000 Network.

j) What is the net developable area (15.25 hectares) based on, and is it justified? Does it take account of potential future road widening on the A56, as identified in the Local Plan Highways Capacity Study?

1.26 Peel has undertaken technical due diligence for the site and the Development Framework at Appendix A demonstrates the site is suitable and deliverable for the proposed capacity of 65 dwellings.

1.27 The Highways England comment dated 29 January 2019 demonstrates that there are currently no proposals to take forward a scheme for the widening of the A56. The status of the road widening project is unknown and therefore cannot be considered as part of the sites layout. There is insufficient evidence to suggest the road widening is required/will be implemented and neither has it been demonstrated to what extent the developable area would be impacted by the possible road widening. It would not be justified to reduce the sites developable area on this basis.

k) Is the site capacity of 400 dwellings appropriate, taking account of constraints and infrastructure provision?

Land within Peel’s ownership has a capacity of 65 dwellings. This capacity is based on a number of technical documents and has been demonstrated through the preparation of a Development Framework for the site.

¹ Habitat Regulations Assessment of the Rossendale Local Plan 2019 – 2034 (Submission Version) March 2019

m) Is the site available and deliverable in the timescales envisaged?

- 1.28 The parcel of the site is in Peel's ownership. Peel is an experienced developer and will deliver the site upon confirmation of its allocation. The site occupies a sustainable location and is within a strong housing market area where demand is high. There are no significant technical constraints to its delivery. The site is deliverable within the short term (1 – 5 years from adoption of the Local Plan).

H74: Grane Village, Helmshore

Local Plan proposal: 174 dwellings within Years 1 to 10

- 1.29 There are a number of site specific constraints that impact the suitability of the site for residential development. The constraints include potential land contamination issues, landscape impact, flood risk, the presence of a public right of way, the proximity to a Listed Building and impacts from the adjoining employment site.
- 1.30 Ecological constraints are present at the site with a small strip of land within the woodland and grassland Stepping Stone Habitats as identified on the Lancashire Ecological Network Maps (0.19 ha).
- 1.31 The SHLAA (Evidence Base document EB0005) identifies a density of 30dph. There is insufficient evidence to support the change in density for the draft LPS allocation – 44dph. As the site has been identified as having high landscape sensitivity and is within an edge of countryside location, the density of 30dph is more appropriate.
- 1.32 ***Conclusion: the site capacity should be reduced to 120 dwellings.***

Summary of Draft Residential Allocations

- 1.33 Based on the above assessment, it is Peel's position that the cumulative and proven developable capacity of proposed allocations in Edenfield, Helmshore, Irwell Vale and Ewood Bridge is 576 dwellings, compared to 675 suggested by the Council.
- 1.34 A number of sites are not proven to be developable, in being affected by ownership and technical constraints (access particularly) for which no viable mitigation proposal is presented to the extent necessary to underpin their allocation in a Local Plan. In respect of a number of other sites, the Council has over-estimated the realistic capacity. The Council has therefore overestimated the five year supply from sites in this location.
- 1.35 Based on the assessment of the Edenfield, Helmshore, Irwell Vale and Ewood Bridge area alone, it is evident that the identified housing land supply is insufficient to deliver the Borough's development needs. This renders the plan unsound, principally in being at odds with the requirements of paragraph 67 of the NPPF and not being effective.
- 1.36 This conclusion is reinforced through the assessment of other proposed residential allocations across the Borough (see Matter 9 - 13 and 15 statements) and in considering the housing land supply as a whole (see Matter 2 and 19 statements).

Addressing the shortfall

- 1.37 Notwithstanding the comments provided in Peel’s Matter 2, 3 and 19 statements, additional land needs to be allocated in this spatial area to address the shortfall of 99 dwellings and to deliver the number of dwellings which the Local Plan currently proposes for the area (675 units).

Developable site at Burnley Road

- 1.38 Peel has historically promoted the allocation of a site at Burnley Road located within Edenfield for residential development.
- 1.39 A Development Framework plan for this site was submitted to Rossendale Borough Council as part of Peel’s representations to the Pre-submission Local Plan. This demonstrates that the site can accommodate around 38 residential dwellings. The Development Framework is provided again at Appendix A.
- 1.40 Since consultation on the Publication Local Plan, Peel has commissioned further work to demonstrate that the site is developable during the plan period. Updated evidence in relation to landscape, access, flood risk and ecology is provided at Appendix F to I.
- 1.41 In the context of the very clear deficiencies in the identified housing land supply in the Edenfield, Helmshore, Irwell Vale and Ewood Bridge area, and notwithstanding the comments provided in Statements in relation to Matters 2, 3 and 19, the allocation of land at Burnley Road would go some way to correcting this specific aspect of the plan’s unsoundness. The site is sustainably located on the edge of Edenfield, benefitting from safe access and accessible by sustainable modes of transport. The site is controlled by a willing and experienced land owner and is located within a viable housing market area. The site is developable over the plan period and should be allocated for residential development on this basis.