

Local Plan – Regulation 24

First Tranche Consultation on Examination Library 8 Responses Received

Part 2 of 2 – Respondents 105 to 132

(additional information provided by respondent 119 during the consultation added
22/03/2021 between p418 and p419)



Rossendale
BOROUGH COUNCIL

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Examination of the Rossendale Local Plan

Action 8.001.2 Assessment of Reasonable Alternative Sites

Representations by A.G. Ashworth and R.W. Lester about RBC's Paper dated 16 April 2020

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Page 1 Key Points
Page 2 Representations

Key Points

- **46 Sites were selected using a questionable selection process.**
- **45 of the Sites were subsequently rejected.**
- **13 of the rejected Sites were considered suitable by a Local Chartered Town Planning Expert.**
- **Suspicion that acceptable sites are being suppressed to justify the use of Green Belt.**

Examination of the Rossendale Local Plan

Action 8.001.2 Assessment of Reasonable Alternative Sites

Representations by A.G. Ashworth and R.W. Lester *about* RBC's Paper dated 16 April 2020

Representations

- 1) RBC / Lepus have selected 46 sites for assessment as Reasonable Alternative Sites for Housing in their June 2020 Sustainability Appraisal Report (**EL 8.001.3**) although 13 of these are in the Green Belt. Only one of the 46 sites was assessed as suitable - SHLAA 19439, Land south of Loveclough Park and Penny Lodge. It is considered as an extension to site H13.
- 2) Of the remaining 33 sites which are not in the Green Belt 13 of them are in our updated document **ECNF – HLA 2.2**, which is to be appended to our response to RBC's paper (yet to be published) on Action 8.019.01 . Our document identifies 58 sites with the capacity to provide in excess of 2800 dwellings none of which would be in Green Belt. We dispute the rejection of these 13 sites from the Reasonable Alternative Sites list on the basis that our list has been examined by a local Chartered Town Planning expert, who considered them all to be suitable.
- 3) It is obvious on examination of this list of 46 sites that RBC have been very careful with their selection of sites for re-assessment by including 13 Green Belt sites, some sites that would be considered to be Small Sites and others that were obviously unsuitable such as New Hall Hey Cricket Ground and Stubbins Vale Mill. This concern is compounded by the fact that they chose not to evaluate 19 of the 34 sites which were on our original alternative site list (**reference: EL 2.066h-ECNF – HLA 2**). It is not surprising therefore that the result of their exercise was to reject all but one of 46 sites on the list.
- 4) Selection Criteria: Paragraph 2.3 of RBC's paper states that one of their selection criteria for sites was: *"their likelihood to come forward (e.g. information about landownership or interest received from developers)"*. This comment should be evaluated alongside the facts that RBC has compulsory purchase powers to ensure the proper planning of their area and that one developer stated at the Examination Hearing that he had requested the Council to put him in touch with any landowners as he was interested in following up any opportunity.
- 5) It looks as if RBC are suppressing the real opportunities available and including sites that will not be acceptable, thus enabling them to continue with their attempts to justify the use of Green Belt land.

Alan G. Ashworth & Richard W. Lester
On behalf of themselves and Edenfield Community Neighbourhood Forum.

1st December 2020

Examination of the Rossendale Local Plan

Action 8.001.3 Sustainable Appraisal Addendum 2020

**Representations by A. G. Ashworth and R. W. Lester about RBC's paper dated
6 June 2020**

Contents

Page 1 Key Points

Page 3 Representations

Key Points

- **Housing Options:** The conclusion that Option E is the best performing Option is based solely on its having the target number of 3180 dwellings.
- **Employment Options:** In view of only one of the objectives being assessed differently table 4.2 should be considered to have little or no value.
- **Spatial Options:** There can be only one conclusion. The many flaws render the SA Addendum "Not Fit For Purpose".
- **Reasonable Alternative Policies:**
 - HS6 - Affordable Homes:** Retain the existing Policy.
 - HS7 - Housing Density:** maximise in Town Centres and in all redevelopments of old retail and employment sites.
 - R2 - Rawtenstall Town Centre Extension:** The Council needs to make a decision and maintain it for more than a few months.

- **Reasonable Alternative Sites: Refer to Key Points in our response to Action Point 8.001.2.**
- **Integrated Approach to SA and SEA: ECNF submitted representations on behalf of over 800 people at Regulation 18 stage and 1235 at Regulation 19 stage. They had absolutely no effect, being completely disregarded by RBC.**
- **SA Objectives Paragraph 2.1.2 Page 7. Despite the importance of the two key objectives Landscape and Cultural Heritage, Lepus / RBC disregarded them and retained Site H72 in the Plan.**
- **Approach to Spatial Options data in Section 5 not only unscientific but illogical. Result seems to have been 'managed' to support RBC's proposal.**

Examination of the Rossendale Local Plan

Action 8.001.3 Sustainable Appraisal Addendum 2020

Representations by A. G. Ashworth and R. W. Lester about RBC's paper dated 6 June 2020

Representations

Executive summary and supporting evidence:

1) Housing Options: It is disappointing to note that the scores awarded are not always in line with the "Specific Assumptions and Limitations in Table 2.5 of the 2020 SA Addendum and the conclusion made in paragraph 3.1.6 of the June 2020 SA document appears to be based solely on this option having the 3180 target number. We consider the assessment process is flawed and has no real value. Refer to our specific comments relating to Section 3 on Housing below:-

2) Employment Options: RBC have concluded that Options B and E are the best performing options for the OAN which they consider to be between 22-32ha. As stated and submitted many times, we have made accurate calculations, not predictions, and the OAN is actually 10.66ha. In view of this Option A would be the best performing Option for Employment. Option A would minimise if not totally eliminate the need to release any Green Belt land as well as providing benefits in terms of Landscape, Water & Flooding; Natural Resources; Human Health and Transport when compared with Options B and E. Refer to our specific comments relating to Section 4 on Employment Land below:-

3) Spatial Options: We have examined and commented on all the key issues in this section of the report, we have identified and highlighted many flaws and we have concluded it is-"Not Fit for Purpose". Refer to our specific comments relating to Section 5 on Spatial Options below:-

4) Reasonable Alternative Policies. Policies HS6, HS7, R2 Alternatives:

4.1) Paragraph 6.21 Page 79: Affordable Housing. RBC advise the alternative policy could result in fewer affordable homes than the chosen policy, hence it should be disregarded. However, the Council do need to readdress this issue particularly with respect to Site H74 which should be providing 30% affordable homes but the Developers are now not proposing to supply any.

4.2) Paragraph 6.3 Pages 79/80: Housing Density. The density target should be uplifted particularly in town centres and in the redevelopment of old retail and employment sites to minimise the use of Green Belt land.

4.3) Paragraph 6.4 Pages 80 and 81: Rawtenstall Town Centre Extension. This policy changes every few weeks, only recently the Leader of the Council reported in the Rossendale Free Press that they may consider some residential in the future despite having written off £1.4 million relating to the recent plan to build apartments, retail shops and leisure. The Council need to make a decision and maintain it for more than a few months.

5) Reasonable Alternative Sites. Refer to comments in our Response to Action Point 1.2 document.

6) Integrated Approach to SA and SEA. Paragraph 1.2.5 Page 3. *“Public consultation is an important aspect of the integrated SA/SEA process.”* ECNF submitted representations on behalf of over 800 people at Regulation 18 stage and 1235 at Regulation 19 stage and they had absolutely no effect whatsoever, they were completely disregarded by RBC.

7) SA Objectives Paragraph 2.1.2 Page 7.

a) *“Landscape – protect and enhance high quality landscapes and townscapes in the borough especially those that contribute to local distinctiveness;”*

b) *“Cultural Heritage – to conserve and enhance the historic environment, heritage assets and their settings.”*

Despite the importance of these two key objectives, Lepus / RBC disregarded them and retained Site H72 in the Plan. Additionally, they did not ‘score’ eight objectives in the Housing Option; 10 of them in the Employment Option and two in the Spatial Option section and knowingly continued to include sites on Green Belt land that cannot be justified.

8) Housing Options:

1) Page 25 - Paragraph 3.1.2:

“Housing options A – D present the reasonable alternative options considered by the Council. Option E presents the preferred approach taken within the Local Plan.”

We note that RBC’s target is 3180 dwellings the same as Option E and confirm in our Housing Supply Summary there are an excess of dwellings identified to easily meet the target without resorting to the use of any Green Belt land.

2) Page 25 -Paragraph 3.1.3:

“The five housing options have been assessed against the thirteen objectives of the SA Framework (See Table 3.2). All of the options would be likely to result in similar effects against the objectives.”

There is simply no basis for this statement: as Table 3.2 shows, the impact on as many as 8 of the 13 objectives is entirely uncertain in the case of all five Options. Therefore it is impossible to conclude that all the Options would be likely to result in similar effects. Even the impacts on the 5 objectives that are assessed show differences. Additionally, we note that the gradings here differ from those in the Spatial Options section which uses the same criteria.

3) Page 26 -Paragraph 3.1.6: The conclusion drawn in this paragraph is somewhat controversial as options A, B, C, D & E all have the same score when they are correctly compared against the “Specific Assumptions and Limitations in Table 2.5 of the 2020 SA Addendum”. This means that the conclusion drawn that Option E was the ‘best performing option’ is based solely on it having 3180 dwellings, RBC’s target number.

4) Pages 27 – 36 - Paragraphs 3.2.1; 3.3.1; 3.4.1; 3.5.1& 3.6.1:

“SA Objectives 1; 2; 3; Part of 4; 5; 7; 11 & 12 were not undertaken at this stage of the process, and have been considered in detail through the appraisal of reasonable alternative and allocated sites. As such, the potential impacts for these eight objectives are uncertain”.

The only comment on this relates to the limits of the judgement criteria with sites providing below the target figure of 3180 receiving a minor positive impact and sites either being on the target or exceeding it receiving a major positive score.

5) SA 6: Climate Change Mitigation: Pages 27 – 36 -Paragraphs 3.2.3; 3.3.3; 3.4.3; 3.5.3 & 3.6.3: Options A & C have been graded as creating a minor negative impact whilst Options B; D & E were graded as a major negative impact. The assumptions state that development proposals which may be likely to increase the Plan area's carbon footprint by 1% or more are awarded a major negative score for this objective. It also states that proposals for 330 or more homes will be likely to exceed the 1% limit. **As all the options have more than 330 dwellings they should all be awarded a major negative impact.** The arithmetic, such as it is, in paragraph 3.2.3 is just wrong. It is correct that 3,000 dwellings < 6,630 new residents < 35,139 tonnes more carbon emissions, and page 20 says Rossendale's carbon footprint in 2017 was 370,800 tonnes. However, the percentage increase, 35,139 x 100 divided by 370,800, is around 9%, not less than 1%. Paragraph 3.4.3 is similarly flawed.

6) SA 8 & 13: Human Health & Transport: Pages 27 – 36 - Paragraphs 3.2.4; 3.3.4; 3.4.4; 3.5.4 & 3.6.4: Options A & C have been judged to have a minor negative impact whilst Options B; D & E were judged to have a major negative impact. This makes good sense as B, D & E all include the development in Edenfield with all its associated issues of accessibility to a hospital, road transport noise and air pollution, and the loss of green space.

7) SA 9: Material Assets: Pages 27 – 36 - Paragraphs 3.2.5; 3.3.5; 3.4.5; 3.5.5 & 3.6.5: Option C was judged to have a minor negative impact whilst options A; B; D & E were judged to create a major negative impact.

Note, the assumptions state that proposals for 272 dwellings or more would increase the waste generation by 1% or more. On this basis all 5 options would be awarded a major negative impact. Page 23 presents another arithmetical puzzle: 1% of 23,604 = 248.66. Paragraph 3.4.5 asserts that 1,810 more tonnes of waste is less than 1% of 23,604 tonnes annual waste generation, whereas actually it is approximately 8%.

8) SA 10: Housing: Pages 27 – 36 - Paragraphs 3.2.6; 3.3.6; 3.4.6; 3.5.6 & 3.6.6: Options A & C were graded as minor positive impact whilst Options B, D & E were given a major positive impact on housing provision.

The assumptions are that site allocations with 100 dwellings or more would be expected to receive a major positive impact. As there will be several site allocations of this magnitude in all the options then each one should be awarded a major positive score.

9) Comment: It is disappointing to note that the scores awarded are not always in line with the "Specific Assumptions and Limitations in Table 2.5 of the 2020 SA Addendum and the conclusion made in paragraph 3.1.6 is based solely on this option having the 3180 target number. We consider the assessment process is flawed and has no real value.

9) Employment Options:

1) Page 37 - Paragraph 4.1.2:

"Employment Options A – D present the reasonable alternative options considered by the Council. Option E presents the preferred approach taken within the Local Plan."

Initially the Options were 6ha, 9ha, 10ha and 24ha. Surely the Council had some idea of the need and could have selected a more meaningful range? Additionally, why would any organisation have 9ha and 10ha as two of the four options?

2) Page 37 – Paragraph 4.1.3:

“the five employment options have been assessed against the thirteen objectives of the SA Framework (See Table 4.2). All of the options would be likely to result in similar effects against the objectives.” There is simply no basis for this statement: as Table 4.2 shows, the impact on as many as 8 of the 13 objectives is entirely uncertain in the case of all five Options. Furthermore, how can the allocations of 6ha and 27ha have the same effect with respect to the majority of the objectives? In view of only one of the objectives being assessed differently the table should be considered to have little or no value.

3) Page 37 – Paragraph 4.1.4:

“As the location of the proposed quantity of employment floorspace is unknown, all of the options have been identified as having uncertain impacts in relation to [SA Objectives 1 - 7, 9 and 12]. Nevertheless, it can be assumed that the greater the quantity of development proposals, the greater the risk of adverse impacts on these SA Objectives, including adverse impacts on the surrounding landscape and biodiversity features. As a result, Employment Option C, which proposed the lowest quantity of development, would be expected to have greater scope for avoiding and mitigating adverse impacts.”

Again this statement is incorrect, the locations of 35.97ha have been identified and their locations are known. If this review had been carried out it would have assisted with the selection of the sites with the least adverse impacts for the 10.66ha required. If Lepus / RBC were able to assess the objectives for Spatial Options then surely this assessment could have been carried out. It is most likely that if the assessment had been carried out on the basis of a 10.66ha requirement then Option A would have been selected! One further point is that, although paragraph 4.1.4 lists those objectives by title and number, it omits Housing (SA Objective 10).

4) Page 38 – Paragraph 4.1.5:

“Employment Options A, C and D would not meet the identified need for employment floorspace across the Plan area. Both Employment Options B and E would be expected to meet the identified employment need of between 22 and 32ha, and therefore, are considered to be the best performing options.”

There are many serious errors in the Lepus / RBC calculations relating to the identified employment land need which RBC were made aware of by ECNF, before, during and after the Examination Hearing. ECNF have re-examined their MIQ submission following the Examination Hearing, they have analysed the employment land losses for other purposes on a site-by-site basis and these are confirmed as 10.61ha not the 23.66ha predicted by Lepus / RBC. When this figure is added to the latest growth figure and the corrected safety buffer the new total employment land requirement equates to 10.66ha which is virtually the same as the 10.72ha ECNF submitted originally. The new accurate data was forwarded to RBC on 3rd June 2020 by our MP and if this basis were used for the matrix it would reveal that Option A is the best performing option.

5) Page 38 - Table 4.2. What is the value of a matrix where ten of the objectives are graded as uncertain, two are identical for all five options and one is judging the employment location based on a figure that is significantly more than double the target? The answer is: **‘it is of absolutely no value’**.

6) Page 39 - 43 – Paragraphs 4.2.1, 4.3.1, 4.4.1, 4.5.1 & 4.6.1:

“Detailed assessments in regard to [SA Objectives 1 - 7; 9, 10 and 12] were not undertaken at this stage of the process, and have been considered in detail through the appraisal of reasonable alternative and allocated sites. As such, an uncertain impact has been identified for these ten objectives.”

Surely if assessments can be made for the Spatial Options and we have an abundance of land available for employment these assessments should have been undertaken. No doubt it would have confirmed that there is no need to use any Green Belt land for this purpose and that several existing employment sites could be made available for housing and other purposes.

7) Pages 39 – 43 – Paragraphs 4.2.2; 4.3.2; 4.4.2; 4.5.2 & 4.6.2: All five Options were judged to *“have minor negative impacts in regard to human health.”* The explanation of the objective ‘Health’ on page 22 seems applicable to development for residential rather than employment purposes. It is therefore unclear how the impact of the various employment options on this objective is being assessed. For all the Options from 6ha to 27ha there might well be more than one conclusion. For instance, Options A, D and C could be considered to create a minor negative impact with B and E creating a major negative impact, particularly when the statement on Page 37 – Paragraph 4.1.4 is included in the equation: *“Nevertheless, it can be assumed that the greater the quantity of development proposals, the greater the risk of adverse impacts on these SA Objectives.”*)

8) Pages 39 – 43 – Paragraphs 4.2.3; 4.3.3; 4.4.3; 4.5.3 & 4.6.3:

“The Rossendale Employment Land Review identified that Rossendale had an employment land Objectively Assessed Need (OAN) of between 22 and 32ha.”

On the basis of the criteria set out in the 2018 and 2020 SAs noted below, all the options should be awarded a strong positive score. However, RBC has chosen to ignore their criteria and award Option A, C and D with minor positive impacts and B and E major positive impacts.

The 2018 SA on page 41 Section 11 states:

“Proposals which would result in a net increase in employment floorspace in the Borough are awarded a strong positive score for this objective. Proposals which would result in a net decrease in employment floorspace in the Bprough are awarded a strong adverse score for this objective.”

In the 2020 SA these criteria were repeated on Page 23 in Paragraph 11, substituting ‘major’ for ‘strong’ and ‘negative’ for ‘adverse’.

We return to the point that the OAN identified in the Employment Land Review is grossly overstated. In reality with an Employment Land requirement of 10.66ha A and D would be the closest to the OAN, C would be lower than the target whilst both B and E would be protecting more than twice the requirement of land.

9) Comments: RBC have concluded that Options B and D are the best performing options for the OAN which they consider to be between 22 and 32ha. As stated, ECNF have made accurate calculations, not predictions, and the OAN is actually 10.66ha. In view of this Option A would be the best performing Option both for Employment and Housing. Option A would minimise the need to release any Green Belt land as well as providing benefits in terms of Landscape, Water and Flooding; Natural Resources; Human Health and Transport when compared with Options B and D.

10) Spatial Options:

Table 5.1 Summary of the 4 Spatial Options.

The Regulation 19 Sustainability Appraisal (SA) (August 2018) identified 4 'reasonable alternative' spatial strategies (Options A-D corresponding with Options A-D in the Housing and Employment sections) of the June 2020 SA and concluded that of these Option D (5,000 dwellings and 9ha of employment land) performed best. Option D bore no resemblance to the option in the emerging Local Plan (3,180 dwellings and over 27ha of employment land).

The Spatial Options Section of the June 2020 SA retains the nomenclature A-D and concludes again that overall D performs best, but it does not give actual figures for dwellings and employment land. Even if these are to be inferred from A-D in its Housing and Employment Sections or from the Regulation 19 SA, it still does not specifically assess the option in the emerging Local Plan.

With five options in the Housing and Employment Sections and only four in the Spatial Options we have had to assume that comments on Option D will apply equally to D and E. However, whilst making this assumption to progress our response we need to highlight that this must be unacceptable with Option D having **5,000 dwellings and 9ha** of Employment Land and Option E having **3,180 dwellings and 27 ha** of Employment Land. There is no way these two options could be considered to have the same impact in any of the criteria being reviewed and it is difficult to understand why RBC did not request Lepus Consultants to examine their preferred option.

The description of the four original options has been changed and the Matrix Table 5.2 differs significantly from the previous one in the Regulation 19 SA on page D4.

The relevant comments relating to Section 5- Spatial Options in the June 2020 SA are noted below:

SA 1: Landscape:

- a) Option A. Page 49 – Paragraph 5.2.5 *“A minor negative impact on the landscape would be expected.”* Note 3,000 dwellings but only 10ha of Green Belt land. (Refer to SA 2018 - Table 2.2 on page 15 for housing and employment land details.)
- b) Option B. In Page 56 - Paragraph 5.3.2 It states *“Due to the proposed expansion at Edenfield, Spatial Option B would be expected to result in large-scale adverse impacts on the local landscape at this location.”*

Page 56 – Paragraph 5.3.4 States *“The proposed development under Spatial Option B, in particular the proposed development at Edenfield, would be likely to result in adverse impacts on the landscape of the borough. Therefore a minor negative impact on landscape would be expected.”*

Note the comments state: Large-scale adverse impact on the local landscape and only a minor negative impact on the Borough. This is despite Site H72 being the largest development in the Local Plan and being built on land that provides a very scenic entrance to

the Borough from the southern direction and exit from the Borough from the northern direction. The magnitude of this development will be overpowering, it is more than twice the size of any other development in the Plan and is on Green Belt land.

- c) Option C Page 64 – Paragraph 5.4.4: *“However, overall the proposed development would be expected to have a **minor negative impact** on the Landscape.”*
- d) Option D: Page 71 – Paragraph 5.5.5. *“The proposed development under Spatial Option D could potentially alter the distinctiveness of the local landscape and affect visual amenity. Therefore, **a minor negative impact** on Landscape would be expected.”*

How can the conclusions for Options B and D which both include Edenfield with the comment that this development will result in a large-scale adverse impact on the Landscape (paragraph 5.3.2) be judged to be minor (paragraphs 5.3.4 and 5.5.5) and the same as A and C? Additionally, why is there no reference to the statement made by Penny Bennett Landscape Architects (PBLA) in their 2015 & 2017 reports. In the July 2015 report they state: “The greater part of this site [H72], Area A, is unsuitable for development, because the effects on the landscape would be significant, and would be uncharacteristic of the local landscape character area, 8b Irwell Valley south. Nor could it be effectively mitigated against because of the sites openness. Long views west from [Market Street] and eastwards from the far side of the valley would be affected and there would be significant adverse effects on attractive and well used walks in the area.” (Refer to pages 127-132 in their 2015 report.) In July 2017 PBLA reviewed their report at the request of RBC and they reaffirmed their opinion that Area A in Site 72 was **“NOT SUITABLE FOR DEVELOPMENT ON LANDSCAPE GROUNDS.”**

Matrix: In July 2018 all 4 Options were marked major negative, now in the June 2020 update they are all minor negative. When you look at the Landscape Option comments above, particularly those in Option B along with the comments from PBLA, how can they all be the same? Additionally, with some options having only a very limited amount of Green Belt (A & C) whilst others have great swathes, it suggests their conclusions are in need of review. It is considered that Options B & D should have retained their major negative grading whilst A & C should become minor negative.

SA 2: Cultural Heritage:

- a) Option A: Page 50 - Paragraph 5.2.6. *“As Spatial Option A would focus development towards Whitworth, future development could potentially have an **adverse impact** on the views from and into the cemetery.”*

*Page 50 – Paragraph 5.2.7: “The proposed development under this option could potentially result in **adverse impacts** on the historic character of ‘Haslingden’, ‘Rawtenstall Town Centre’, ‘Cloughfold’, ‘Falbarn’, ‘Bacup Town Centre’ and ‘Whitworth Square’ Conservation Areas’. In addition, development on previously undeveloped land would be more likely to result in significant harm on surrounding heritage assets. Overall, **a minor negative impact** on the historic environment would be expected.”*

- b) Option B. Page 56 - Paragraph 5.3.5 *“Likely to have an **adverse impact** on the views from and into the Cemetery” which is a Grade II Registered Park and Garden (RPG).*

*Paragraph 5.3.6. "Option B directs the majority of development proposals towards previously undeveloped land. As a result, development at these locations could potentially alter the local historic character, including the setting of surrounding listed buildings and Conservation Areas. In addition the proposed quantity of development located on previously undeveloped land would be more likely to result in significant harm on surrounding heritage assets. As a result a **minor negative impact** on cultural heritage would be expected."*

At this point we recall Paragraph 5.1.3 on page 46 which states: *"Many of the adverse impacts identified during the appraisal of spatial options are 'worst-case scenarios'. This means major or minor adverse impacts cannot be ruled out based on the currently available information and, in accordance with the precautionary principle, are assumed to occur. In reality, policies proposed in the Local Plan would be expected to mitigate many of the identified adverse impacts."*

It is not obvious how paragraph 5.3.6, having identified "likely..... significant harm on surrounding heritage assets "and claiming to have applied 'worst-case scenarios' and the precautionary principle, manages to conclude that the expected impact on cultural heritage would be only **minor negative**.

It is vague and insufficient to say *"policies proposed in the Local Plan would be expected to mitigate many of the identified adverse impacts"*. The SA should refer specifically to all such policies and assess their likely effectiveness.

- c) *Option C: Page 65 – Paragraph 5.4.5: "Whitworth Cemetery' is a Grade II RPG, designated partially for views from and into the cemetery. It is the only RPG in the borough, located to the east of Whitworth. The cemetery is located on ground rising to the south east. As Spatial Option C proposes development within urban areas it would be unlikely that future development would impact this RPG."*

*Page 65 - Paragraph 5.4.6:" Under Spatial Option C, where possible, development proposals would be directed towards previously developed land and in primarily urban areas. Effects on the local historic environment would depend on the scale and character of the proposed development and the existing context of local heritage assets. However, it is more likely that the proposed development would be located within an existing built context, and therefore, would be less likely to result in significant harm on surrounding heritage assets. As such, a **negligible impact** on the historic environment would be anticipated."*

- d) *Option D. Page 72 - Paragraph 5.5.6. "As Spatial Option D aims to focus development within urban areas, it would be unlikely that future development would impact" Whitworth Cemetery which is a Grade II Registered Park and Garden.*
*Page 72 Paragraph 5.5.7. "Under Spatial Option D, where possible, development proposals would be directed towards previously developed land and in primarily urban areas. Effects on the local historic environment would depend on the scale and character of the proposed development and the existing context of local heritage assets. However, it is more likely that the proposed development would be located within an existing built context, and therefore, would be less likely to result in significant harm on surrounding heritage assets. As such a **negligible impact** on the historic environment would be anticipated."*

For the sake of clarity paragraph 5.5.7 needs to repeat that there is a proposal for Green Belt release in Edenfield for a major development. It then needs to address the impact of that on cultural heritage, including the Parish Church and its graveyard.

It is bizarre, not to say suspicious, that there is no reference in Options B and D to Edenfield Parish Church and the Graveyard, a Grade II* Listed Building dating back to 1778 with parts of the Church Tower dating from 1614, but repeated, and welcome, references to Whitworth Cemetery which has a lower ranking Grade II. **This omission diminishes the value of the document.**

In Table 4.7 the 2018 SA on page 36 states *“Where a listed building coincides with a site proposal, it is assumed that the setting of the listed building will be permanently altered and a strong adverse score is recorded.”* It also states *“Adverse impacts on Grade 1 and Grade II* Listed Buildings are considered to be more severe than adverse impacts on Grade II Listed Buildings.”* In other words the impact related to Edenfield Parish Church is more severe than the Whitworth Cemetery.

In the 2019 SA in Section 2.71 Page 10 it states: *The SA does not assume future Masterplans will address and mitigate any negative impacts on heritage issues. Paragraph 1.4.2 of the SA Regulation 19 Report states: “impacts on heritage assets will be largely determined by the specific layout and design proposals. These are currently unknown and therefore the likelihood, extent and permanence of effects on heritage assets is somewhat unknown at this stage. In line with the precautionary principle, where adverse impacts cannot be ruled out and where there is no evidence that shows how the potential adverse effects will not arise, the adverse effects are assumed to occur. This is reflected in the scoring for each Plan proposal”.*

In the 2020 SA Lepus / RBC have downgraded the judgement with respect to Grade II* listed buildings coinciding with a site proposal from strong adverse to minor adverse and failed to repeat the comments with respect to the differentials between Grade II* and Grade II listed buildings.

Additionally, the Edenfield development is common to Options B & D. It is inconsistent to ascribe a minor negative impact on cultural heritage for Option B and a negligible impact for Option D. Neither assessment is correct: both Options should be classed as having a major negative impact.

We draw attention to paragraph 194 of the NPPF, 2019, which provides:

Any **harm to**, or loss of, **the significance of a designated heritage asset** (from its alteration or destruction, or **from development within its setting**), **should require clear and convincing justification. Substantial harm to** or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, **grade I and II* listed buildings**, grade I and II* registered parks and gardens, and World Heritage Sites, **should be wholly exceptional.**

The matter of harm to the significance of Edenfield Parish Church and Grounds caused by the release of site H72 from Green Belt and consequent potential development within the setting of the Church and Grounds is not addressed in the SA of June 2020. The emerging Local Plan and supporting documents do not specify “wholly exceptional” circumstances which would justify, clearly and convincingly, harm to one of Rossendale’s “assets of the highest significance”.

Matrix: In July 2018 all were marked minor negative, in the June 2020 update Options A and B are the same but Options C and D have been reduced to negligible. It is very difficult to accept this grading when the developments proposed for Edenfield are in Options B and D

and one of the most prestigious Heritage Assets in the Borough, Edenfield Parish Church, is adjacent to a site being proposed. The comments made in the 2019 SA Section 2.71 Page 10 referred to above highlight that the precautionary principle should be adopted. In view of the reference above to the NPPF Paragraph 194 Options B and D which include Edenfield should both be awarded a major negative impact status based on the comments in the 2018 SA on page 36 as noted above.

SA 3: Biodiversity and Geodiversity:

- a) Option A: Page 51 – Paragraph 5.2.9. *“Overall a **minor negative impact** on biodiversity and geodiversity within the Borough would be expected.”*
- b) Option B: Page 57 – Paragraph 5.3.7: *“The proposed expansion at **Edenfield could potentially result in adverse impacts** on numerous surrounding Biological Heritage Sites and important Wildlife Sites”. Page 57 – Paragraph 5.3.8: *“Overall, a **minor negative impact** on biodiversity and geodiversity within the borough would be expected.”**
- c) Option C: Page 66 – Paragraph 5.4.8: *“Overall, **A minor negative impact** on biodiversity and geodiversity within the borough would be expected.”*
- d) Option D: Page 73 – Paragraph 5.5.9: *Overall, **a minor negative impact** on biodiversity and geodiversity within the borough would be expected.*

Options B and D both include Edenfield, Option B *“could result in adverse impacts”* comment therefore applies to both, so how do B and D become **a minor negative impact**?

Matrix: In July 2018 all were recorded as minor negative, in the June 2020 update they are the same. Option B in 5.3.7 states: *“The proposed expansion at **Edenfield could potentially result in adverse impacts** on numerous surrounding Biological Heritage Sites and Important Wildlife Sites”*. Why in view of this statement was it awarded a minor negative impact? Additionally, as both Options B and D include Edenfield, we consider they should both be awarded a major negative impact.

SA 4: Water and Flooding; SA 7: Climate Change Adaptation:

- a) Option A: Page 51 – Paragraph 5.2.10: *“Development proposals on greenfield sites would be likely to result in a net loss of green infrastructure in the borough and would therefore be likely to exacerbate flood risk in surrounding areas. As such, a **major negative impact** on water and flooding and adaptation to climate change would be anticipated.”*
- b) Option B: Page 58 – Paragraph 5.3.10: Substantially the same comment as Paragraph 5.2.10.
- c) Option C: Page 66 – Paragraph 5.4.9: Substantially the same comment as Paragraph 5.2.10.
- d) Option D: Page 73 – Paragraph 5.5.11: Substantially the same comment as Paragraph 5.2.10.

Water & Flooding Matrix: The major negative classification for all four options was the same in the July 2018 SA and the June 2020 SA matrices.

Climate Change Adaption:

In the 2018 and the 2020 SAs the Water & Flooding assessment criteria remain similar but in Climate Change Adaption there is a major change. The 2018 SA on Page 40 – Paragraph 7 states: *“Developments which would result in the loss of greenfields, which as a proportion of the Plan area constitutes 0.1% or more will be awarded a strong adverse score for this objective. Development which will result in the loss of greenfields, which as a proportion of the plan area constitute less than 0.1%, will be awarded with a minor adverse score for this objective. On this basis Options A at 0.036% and Option C with less should be minor whilst options B at 2.6% and D where the Edenfield site alone takes it over the 0.1% on its own should be awarded a major negative impact.*

In the 2020 SA version on Page 21 Section 7 there is only one category and this is awarded a minor negative impact. However, surprisingly Lepus does not update the matrix (Table 5.2 in the June 2020 SA, page 47).

Climate Change Adaption Matrix: The major negative classification for all four options was the same in the July 2018 and the June 2020 matrices despite the comment above. Options B & D should retain their major negative grading based on the criteria above.

SA 5: Natural Resources:

- a) Option A: Page 51 – Paragraph 5.2.11: *“Overall, a **major negative impact** on natural resources would be expected due to the likely loss of soil under this option.”*
- b) Option B: Page 58 – Paragraph 5.3.11: *“Due to this loss of soil, a **major negative impact** on natural resources would be expected.”*
- c) Option C: Page 66 – Paragraph 5.4.10: *“As a result of this loss of land, a **major negative impact** on natural resources would be expected.”*
- d) Option D: Page 74 – Paragraph 5.5.14: *“As a result of this loss of soil, a **major negative impact** on natural resources would be expected.”*

It is difficult to understand as a layman that the loss of soil would be similar for the wide range of dwelling numbers (2,000 to 7,000) and wide range of Employment land requirements (6-27ha) and that they could all be classified as the same. Additionally, it is difficult to appreciate why the options that maximise the use of brownfield land rather than utilising greenfield and green belt are not graded more positively.

In the SA 2018 Page 39 Section 5 it states: *“Site proposals which would result in the loss of greenfields, which as a proportion of the Plan area constitute less than 0.1% are awarded with a minor adverse score. Site proposals which would result in the loss of greenfields, which as a proportion of the Plan area constitute more than 0.1%, are awarded with a strong adverse score.”* On this basis Options A at 0.036% and Option C with less should be minor whilst options B at 2.6% and D where the Edenfield site takes it over the 0.1% on its own should be awarded a major negative impact.

The 2020 SA update retains the same basics.

Matrix: The major negative classification for all four options was the same in the July 2018 and the June 2020 matrices. In view of the comments in the two previous paragraph Options A & C should be awarded a minor negative grade due to the lower housing numbers, their focus on brownfield land and the proportion of greenfield use being below 0.1%. Options B & D should retain their major negative impact.

SA 6: Climate Change Mitigation:

- a) Option A: Page 52 – Paragraph 5.2.13: *“However due to the expected loss of [Green Infrastructure] and anticipated increase in traffic-related emissions, a **minor negative impact** on climate change mitigation would be likely.”*
- b) Option B: Page 59 – Paragraph 5.3.13: *Same comment as Option A.*
- c) Option C: Page 67 – Paragraph 5.4.12: *Same comment as Option A.*
- d) Option D: Page 74 – Paragraph 5.5.14: *Same comment as Option A.*

In the SA 2018 Page 39 it states *“Plan proposals which may be likely to increase the Plan area’s carbon footprint by 1% or more are awarded a strong adverse score for this objective.”* It further states: *“Proposals for 300 or more homes are likely to increase the Plan area’s*

carbon footprint by more than 1%.” This means that all the options should be awarded a major negative impact.

Comments: In the 2020 SA page 20 Section 6: The housing number limit is changed from 300 to 330 for the plus 1% range confirming that all four options would be classed as having a major negative impact and not a minor impact as Lepus are proposing.

Matrix: The SA classification in the July 2018 matrix was major negative for all options and they were all reduced to minor negative in the June 2020 classification matrix. This change should be reversed for all four sites based on the assumptions above.

SA 8: Human Health:

The conclusions in paragraphs 5.2.18, 5.3.18, 5.4.17 and 5.5.20 of the June 2020 SA, as regards Options A, B, C and D respectively- “Overall, due to restricted access to healthcare service and the likely increase in air pollution, a **minor negative impact** on human health would be expected.” Note, the somewhat disproportionate emphasis on AQMA’s rather than sites within 200m of a busy road in paragraphs 5.2.17, 5.3.17, 5.4.16 and 5.5.19 should not divert attention from how Site H72 measures up to this objective.

We must consider the explanation of the limitations and assumptions for the Health objective on page 22 of the June 2020 SA. (It does not help that this refers to a non-existent Table 4.6. Presumably it means Table 2.4 on page 15.) Table 2.4 specifies sustainable distances of 800m to a GP surgery and 5,000m to a hospital with A & E. The explanation for the Health objective provides:

It is assumed that sites located in close proximity to major or busy roads will be exposed to road transport associated noise, air and light pollution. Road transport air pollution impacts are considered to be most severe within 200m of the source. Air Quality Management Areas (AQMA’s) are also considered to be areas of dangerously poor air quality. A minor negative impact on the long-term health of residents is anticipated where residents will be exposed to air pollution, i.e. located within 200m of a main road or AQMA.

Site H72 is mainly within 200m of the busy A56, part of the strategic road network.

The explanation continues:

*Development proposals which would locate site end users outside the sustainable distance of all health services and are within in an area of poor air quality are assessed as having a **major negative impact** on human health.*

Site H72 is more than the sustainable distance from “all health services”, which in context must be taken to mean A & E hospitals and GP surgeries, and the site must therefore be regarded as having a **major negative impact** on health

It is unhelpful for the June 2020 SA to identify an overall minor negative impact on health when a key site such as H72 would have a **major negative impact**.

Matrix: In the 2018 SA - A, C & D were classified as minor positive with B being minor negative. In the updated 2020 option they are all classed as minor negative. In view of the comments noted above from the June 2020 SA Options B & D should be awarded major negative scores as they include Site H72.

SA 9: Material Assets:

- a) Option A: Page 53 – Paragraph 5.2.19. *“The projected increase in growth within the borough is not yet established. There is likely to be an increase in household waste generation although the level of increase is uncertain.”*
- b) Option B: *Same comment as Option A.*
- c) Option C: *Same comment as Option A.*
- d) Option D: *Same comment as Option A.*

The response to this classification is surely unacceptable; the principle in judging the other criteria has been based on the number of dwellings, the employment land estimates and the type of land being considered. Surely these values can be calculated on the same basic data.

However, the key judgement criteria are explained in the 2018 SA on page 41 Section 9 where it states: *“A strong adverse score is awarded for Plan proposals which may increase waste generation in Rossendale, as a proportion of existing waste generation, by more than 1%. It further states that the 1% waste generation would be exceeded with only 262 dwellings.”* This is an unsatisfactory way of assessing the different options as it produces the same grading for all the options that exceed 262 dwellings. In the 2020 SA on Page 23 Section 9 the above criterion is repeated but the housing number is increased to 272.

Matrix: SA dated July 2018 all four were major negative impact, SA dated June 2020 grades all four now uncertain. On the basis of the judgement criterion noted above all four should be considered to have a major negative impact.

SA 10: Housing:

- a) Option A: Page 53 – Paragraph 5.2.20. *“The projected increase in housing provision across the borough is unidentified at this stage. As such, it is unclear if the housing needs of the borough would be met.”*
- b) Option B: Page 60 – Paragraph 5.3.10: *Same comment as option A.*
- c) Option C: Page 68 – Paragraph 5.4.19: *Same comment as option A.*
- d) Option D: Page 76 – Paragraph 5.2.22: *Same comment as option A.*

The comment is similar to the one in SA 9; the housing need is identified, the housing numbers in the four options are known and furthermore the Housing Supply Update published in October 19 details the location of 3,353 of them. It should be noted that Option A is very close to the OAN of 3,150 being only 150 short. Option B at 7,000 is 3,850 in excess of the OAN; Option C is 1,150 short of the OAN and Option D is 1,850 over the OAN.

The grading criteria described in the 2018 SA on page 41 Section 10 are as follows:-

- a) *“Where site allocations are anticipated to deliver 0-100 dwellings, a minor positive score is awarded.”*
- b) *“Where site allocations are anticipated to deliver above 100 dwellings, a strong positive score is awarded.”*
- c) *“Proposals which would result in the loss of up to 10 dwellings are scored with a minor adverse score.”*
- d) *“Whilst proposals that would result in the loss of more than 10 dwellings are scored with a strong adverse score.”*

In the June 2020 SA on page 23 Section 10 the criteria are reduced in number from 4 to 2 as follows:-

- a) *“Where site allocations are anticipated to deliver between 1 and 99 dwellings, a minor positive impact would be expected.”*

- b) “Where site allocations are anticipated to deliver 100 dwellings or more, a major positive impact would be expected.”

Matrix: In the SA dated June 2018 Option A was minor positive, options B and D were major positive and option C was a major negative impact. In the SA dated June 2020 all are now marked as uncertain as the criteria have been reduced in number from 4 to 2. It is likely that all four options will have both types of sites; and probably some may have more of the larger sites than others. On this basis we agree it is difficult to make a sensible judgement hence the result for all four should be classified as uncertain.

SA 11: Employment Locations:

- a) Option A: Page 54 – Paragraph 5.2.21: *“It would be likely that under this spatial option, new residents would have good access to employment opportunities in Level 1 settlements, such as Bacup, Rawtenstall and Haslingden as well as cities outside the borough, including Manchester, Rochdale and Blackburn, As such a **minor positive impact** on employment would be anticipated.”*
- b) Option B: Page 61 – Paragraph 5.3.21: *Same comment as Option A.*
- c) Option C: Page 69 – Paragraph 5.4.20. *Same comment as Option A.*
- d) Option D: Page 76 – Paragraph 5.5.23. *Same comment as option A.*

In the 2018 SA on Page 41 Section 11 it states *“Proposals which would result in a net increase in employment floor space in the Borough are awarded a strong positive score for this objective. Proposals which would result in a net decrease in employment floorspace are awarded a strong adverse score for this objective. Additionally, proposals that would site new residents within 5km of major employment locations or major local employers are awarded a minor positive score for this objective.”*

Additionally, “proposals that would site new residents within 5km of major employment locations or major local employers are awarded a minor positive score for this objective”.

The criteria in the 2020 SA on Page 23 in Section 11 are virtually the same.

Matrix: The SA dated July 2018 Marked A, C & D minor positive with B being major positive. In the 2020 update they are all minor positive. We consider that as none of the options are proposing a decrease in employment land, and all of them would site new residents within 5km of major employment locations all, they should be awarded a minor positive impact.

SA 12: Employment Skills:

- a) Option A: Page 54 – Paragraph 5.2.22: *“The proposed development under Spatial Option A would be likely to be located within a sustainable distance to primary schools, and the majority of development with a sustainable distance to secondary schools. Residents situated in Bacup would be likely to travel to Waterfoot to access secondary education. Overall, a **minor positive impact** would be expected in regard to access to education.”*
- b) Option B: Page 61 – Paragraph 5.3.22. *“The proposed development under this Spatial Option would be likely to be located within a sustainable distance to primary schools, and the majority of development with a sustainable distance to secondary schools. Residents situated in Bacup would be likely to travel to Waterfoot and Residents in Edenfield would have to travel to Haslingden to access secondary education. Overall, a **minor positive impact** would be expected in regard to access to education.”*
- c) Option C: Page 69 – Paragraph 5.4.21: *Same as Option A.*
- d) Option D: Page 76 – Paragraph 5.5.24: *Same as Option A.*

The references to Bacup scholars needing to go to Waterfoot are bizarre. The secondary school there is selective and thus not 'accessible to all', and Bacup hosts a secondary school in Stacksteads, the Valley Leadership Academy.

Pursuant to the explanation of the Employment Skills objective on page 24 of the June 2020 SA, Site H72 would have a **minor negative impact** on employment skills, as it is over 1.5km from the nearest secondary school accessible to all, Haslingden High School.

It is very difficult to appreciate why Options B & D were awarded a minor positive grading when they both contain Site H72.

Matrix: The SA reports dated July 2018 and June 2020 are the same; they record a minor positive for all options. In view of the comments above relating to the June 2020 SA Page 24 Options B & D should be awarded a minor negative score as both include site H72.

SA 13: Transport:

- a) **Option A:** Page 54 – Paragraph 5.2.23: *“Public Transport options are currently limited within the borough, with no active railway station. Bus services are limited in the rural areas of the borough. Nevertheless, new residents under this spatial option would be likely to be primarily located towards the key centres, and therefore, would be expected to have reasonable access to sustainable transport options and be within a 30-minute travel time by bus to key services and facilities.”*

Page 54 – Paragraph 5.2.24: *“Under Option A, new residents located in level 1 settlements would be expected to have good access via walking and cycling to nearby amenities. This would also be expected to reduce reliance on personal car use, with benefits in regard to reduced local air pollution and traffic congestion issues.”*

Page 54 – Paragraph 5.2.26: *“Overall, new residents under this spatial option would be expected to have good access to local services and therefore, a **minor positive impact** would be expected.”*

Option B: Page 61 – Paragraph 5.3.23: *“Public Transport options are currently limited within the borough, with no active railway station. Bus services are limited in the rural areas of the borough. A number of new residents under this spatial option would be directed towards rural areas of the borough with poor access to local services via sustainable transport options.”*

Page 61- Paragraph 5.3.25: *“The A56 dual carriageway in the west leads onto the M66 at Edenfield in the south of Rossendale. The A56 also leads onto the M65 towards Blackburn and Burnley. These routes provide good road access to surrounding towns and cities for residents in the borough. However, as an expansion at Edenfield is proposed under this spatial option, traffic congestion within the area and on the A56 and M66 would be expected to increase.”*

Page 62 – Paragraph 5.3.26: *“Overall, a number of new residents under this spatial option would be expected to have poor access to local services and facilities via sustainable transport options, and therefore, a **minor negative impact** would be expected.”*

Option C: Page 69 – Paragraph 5.4.25: *“Overall residents under this spatial option would be expected to have good access to local services and facilities, and therefore, a **minor positive impact** would be expected.”*

Option D: Page 77 – Paragraph 5.5.25: *“Public transport options are currently limited within the borough, with no active railway station. Bus services are limited in the rural areas of the borough such as Loveclough and Whitworth. Under spatial option D, development proposals would be primarily directed towards Rawtenstall and Bacup, and therefore, would be expected to be located in close proximity to existing public transport links. New residents would be likely to be primarily located near town centres and existing public transport options, and therefore, be within a 30-minute travel time by bus to key services and*

facilities.” Why no comment on Edenfield which is being subject to approximately 15% of the total housing increase?

Page 77 – Paragraph 5.5.26: *“New residents located in Level 1 settlements would be expected to have good access via walking and cycling to nearby amenities. This would also be expected to reduce the reliance on personal car use, with benefits in regard to reduced local air pollution and traffic congestion issues.”* Again no reference to Edenfield which is the opposite of what is being claimed, i.e. it is more reliant on car use refer to 5.3.15; it will be subject to congestion- refer to 5.3.25 and more pollution as highlighted in 5.3.17.

Page 77 – Paragraph 5.5.27: *“The A56 dual carriageway in the west leads on to the M66 at Edenfield in the south of Rossendale. The A56 also leads onto the M65 towards Blackburn and Burnley. These routes would be expected to provide good road access to surrounding towns and cities for residents within the borough.”* Why have Lepus left off the final sentence of the statement in 5.3.25 when Edenfield is a significant part of their development growth? For the record the missing sentence states *“However, as an expansion at Edenfield is proposed under this spatial option, traffic congestion within the area and on the A56 and M66 would be expected to increase”*. Additionally, there will be an increased risk to Human Health due to increased pollution, highlighted on page 22 and in paragraphs 5.3.17 & 5.5.19 of the June 2020 SA.

Page 77 – Paragraph 5.5.28: *“Overall, new residents under this spatial option would be expected to have good access to public transport links and local services and facilities. Therefore, a **minor positive impact** would be anticipated.”*

There is no justification for the change made to the classification of Option D from 2018 to 2020 from minor negative to minor positive and it is very difficult to understand why the negative comments relating to Edenfield in Option B do not apply equally to Option D.

In the 2020 SA Lepus have modified the criteria for site assessments in terms of Transport so that sites located outside a sustainable distance to a bus stop offering a frequent service or to the PRoW network are assessed as having a minor negative impact, whereas in 2018 this was a major negative impact. Similarly, on sites that meet the criteria the grading now is minor positive impact whereas previously it was a major positive impact.

Matrix: In the SA dated July 2018 options A and C were classified as minor positive whilst options B and D were considered to be minor negative. In the 2020 update only option D has been reclassified, being changed from minor negative to minor positive. There is no evidence to justify this change, particularly when the sites for Options B and D have not been identified. In view of this the Transport objective should be graded as uncertain.

Overall comments: When the Spatial Option data in Section 5 is examined carefully it appears that a deliberate attempt has been made to ‘manage’ the result to support the Council’s proposal. The approach throughout is not only unscientific it is illogical.

Below is a Matrix to illustrate the changes made to the objectives in the two reports, and this confirms that the conclusions drawn by Lepus and RBC were flawed. Their conclusion that Option D was the best performing option is clearly incorrect.

Impact Matrices of the four Spatial Options.

SO	L	CH	B & G	W & F	NR	CCM	CCA	HH	MA	H	EL	ES	T	
1) Matrix from Table 2.3 on Page 16 in the Lepus/RBC SA dated July 2018.														
A	-2	-1	-1	-2	-2	-2	-2	1	-2	1	1	1	1	-9
B	-2	-1	-1	-2	-2	-2	-2	-1	-2	2	2	1	-1	-11
C	-2	-1	-1	-2	-2	-2	-2	1	-2	-2	1	1	1	-12
D	-2	-1	-1	-2	-2	-2	-2	1	-2	2	1	1	-1	-10
2) Matrix from Table 5.2 on Page 47 of the Lepus/RBC SA dated June 2020.														
A	-1	-1	-1	-2	-2	-1	-2	-1	0	0	1	1	1	-8
B	-1	-1	-1	-2	-2	-1	-2	-1	0	0	1	1	-1	-10
C	-1	0	-1	-2	-2	-1	-2	-1	0	0	1	1	1	-7
D	-1	0	-1	-2	-2	-1	-2	-1	0	0	1	1	1	-7
3) Prepared by ECNF following an analysis of the Lepus/RBC SA dated June 2020.														Score
A	-1	-1	-1	-2	-1	-2	-1	-1	-2	0	1	1	0	-10
B	-2	-2	-2	-2	-2	-2	-2	-2	-2	0	1	-1	0	-18
C	-1	0	-1	-2	-1	-2	-1	-1	-2	0	1	1	0	-9
D	-2	-2	-2	-2	-2	-2	-2	-2	-2	0	1	-1	0	-18
Comments:														
1) The variance between Tables 1 and 2 illustrates the changes made by Lepus /RBC to ensure that Option D becomes the joint best performing option.														
2) Matrix 3, has been prepared by ECNF following the analysis of the Lepus/ RBC SA dated June 2020. It illustrates that Options A & C were the best performing options based on our evaluation and that Option A is closest with 3000 dwellings and 10ha of employment land is closest to the OAN of 3150 dwellings and closest to to the corrected employment land requirement of 10.66ha.														

We have attempted to ‘score’ the various criteria in our matrix to enable the results to be judged in a more logical manner and this identifies Options A & C as the better performing options.

Option A had been previously ruled out by Lepus / RBC because with 3,000 dwellings it did not meet the OAN of 3,150 dwellings and RBC’s target of 3,180 dwellings.

(Surprisingly, with 3,000 dwellings and 10 ha of employment land, it was in reality much closer to the 3180 dwellings and 27ha required to meet the requirements of the Local Plan than Option D with 5,000 dwellings and 9ha of employment land.)

One additional point that we have highlighted on several occasions relates to the actual Employment Land requirement which we claim, and have submitted supporting evidence, on at least three occasions, to be 10.66ha not the 27ha RBC are quoting in the Plan. Our figure of 10.66ha aligns closely with the 10ha in Option A.

We have examined and commented on all the key issues in the report, we have identified and highlighted many flaws and we have concluded it is-“**Not Fit For Purpose**”.

11) Reasonable Alternative Site Assessments: Page 83 Paragraphs 7.1.1 - 7.1.4. Please refer to our response to Action Point 1.2 for comments on the site selection process.

12) Reasons for Selections and Rejections Page 94

- c) **Paragraph 8.1 Allocations. General comments:** It is disappointing to note the allocations still include Housing Sites and Employment Sites on Green Belt land. With all the alternatives available for Housing and the massive over estimate for Employment Land requirements the Council could and should in line with Paragraph 137 of the NPPF have rejected the use of any Green Belt land.

It is also disappointing to note that due to their inability to understand the real Employment Land requirement and their apparent unawareness of the oversupply RBC have not allowed the old and unsuitable employment sites to be used for housing. Sites like Toll Bar - EE30; Forest Mill - EE41; Waterfoot Mills - EE42 and Hugh Business Park East - EE44 etc. etc.

- d) **Table 8.2 Rejected Sites.** Here again the Council do not appear to have taken the opportunity to revisit all the sites that were rejected and re-examine the sites where additional information has been provided by the Landowners, Developers and ECNF to overcome the original reasons for rejection.

Additionally, in our latest review (**ECNF – HLA 2.2**, to be appended in a future consultation response to the awaited paper about Action 8.019.01) RBC will note that a very experienced Local Chartered Town Planning Expert considers 58 sites (yielding more than 2800 dwellings) that were rejected to be suitable for housing development. This fact must not be disregarded again; it is time for some realism.

It is unacceptable for the Council to continue with their strategy to attempt to justify the use of Green Belt land at whatever cost just to make life simple for themselves and their business partners.

Alan G. Ashworth and Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum

1st December 2020

Examination of the Rossendale Local Plan

Action 8.005.3. Employment Land Need and Supply

Cross-reference of Proposed Allocations with Employment Land Review

**Representations by A. G. Ashworth and R. W. Lester about RBC's paper dated
29 May 2020**

Contents

Page 1 Key Points

Page 2 Representations

Key Points

- **List is not comprehensive; several significant sites have been omitted.**
- **There are unexplained discrepancies in the Gross and Net Areas between the EE and EMP references.**
- **One additional Site (EMP 72) has been added.**
- **No Net Developable Area included for Futures Park.**

Examination of the Rossendale Local Plan

Action 8.005.3. Employment Land Need and Supply

Cross-reference of Proposed Allocations with Employment Land Review

Representations by A. G. Ashworth and R. W. Lester about RBC's paper dated 29 May 2020

Representations

- 1) **Purpose:** "Provide a cross-reference list of the proposed employment allocations in the Local Plan and the sites assessed in the Employment Land Review."
- 2) We have confirmed that all references in Table 2 on pages 51-53 of the Local Plan are on the list but in some cases the gross and net areas quoted differ in the two lists. We propose to comment on this further in our response to Action Point 5.2 in the Second Consultation.
- 3) We note the comments we made in our submission (Reference EL 2.066i-ECNF – ELR 2A) with respect to the number of significant sites that had been omitted from the list have continued to be disregarded by RBC. In view of this we cannot accept the list as an accurate record of the Employment Sites in the Borough.
- 4) We note that an additional Site has been included and now there are two sites under NE4. (EMP 11 & EMP 72.)
- 5) Site M5, Park Mill Helmshore remains on the list but does not appear to have been allocated an EMP reference number.
- 6) M4 Futures Park – There is no figure in the Net Developable Area column yet an agreement has been reached by RBC to develop at least part of the site.

Alan G. Ashworth and Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum

1st December 2020

Examination of the Rossendale Local Plan

Action 8.008.01: Approach to Site Allocations and Green Belt Release

Representations by A.G. Ashworth and R.W. Lester about RBC's Paper dated 3 June 2020

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Key Points

Omission Sites:

- **31 Omitted Sites examined.**
- **11 of these on Green Belt, of which one (Lindon Park) has extant planning approval.**
- **11 of the 11 Green Belt sites remain 'omitted'.**
- **Only 1 (Lindon Park) of the 31 sites has planning approval.**
- **14 of the omitted non-Green Belt sites are considered suitable by a local Chartered Town Planning Expert.**
- **Lindon Park was added to the Housing Land Supply list during the final days of the Examination Hearing and should be allocated in the Plan.**
- **Suspicion that acceptable sites are being suppressed to justify the use of Green Belt land.**

Examination of the Rossendale Local Plan

Action 8.008.01: Approach to Site Allocations and Green Belt Release

Representations by A.G. Ashworth and R.W. Lester about RBC's Paper dated 3 June 2020

Section 1: RBC have produced this note to provide further information about 'omission sites', which are sites submitted at the Regulation 19 consultation stage of the Local Plan but not proposed to be allocated, or proposed to be allocated for a different use than the one proposed by the promoter of the site.

Section 2: List of omitted sites

Paragraphs 2.1 & 2.2: There are 31 sites listed, 11 of which are in Green Belt and 20 of which are not. 8 of the sites are also on the rejection list in RBC's paper in response to Action 8.001.03.

We are challenging the proposal not to allocate for housing one of the sites in Green Belt (Lindon Park Development) and 14 of the non-Green Belt sites. The 14 sites are all on our ECNF – HLA 2.2 Site List but the SHLAA 16283 Lindon Park site is not on our list. We had assumed due to the fact that it has Extant Planning Approval and RBC added it to their Housing Land Supply Update List in October 2019 (document reference EL4.014) it had already been included. This site should be retained in RBC's Housing Land Supply List and indeed should be shown as an allocation in the Plan.

Whilst the Lindon Park site was omitted, albeit wrongly, from the Local Plan allocations, it is extremely misleading of RBC not to clarify its status in their response to Action 8.008.01. It has extant planning permission, it assists RBC's aim of providing for new development in the south-west of the Borough and its development would be much less harmful than carving a greenfield site such as H72 out of the Green Belt.

Section 3: Technical Assessment

Paragraph 3.1: The new SHLAAs' conclusions are as follows:-

SHLAA 19440 Wavell House: Developable in the medium to long term (within 6 to 10 years, or after 10 years). The site was already included in our ECNF – HLA 2.2 List of Sites to be allocated before considering the use of any Green Belt. Provides 21 additional dwellings

SHLAA 19439 Land south of Loveclough Park and Penny Lodge Lane: Achievable in the next five years. Provides 42 additional dwellings. Added to our HLA 2.2 list.

SHLAA 19432 Stubbins Vale Mill: Developable in the medium to long term (within 6 to 10 years, or after 10 years). We were surprised to see this on RBC's list when they already knew the site changed hands some time ago and the new owners have applied to extend their operations into the spare land on the site. We have chosen to continue to monitor the site at this stage rather than include it in our ECNF – HLA 2.2 list.

SHLAA 20441 Land south of Grane Road: Not developable or not to be included in the SHLAA. This is in our ECNF – HLA 2.2 list but the housing number has been reduced to 50 dwellings.

Paragraph 3.2: Additional Heritage Impact Assessments: 16 sites were examined, seven of which were in the Green Belt. 4 of the non-Green Belt sites had no 'Predictable Heritage Impact' whilst the other 5 were acceptable with conditions. 8 of the non-Green Belt sites are on our ECNF – HLA 2.2 list and the comments have been updated.

Alan G. Ashworth and Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum

1st December 2020

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Examination of the Rossendale Local Plan

Actions 8.008.03 Identification of Site Density and 8.008.04 Optimisation of Density.

Representations by A. G. Ashworth and R. W. Lester about RBC's undated Paper

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Key Points

- Horse & Jockey site still wrongly shown as part of H72 - *refer to documents EL2.064e and SD 024.*
- True Net Developable Area of H72 is 13.53ha, not as stated by RBC - *refer to document EL2.064e, paragraph 8.9.*
- True density of the 23 brownfield allocations is 44, not 100, dwellings per hectare. RBC admit this but persist in using 100 dph - *refer to Appendix ECNF - GBP 7 to document EL 2.066g.*
- RBC paper ignores crucial point: their strategic view to maximise development on sites released from Green Belt.
- Background: no exceptional circumstances to justify release of H72 from Green Belt.

Examination of the Rossendale Local Plan

Actions 8.008.03 Identification of Site Density and 8.008.04 Optimisation of Density

Representations by A. G. Ashworth and R. W. Lester about RBC's undated Paper

Representations

Introduction

1) Page 1 Footnote. States the Net Developable Area of H72 is 13.74ha, yet it has been agreed this figure includes the Horse & Jockey site. **Refer to documents EL2.064e and SD 024.** The true figure is 13.53ha. **Refer to document EL2.064e, paragraph 8.9.**

Identification of site density

2) Page 2, Paragraph 2.9. *"For certain sites, the potential yield (also referred to as capacity or number of dwellings) generated through this exercise was again refined based on further assessment and consultation. Following the Regulation 18 consultation in particular, the density of development on brownfield sites was maximised as much as possible to reduce the need to allocate greenfield sites. This generated an average density on brownfield sites of approximately 100 dwellings per hectare."* Please see comments below about paragraph 3.5.

Density optimisation

3) Page 5, Paragraph 3.5. We do not accept that the average density of development on the 23 proposed brownfield sites is 100 dph, or that on removing the sites with 100+ dph the remainder have a density around 50 dph. We refer again to **Appendix ECNF - GBP 7 to document EL 2.066g** for the specific information and confirmation of the "skewing" of RBC's numbers.

4) Page 6, Paragraph 3.11. It is interesting to note RBC concede the validity of different ways to calculate the average site density and that our calculations on brownfield land developments do indeed generate a density of 44 dph. The figure obtained by adding up the respective site densities, divided by the number of sites, does not assist in determining the number of dwellings formed per hectare of brownfield land.

5) Page 7, Paragraph 4.1. We note that *"the Council acknowledge that an average density figure can be skewed by sites which have a particularly high density, such as those involving conversions of existing buildings."*

6) Omission. There is nothing in RBC's document that clarifies what impact their strategic view (**RBC Action 8.008.07, paragraph 3.1**) that development should be maximised on sites released from Green Belt has had or is projected to have on the densities at the sites concerned.

Alan G. Ashworth and Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum

1st December 2020

Examination of the Rossendale Local Plan

Action 8.008.5: Approach to Site Allocations and Green Belt Release

**Representations by A. G. Ashworth and R. W .Lester about RBC's paper dated
3 June 2020**

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Key Points

No reference to the three parcels that make up site H72 in Table 1 in Chapter 2.

No information in Chapter 3 other than a reference to another document that has not yet been published.

We assume there will be further consultation on this document if and when Chapter 3 is added.

Examination of the Rossendale Local Plan

Action 8.008.5: Approach to Site Allocations and Green Belt Release

Representations by A. G. Ashworth and R. W. Lester about RBC's paper dated 3 June 2020

Representations

RBC's paper is difficult to understand: there is no reference to the three parcels that make up site H72 in Table 1 in Chapter 2 and there is no information in Chapter 3 other than a reference to another document that has not yet been published.

We assume that there will be further consultation on this document if and when Chapter 3 is added.

Alan G. Ashworth & Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum.

1st December 2020

Examination of the Rossendale Local Plan

Action 8.008.06: Evidence for Green Belt Parcels Recommended for Release

Representations by Edenfield Community Neighbourhood Forum *re* RBC's paper dated 3 April 2020

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Key Points

- Re-assess contribution of H72 parcels to purposes of Green Belt as follows:

Parcel Number	Purpose 1a	Purpose 1b	Purpose 2	Purpose 3
39	Moderate Strong	Moderate	Weak Moderate	Moderate Strong
43	Moderate Strong	Moderate	Weak Moderate	Moderate Strong
44	Moderate Strong	Moderate	Weak Moderate	Weak Strong

- Potential harm from release of parcels is therefore High, not Medium.
- Fanciful speculation that staged release of parcels would eliminate perception of sprawl.
- Site H72 should therefore not be considered for release from Green Belt.
- In any case there is no need to release Green Belt.
- Attractive principal southern gateway to Borough and sense of openness.
- Avoid harm to landscape and heritage.

Examination of the Rossendale Local Plan

Action 8.008.06: Evidence for Green Belt Parcels Recommended for Release

Representations by Edenfield Community Neighbourhood Forum re RBC's paper dated 3 April 2020

Representations

We wish to comment on the rating awarded by LUC in their 2016 Report on Site H72.

The five purposes of including land in the Green Belt (NPPF, paragraph 134) are:

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

On the first four purposes LUC classified the three parcels that make up site H72 in their Report in 2016 as follows (**Green Belt Review, Table 4.1 at page 29**):-

Parcel Number	Purpose 1a	Purpose 1b	Purpose 2	Purpose 3	Purpose 4
39	Moderate	Moderate	Weak	Moderate	No Contribution
43	Moderate	Moderate	Weak	Moderate	No Contribution
44	Moderate	Moderate	Weak	Weak	No Contribution

There is a significant difference between the ratings of Strong and Moderate, their definitions (*ibid.*, **Table 2.1, page 16**) being:

Strong: Adjacent to large built up area and land parcel contains no or very limited urban sprawl and has a strong sense of openness.

Moderate: Adjacent to large built up area and land parcel contains limited urban sprawl and has a relatively strong sense of openness.

1) The assessment criterion for Purpose 1a:

In considering the first purpose LUC proposed a two-pronged test (*ibid.*, Table 2.1, page 16):

- a) Does the parcel exhibit evidence of **existing** urban sprawl and consequent loss of openness?
- b) Does the parcel protect open land from the **potential** for urban sprawl to occur?

Comments: We preface our comments by reiterating that RBC continue to claim wrongly that site H72 includes the site of the former Horse and Jockey public house. The fact is that, as we are repeatedly compelled to submit, it is an entirely greenfield site - refer to document **EL2.064e**.

We note that LUC acknowledge (**Green Belt Review, paragraph 3.21, page 13**) that Edenfield is adjacent to the Bury/Ramsbottom built-up area.

On any objective assessment site H72 contains no or very limited urban sprawl and has a strong sense of openness. Its development would constitute urban sprawl.

Release of any of the three parcels 39, 43 and 44 (which in broad terms combine to form site H72) will facilitate sprawl and detract from the characteristic linear settlement. The commentary in Table 4.4 in the **Green Belt Review 2016 (pages 44/45)**, reproduced at Appendix A to RBC's paper, observes that the northern boundary of Parcel 44 would not form "a strong defensible barrier to prevent the outward sprawl of development". That means that parcel 44 should not be released and that the existing Green Belt boundary should be retained.

The **Green Belt Review** suggests that a staged release of the parcels from the south could overcome perceptions of sprawl. The commentary on parcel 39 (the northernmost of the three) states:

"Although this parcel does not perform strongly against purpose 1, its release would not relate well to the existing settlement form and would introduce an element of sprawl to the north-western edge of Edenfield and along the B6527 (Blackburn Road). However, it is considered that the strategic release of the neighbouring parcels P44 and P43 to the south, before parcel P39 may not be perceived as sprawl as the development would be contained by a strong boundary (the A56), which would limit the potential for future sprawl. The planned release of parcel P44, P43 and P39, in that order, could be perceived as the main block of settlement within Edenfield growing incrementally north and filling the gap between the A56 and the linear settlement along Market Street. This could create a stronger Green belt boundary and settlement edge."

The commentary on central parcel 43 is in similar terms.

The commentaries admit that releasing parcels 39 and 43 "would introduce an element of sprawl". That is all that needs to be said. The speculation as to how it might be perceived is suggestive of wishful thinking, and the tentative expressions 'may (sic) not be perceived/could be perceived' indicate that the commentator actually had little confidence in that outcome.

One additional important point here that relates directly to all three parcels that make up site H72 (39, 43 and 44) is that the M66/A56 is the principal southern gateway to the Borough. The openness contributes to making the Borough an attractive place in which to live and work and creates a strong sense of openness and a favourable first impression.

Conclusion: Realistically the rating for all three parcels against Purpose 1a should be Strong, not Moderate.

2) The assessment criterion for Purpose 1b:

Does the parcel protect open land from the potential for urban sprawl to occur?

A rating of Strong applies to a parcel 'adjacent to a large built up area [with] a high potential for urban sprawl to occur'. Replacing 'high' by 'moderate' gives a rating of Moderate (*ibid.*, Table 2.1, page 16):

Comment: As noted above, development of site H72 would constitute urban sprawl. The criterion and the assessment of features considered relevant to 'potential' are not entirely clear, but, if the question is whether development of the parcel would potentially allow further sprawl into other open land, we accept that the A56 could be a durable boundary. We would not disagree with the assessment.

Conclusion: Retain moderate assessment.

3) The assessment criterion for Purpose 2 (*ibid.*, Table 2.2, page 19):

Does the parcel prevent the merging or erosion of the visual or physical gap between neighbouring settlements?

A Moderate rating applies if the parcel plays some role in preventing the reduction of the visual or physical distances between settlements. Loss of openness would, or would be perceived as, reducing the gap between settlements.

A Weak rating applies if the parcel plays a very limited role in preventing the merging or erosion of the visual or physical gap between settlements. Loss of openness would not be perceived as reducing the gap between settlements.

Comment:

It seems probable that the loss of openness due to development of site H72 would be perceived as reducing the distance between Edenfield and Stubbins/Chatterton, not least when viewed from high level on the other side the valley.

Conclusion: we say that the assessment should be Moderate, not Weak.

4) The assessment criteria for Purpose 3 (*ibid.*, Table 2.3, page 21):

There are two criteria:

- a) Does the parcel have the characteristics of countryside and/or connect to land with the characteristics of countryside?
- b) Has the parcel already been affected by encroachment of urbanised built development?

To be rated Strong, the land parcel has to contain the characteristics of countryside, have no or very little urbanising development, and be open.

LUC offer the following comments on assessment (*ibid.*, page 21):

"Encroachment from urbanising influences is the intrusion / gradual advance of buildings and urbanised land beyond an acceptable or established limit.

Urbanising influences include any features that compromise 'openness', such as roads lined with street lighting and pavements, large areas of hard standing, floodlit sports fields, roads etc. They do not include development which is commonly found within the countryside, e.g. agricultural or

forestry related development, isolated dwellings, historic schools and churches or other forms of 'appropriate development' within the Green Belt which keep the land open. Countryside is land/scenery which is rural in character, i.e. a relatively open natural, semi-natural or farmed landscape."

Comment: The answers to the criteria must be a) Yes, and b) No. We therefore disagree with the assessments by LUC.

Conclusion: Amend assessments of parcels 39, 43 and 44 to Strong.

5) The assessment criterion for Purpose 4 (ibid., Table 2.4, page 24):

Comment: We would not disagree with the assessment made.

Conclusion: Retain the no contribution assessment.

6) Analysis of Findings based on criteria in Table 4.2 Framework for assessing harm (ibid., page 31):

Stage 2 Assessment of Parcels.	Potential Harm caused by release of parcel.
Makes a Strong contribution to one or more GB purposes.	High
Makes a Moderate contribution to one or more GB purposes. No strong contribution to any purpose	Medium
Makes a Weak contribution to one or more GB purposes. No strong or moderate contribution to any purpose.	Low
Makes No contribution to any GB purposes. No strong, relatively strong, moderate, relatively weak or weak contribution to any purpose.	None

Comment: On this basis all three parcels forming site H72 should be rated High not Medium for potential harm.

The change in rating would also better reflect the comments made in the Penny Bennett Landscape Report which states "The greater part of this site, Area A is unsuitable for development, because the effects on the Landscape would be significant, and would be uncharacteristic of the local land character area, 8b Irwell Valley south. Nor could it be effectively mitigated against because of the sites openness. Long views west from [Market Street] and eastwards from the far side of the valley would be affected and there would be significant adverse effects on attractive walks in the area.

Additionally, the change in rating would reflect the proximity of Edenfield Parish Church and Graveyard which is a Grade II* Listed Building.

7) General Comment: We have proved through our examination of all the Housing and Employment Sites that there is absolutely no need to use any Green Belt land to meet the development requirements of the Local Plan. In the event that the Council consider including Green Belt Sites in their allocations then only the sites which will be the least harmful should be evaluated. This would exclude site H72 which should never have been considered in the first place due to the harm it will cause to the landscape and heritage and the serious problems with transport and infrastructure.

Troy Hayes, BSc, MSc, MRTPI, AICP, Founder & Managing Director, Troy Planning + Design, assisted by Alan G. Ashworth and Richard W. Lester, on behalf of Edenfield Community Neighbourhood Forum.
1st December 2020

Examination of the Rossendale Local Plan

Action 8.008.7 Site Selection Evidence

Representations by Alan G. Ashworth and Richard W. Lester about RBC's paper dated 5 June 2020

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Page 25 Appendix C: Alternative Housing Sites - Document ECNF - HLA 2.2

Key Points

- **Unclear whether LUC and RBC fully understood the purpose and limitations of the Green Belt Review 2016.** *Paragraph 1.2*
- **When it suited RBC's purpose, the Landscape Study was simply disregarded as regards site H72.** *Paragraph 2.2*
- **The Green Belt Review 2016 assessment of the harm from release of site H72 was seriously flawed, as we submitted in our response to Action Point 8.008.06.** *Paragraph 2.2*
- **RBC claim exceptional circumstances exist to justify release of Green Belt. They do not exist, as we have repeatedly shown. There is an ample supply of non-Green Belt sites for both Housing and Employment requirements.** *Paragraph 3.1*

- **Plan Policy HS3 does not guarantee the mitigation measures for site H72 in the Green Belt Review 2016. RBC ‘strategic view’ of maximising development likely to influence Design Code.** *Paragraph 3.1*
- **Table 2 - Sites previously considered deliverable. RBC have rejected all 18 on this list, but 7 of these, not in Green Belt, are considered suitable by a Local Chartered Town Planning Expert and would provide 279 dwellings.** *Paragraph 4.2, and refer to ECNF –HLA 2.2 (appended)*
- **Inconsistency in Heritage Impact Assessments of the two Barlow Bottoms sites.** *Paragraph 4.2, Table 2*
- **Cumulative effect of development in Edenfield.** *Paragraph 4.2, Table 2 and Appendix A*
- **Table 3 - Sites previously considered developable. 30 of the non-Green Belt sites are considered suitable by a Local Chartered Town Planning Expert and would provide 2065 dwellings.** *Paragraph 4.2, and refer to ECNF –HLA 2.2 (appended)*
- **Table 4 - Sites assessed as Not Developable. 8 of the rejected non-Green Belt sites are considered suitable by a Local Chartered Town Planning Expert and would provide 279 dwellings.** *Paragraph 4.2, and refer to ECNF –HLA 2.2 (appended)*
- **Table 5 - Sites that would deliver fewer than 5 dwellings. We provide in Appendices 2 and 3 evidence to support our claim that the minimum annual allowance from Small Sites should be 25.**
- **Table 6 - Partly Allocated Sites. RBC have approved 2 of the 7 sites, adding 70 dwellings to the Housing Supply.** *Paragraph 4.2*
- **Table 7 - Assessments undertaken after the Local Plan Hearing. There are 12 sites on the list, of which eight are in the Green Belt. We comment on the four non-Green Belt sites as follows:**

One is to be retained for Employment purposes, and RBC agrees that one can be developed and will supply 35 dwellings.

The other two are considered by a local Chartered Town Planning Expert to be suitable for Housing, with one having some permitted development rights. These three sites would provide a total of 106 dwellings. *Paragraph 4.2*

- **Table 8 - Sites rejected for Housing but allocated to Employment. There are 13 sites on this list, none in the Green Belt. As there is a surplus of Employment Land, 5 of the sites could be used for housing and provide an additional 112 dwellings.** *Paragraph 4.2*
- **RBC to clarify status of unnumbered housing allocation near Hugh Business Park.** *Paragraph 4.2*
- **Appendix 1 -Sites with Planning Permission/Completed Sites. Not possible to verify, but obvious that it wrongly excludes 3 sites from allocation and another from housing supply by persisting with inaccurate completion details or an incorrect criterion.** *Paragraphs 1.5 and 4.4*

Examination of the Rossendale Local Plan

Action 8.008.7 Site Selection Evidence

Representations by Alan G. Ashworth and Richard W. Lester about RBC's paper dated 5 June 2020

1. Introduction

Paragraph 1.2 of RBC's paper states,

"In addition, a Green Belt Review was commissioned to assess the Borough's designated Green Belt and to identify whether certain parcels could be released from the Green Belt for development or whether new parcels could be included within the Green Belt."

That is not how the Green Belt Review (GBR) (**document EB022**) describes its purpose. In paragraph 1.5 it states,

"To inform the preparation of the Draft Plan, LUC were commissioned to undertake an independent and comprehensive review of the performance of the Green Belt within the Borough. It assesses the extent to which the land within the Rossendale Green Belt performs the purposes of Green Belts . . ."

At paragraph 1.8 the GBR sets out the key aims of the study:

"Appraise the whole of the Green Belt within Rossendale against the five nationally defined purposes of the Green Belt as set out in the NPPF, ensuring consistency with neighbouring Green Belt assessments such as the Greater Manchester GB assessment.

Identify land outside but adjoining the Green Belt boundaries that could be suitable for inclusion within the Green Belt.

Provide clear conclusions on the relative performance of Green Belt which will enable Rossendale Borough Council to consider whether there are 'exceptional circumstances' (under paragraph 83, NPPF) to justify altering Green Belt boundaries through the Local Plan process, i.e. to enable existing Green Belt land to contribute to meeting Rossendale's housing needs.

Outline what 'design principles' should be applied to those parcels of land that have been identified as potentially suitable for release in Green Belt terms (i.e. to minimise potential harm to the wider Green Belt). "

Whilst it speaks of 'design principles' that could be applied to land suitable for release it

does not say that its purpose is to identify Green Belt land for development. Indeed it was at pains to assert in bold print (**GBR, paragraph 1.7**),

“Identification of land parcels as potentially suitable for release in ‘Green Belt’ terms within this Study does not mean that they will be automatically allocated for development. This Green Belt Review forms one piece of the evidence base for the Local Plan . . .”

It must be observed that the third of those key aims is wrong. Whether a parcel performs strongly or weakly the purposes of Green Belt must be irrelevant to the question whether exceptional circumstances exist to justify its release. This suggests that either LUC or RBC, or both, misunderstood the concept of ‘exceptional circumstances’ and that therefore decisions based on the report are flawed. Furthermore, as noted above, RBC have misunderstood the GBR if they think it recommends parcels for development.

Paragraph 1.5 states some of the sites assessed in the SHLAA “*are clearly identified in Appendix 1*”. Whilst this is correct, there is however no direct link to the Housing Completions Lists, which are based on planning application reference numbers. Hence it is not possible to verify the list in Appendix 1. Please refer to our comments under Appendix 1 in this response. Additionally, please note RBC state that three sites have been removed from the Housing Supply on the basis they were completed prior to 1st April 2019. This claim is incorrect, as reference to RBC's Completion Lists for 2016-9 confirms. These three sites, SHLAA 16273, 16335 and 16354, must be included in the Housing Site Supply List, and the first two of these should be allocations in the Plan.

2) Brief History of the Site Assessment Process:

Paragraph 2.2 We refer to Table 1 and comment below starting with respect to Landscape Assessment:

(i) *RBC state: “The study made recommendations on the suitability of development on Landscape grounds”.* We understood this was their brief and challenge why RBC continues to totally disregard this opinion when it was given in both the 2015 and 2017 reviews with respect to site H72.

(ii) We continue with the reference to the GBR, specifically with respect to the 'potential harm', to which RBC have referred in their paper about Action 8.008.6. We have robustly challenged this in our Representations about Action 8.008.6 and provided the supporting evidence which highlights that the conclusions drawn are seriously flawed.

(iii) We complete our comments on this paragraph, this time with respect to the Employment Land Review. We have highlighted on several occasions that the OAN figures of 22-32 hectares(ha) from which RBC selected 27ha is incorrect, we submitted the details in our response to the MIQs, again during the Examination Hearing and recently in the letter from

our MP, the Right Honourable Jake Berry (reference EL 6.012a). We will forward the basic calculation details again with our response to Action 5.2 (scheduled to be included in a later consultation) which proves the real requirement is 10.66ha. In view of this the assessment process for Employment is valueless.

3) Site selection process for Green Belt Sites:

Paragraph 3.1 Exceptional Circumstances: In this paragraph the Council considers that there are exceptional circumstances to release land from the Green Belt in order to accommodate additional development. We have proved in our response to Action 8.008.12 that this is clearly not the case and provided evidence to support our claim. There are more than enough sites already identified by the Council to meet their 3180 target for housing and we have a list of additional sites that identifies close to 2800 dwellings which are available on non-Green Belt land. In terms of Employment Land we have also proved in our response to Action 8.005.3 that the actual requirement is 10.66ha and not the 27ha the Council claim. The Council has identified 35.97ha of developable employment land which gives a surplus of 25.31ha, some of which is suitable for housing.

Paragraph 3.1 states:

“Furthermore, given the strong protection afforded to Green Belt, a strategic view was taken that, if the land was to be released from the Green Belt, it should provide the maximum amount of development as possible in order to make the release worthwhile.”

There is conflict between that statement of RBC’s avowed ‘strategic view’ and paragraphs 4.6 and 4.7 of the GBR (document EB022), which state:

- 4.6 For those parcels identified as being potentially suitable for release in Green Belt terms, a summary of the potential mitigation measures that could be applied to minimise effects on the wider Green Belt designation (if the sites were to be released) is provided in Table 4.5 below. The suggested mitigation measures take account of landscape considerations as these strongly influence the effect of development on the openness of the Green Belt. Mitigation measures include advice on scale, density, style and type of development; screening; retention of existing tree cover; limiting development within certain areas of the parcel (sub-areas); and defining new boundaries.
- 4.7 Generic mitigation principles [include]:
Seek to reduce the scale and density of development along the edge of the Green Belt in order to minimise the impact on the openness of neighbouring Green Belt.

Specifically, in relation to each component parcel of site H72, parcels 39, 43 and 44, Table 4.5 suggested as potential mitigation measures

- *Development within the parcel should be restricted to appropriate small scale and low-density housing.*
- *New properties should be a maximum of two storeys to minimise the negative impact on the openness of neighbouring Green Belt land.*

There is nothing in Local Plan Policy HS3: Edenfield that would guarantee those mitigation measures. On the contrary, the Policy provides for residential development in accordance with an agreed Design Code, which can be expected to conform to RBC's strategic view of maximising development. Consequently the impact on the openness of neighbouring Green Belt will be maximised, not minimised as suggested by the authors of the Green Belt Review.

3.2) Release Potential Citing NPPF Paragraph 138, RBC claim that it was not appropriate to consider Green Belt sites that would not provide a significant number of houses but fail to note what the number is. Our view is different, however: if the Council continue to consider using Green Belt it would be more appropriate to use sites capable of supplying dwellings on a small scale that meet the NPPF conditions to minimise loss of openness and to avoid other issues like infrastructure, landscape, loss of green space and heritage impacts on the local communities. This would be more sustainable.

4) Site Assessment Tables:

Paragraph 4.2) Table 2: Sites assessed as deliverable in SHLAA 2018 and reasons for not allocating:

We comment as follows and confirms that full site comments are available in ECNF – HLA 2.2 (Appendix C hereto)

There are 18 sites on this list, 3 of which are in the Green Belt. We comment on eight sites in Table 2; 1 is in the Green Belt and 7 are on non-Green Belt land. These seven would provide 179 dwellings and are considered to be suitable by a local Chartered Town Planning Expert. There seems to be inconsistency of approach in the Heritage Impact Assessment (**EB034**) re SHLAA 16020/2. For 16020 a Housing allocation was acceptable "providing mitigation measures in place, predominantly materials considerations". For 16022 development was "*Unacceptable, too greater sic impact on the setting of the listed asset*", but 16022 is further than 16020 from the listed building, the Grade II Church of St John the Evangelist, which is remote from both sites, occupying an elevated position on the other side of busy A671 Market Street.

Site Reference	Background Evidence	Comments/ Proposed Action
SHLAA 16020	Refer to ECNF - HLA 2.2.	Site in Urban Boundary, heritage impact can be mitigated, reinstate in Plan. (36 dwellings.)
SHLAA 16022	Refer to ECNF - HLA 2.2.	Please refer to comments preceding this table. Site in Urban Boundary. Allocate in Plan. (32 dwellings.)
SHLAA 16222	Refer to ECNF - HLA 2.2.	Rejection based on access comments from a different site, RBC to arrange for LCC to re-evaluate this site. (17 dwellings).
SHLAA 16227	Refer to ECNF - HLA 2.2.	Alternative access proposed, allocate in the Plan. (13 dwellings.)
SHLAA 16229	Refer to ECNF - HLA 2.2.	Alternative access proposed, allocate in the Plan. 22 dwellings.)
SHLAA 16248	Refer to ECNF - HLA 2.2.	Rejected due to delivery of only 21 homes but should be considered alongside site 16249 (see comments below on Table 3). (Green Belt site, not counted in our total of dwellings from alternative sites.)
SHLAA 18426	Refer to ECNF - HLA 2.2.	Planning Application under consideration for 42 Apartments. (42 dwellings.)
SHLAA 18431	Refer to ECNF - HLA 2.2.	Rejected to cumulative effect of other sites in the vicinity. Needs to be treated in the same manner as H72 and reinstated. (17 dwellings.) Refer to Summary and Map attached highlighting the numbers in the Edenfield area (Appendix A hereto).

Paragraph 4.2 Table 3: Sites assessed as developable in SHLAA and reasons for not allocating:

We comment as follows and confirms full site comments are available in ECNF – HLA 2.2 (Appendix C hereto):

There were 90 sites in Table 3, 33 of which were in the Green Belt.

We have commented on 33 of the sites in Table 3; of which 3 were in the Green Belt and 30 were not in the Green Belt. The thirty non- Green Belt sites would provide 2065 dwellings which are considered to be suitable by a local Chartered Town Planning Expert. See below and refer to **ECNF - HLA 2.2 (Appendix C hereto)** for full details:

Site Reference	Background Evidence	Comments/ Proposed Action
SHLAA 16003	Refer to ECNF – HLA 2.2	Whilst we do not advocate the release of any Green Belt, this site is described as Low Harm in the Green Belt Review Document 2016 under the “Degrees of Potential Harm Table 4.3.”
SHLAA 16017	Refer to ECNF – HLA 2.2	A review of the access issues needs to be instigated before this site is considered for designation as Green Belt. (64 dwellings.)
SHLAA 16041	Refer to ECNF – HLA 2.2	Needs to be reviewed, the cumulative impact is less than that proposed for the sites surrounding Edenfield. Additionally, in view of the size of this site there is scope for a significant number of housing from a non-Green Belt source. (318 dwellings.)
SHLAA 16046	Refer to ECNF – HLA 2.2	The landscape impact is considered to be lower than site H72 and this site unlike H72 is in Countryside adjoining the Urban Area. (41 dwellings.)
SHLAA 16048	Refer to ECNF – HLA 2.2	This is another huge site (202 dwellings) in the Countryside not adjoining the Urban Boundary where a significant number of homes could be created to avoid using any Green Belt. A proactive study of the site to identify areas that could be developed without impacting the Moorland Fringe or the Listed Buildings should be instigated before any Green Belt land is considered.
SHLAA 16049	Refer to ECNF – HLA 2.2	This is another huge site (228 dwellings) in the Countryside not adjoining the Urban Boundary where a significant number of homes could be created to avoid using any Green Belt. A proactive study of the site to identify areas that could be developed without impacting the Moorland Fringe should be instigated before any Green Belt land is considered.
SHLAA 16050	Refer to ECNF – HLA 2.2	This is another large site with the capability to supply in excess of 100 homes in countryside adjacent to the Urban Boundary that requires a proactive study. (112 dwellings.)

SHLAA 16096	Refer to ECNF – HLA 2.2	THE SA report refers to both 16096/7 but does not state if the adverse impacts apply to both sites. Additionally, in the SHLAA it was stated that the topography and access issues could be mitigated against. With the opportunity for (97 dwellings) from 16096 alone it is obvious further research is required.
SHLAA 16163	Refer to ECNF – HLA 2.2	RBC should consider compulsory purchase of the ransom strip and develop this site. (21 dwelling.)
SHLAA 16164	Refer to ECNF – HLA 2.2	The vehicular access is resolvable and this site should be included in the Plan. (40 dwellings.)
SHLAA 16180	Refer to ECNF – HLA 2.2	There needs to be a review of the access issue as this would enable sites 16180/1 to be included in the plan and provide (181 dwellings) between them.
SHLAA 16181	Refer to ECNF – HLA 2.2	Comments as for SHLAA 16180 above.
SHLAA 16184	Refer to ECNF – HLA 2.2	Cannot understand why this site is being rejected when 9 have been agreed. Additionally, further consideration needs to be given to the alternative access proposed via Downham Ave. (24 dwellings.)
SHLAA 16192	Refer to ECNF – HLA 2.2	If landowners are unidentifiable or unwilling, the use of compulsory purchase powers in the interests of the proper planning of the area should be actively considered, to protect our valuable Green Belt. (13 dwellings.)
SHLAA 16194	Refer to ECNF – HLA 2.2	RBC supported this site which they are part owners of in 2018 and there does not appear to be any valid reasons for their decision reversal. (48 dwellings.)
SHLAA 16196	Refer to ECNF – HLA 2.2	All the constraints previously identified could be mitigated against and now RBC have added in the cumulative effect due to other developments in the vicinity. We have covered this in many other site comments and it should be disregarded. (16 dwellings.)
SHLAA 16202	Refer to ECNF – HLA 2.2	Considered not to be sustainable location due to future residents having to rely on the use of private cars. This reliance on private cars is a way of existence in rural areas and whilst not be considered lightly it should be not be used to help to justify the use of Green Belt. (10 dwellings.)

SHLAA 16211	Refer to ECNF – HLA 2.2	Removed due to Landscape and long distanced views. All features that the Council disregarded in site H72 which is in Green Belt not countryside like 16211. (10 dwellings.)
SHLAA 16215	Refer to ECNF – HLA 2.2	Rejected on Landscape issues, yet there is mitigation due to the site's being significantly lower than the dwellings opposite. (21 dwellings.)
SHLAA 16216	Refer to ECNF – HLA 2.2	Comments as above, but as there was no landscape impact assessment carried out on the site it should not be rejected for this. (28 dwellings.)
SHLAA 16217	Refer to ECNF – HLA 2.2	Should not be rejected until mitigation proposals have been considered with respect to Landscape and Conservation Area issues. (10 dwellings.)
SHLAA 16221	Refer to ECNF – HLA 2.2	Note all the points for rejection were considered to be able to be mitigated against previously and the Biological Heritage Site was set to gain a new buffer. Why this change? The site should be included in the Plan. (60 dwellings.)
SHLAA 16245	Refer to ECNF – HLA 2.2	Rejected due to unknown Landowner and no access to transport within 400m. A lot of the sites that have been allocated have no access to transport within 400m. If landowners are unidentifiable or unwilling, the use of compulsory purchase powers in the interests of the proper planning of the area should be actively considered, to protect our valuable Green Belt. (17 dwellings.)
SHLAA 16249	Refer to ECNF – HLA 2.2	Refer to 16248 in Table 2 above. Green Belt Site.
SHLAA 16295	Refer to ECNF – HLA 2.2	If landowners are unidentifiable or unwilling, the use of compulsory purchase powers in the interests of the proper planning of the area should be actively considered, to protect our valuable Green Belt. (19 dwellings.)
SHLAA 16336	Refer to ECNF – HLA 2.2	Comments as for SHLAA 16295 above. (9 dwellings.)
SHLAA 16375	Refer to ECNF – HLA 2.2	Site in the countryside and adjacent to existing houses. The access already works for the existing housing; hence it should not be a serious issue for the extra (15 dwellings).

SHLAA 16377	Refer to ECNF – HLA 2.2	This site provides a real opportunity to enhance this area and there is no reason that a developer could not produce a scheme that would avoid changing the character of the area. The comment that it is a fairly isolated area is misleading; it is in the main area of Water. (47 dwellings.)
SHLAA 16382	Refer to ECNF – HLA 2.2	There is substantial value in the site and it should be possible to design it with careful consideration with respect to both the slope and the setting of the Conservation Area. (45 dwellings.)
SHLAA 16392	Refer to ECNF – HLA 2.2	Consider proposal to gain access via Downham Ave. (27 dwellings.)
SHLAA 16394	Refer to ECNF – HLA 2.2	In this particular instance there are other non-Green Belt sites close by and they could also be developed if the Council was to be proactive. RBC should be required to assist the development of non Green Belt land by leading infrastructure projects and alternatives such as a traffic light control system. This site should be included in the Plan as there are no other constraints on its development. (45 dwellings.)
SHLAA 16409	Refer to ECNF – HLA 2.2	If landowners are unidentifiable or unwilling, the use of compulsory purchase powers in the interests of the proper planning of the area should be actively considered, to protect our valuable Green Belt. It would appear the site is large enough to provide mitigation for the issues highlighted. (99 dwellings.)
SHLAA 18305	Refer to ECNF – HLA 2.2	This large site is in the Countryside adjoining the Urban Boundary; it is not in the Green Belt. The Listed Building needs to be given very serious consideration and mitigated against by designing a scheme to maintain the character of the local area and the setting of the listed building. In a site of this size opportunities can be found to produce a significant number of dwellings to eliminate the need to use any Green Belt land. (198 dwellings.)

Paragraph 4.2 Table 4: Sites assessed as “Not developable” in SHLAA 2018 and reasons for not allocating:

We comment as follows and confirms full site comments are available in ECNF – HLA 2.2 (Appendix C hereto):

There were 89 sites on this list, 23 of which were on Green Belt. We have commented on 13 sites in Table 4, 5 have no changes to the overall number but the other 8 would provide 279 dwellings which are considered to be suitable by a local Chartered Town Planning Expert.

One of the sites in this Table SHLAA 16283 (Clod Lane south, Haslingden) was discussed at the Examination Hearing and promoted by the Landowner and ECNF as it has Extant Planning Approval for a further 187 dwellings. The Council incorrectly disregarded the site when preparing the Plan but added the site to the October 2019 Updated Housing Supply List. RBC’s reason “not near services” in Table 4 for not allocating this site is ludicrous. The site has close access to the A56 Strategic Road Network, and both primary and secondary schools are within walking distance, as well as a major supermarket. “Underlying geology” is another reason for refusal, but that could apply equally, if not more so, to site H72, which is known to be formed of laminated clay, and (in part) laminated clay tipped on laminated clay Table 4 should have alluded to the extant planning consent.

Site Reference	Background Evidence	Comments/ Proposed Action
SHLAA 16025 Site Ref: H65	Refer to ECNF – HLA 2.2	Not included in H65 hence no reduction to the existing number. However, the H65 number needs to be increased by 36 to reflect the additional planning approval. (36 dwellings.)
SHLAA 16082 Site Ref: H38	Not in ECNF – HLA 2.2	Reference to H38 is misleading; it was not part of this site.
SHLAA 16088	Refer to ECNF – HLA 2.2	LCC to be requested to re-examine their decision in light of the recent decision they have made with the development in Edenfield for the southern section of H72. All detail in ECNF – HLA 2.2. (32 dwellings.)
SHLAA 16090 Site Ref: H70	Refer to ECNF – HLA 2.2	As the comments relating to the Landowner were in 2015 further contact should be arranged to determine if he is willing to develop the site. Note the site reference is incorrect it refers to Irwell Vale Mill. Comments on 16090 do not change the housing supply numbers. This site could provide 10 Dwellings.
SHLAA 16097	Not in ECNF – HLA 2.2	Makes no change to supply numbers.

SHLAA 16105 Site Ref: H67	Not in ECNF – HLA 2.2	16105 was not included in H67, hence no change to supply numbers.
SHLAA 16183	Refer to ECNF – HLA 2.2	The access issue needs to be urgently reviewed due to the possibility of providing 233 dwellings from 3 sites in a prime location. This development should be included in the Plan before any Green Belt sites are considered. (52 dwellings.)
SHLAA 16300	Refer to ECNF – HLA 2.2	The points which RBC highlight to justify the rejection of the three sites do not have any bearing on the reduced application made by the Landowners for site 16300, as a site visit would confirm. Add to Housing Supply List. (19 dwelling.)
SHLAA 16339 Site Ref EMP 09	Refer to ECNF – HLA 2.2	This site should be redeveloped for employment purposes with modern units alongside the strategic road network to avoid using Green Belt land for this purpose. The older factories in the Valley that are no longer fit for purpose could then be demolished and utilised for residential development.
SHLAA 16345	Refer to ECNF – HLA 2.2	First of all the isolation issue, if this site and SHLAA 16346 are developed together it will result in 100 dwellings which in itself would mitigate any isolation. The access issue should be fully researched; a development of this magnitude will create finance for road improvements. With respect to the development being obtrusive, it will be no more serious than other developments such as H72 and there are opportunities to mitigate this issue. There is a major benefit to developing these two sites, they are close to the strategic roads network and will create extra development in the west of the Borough. (53 dwellings.)

SHLAA 16346	Refer to ECNF – HLA 2.2	First of all the isolation issue, if this site and SHLAA 16345 are developed together it will result in 100 dwellings which in itself would mitigate any isolation. The access issue should be fully researched; a development of this magnitude will create finance for road improvements. The comments with respect to utility should not be an issue in view of the size of the development. With respect to the development being obtrusive, it will be no more serious than other developments such as H72 and there are opportunities to mitigate this issue. There is a major benefit to developing these two sites, they are close to the strategic roads network and will create extra development in the west of the Borough. (47 dwellings.)
SHLAA 16386 Site Ref EMP 24	Refer to ECNF – HLA 2.2 under SHLAA 16139, Waterfoot Mills.	In view of RBC’s proposal to adopt a flexible approach, serious consideration should be given to the plan prepared by the Owners, and it should be adopted. (30 dwellings.)

Paragraph 4.2 Table 5: Sites which would deliver fewer than 5 dwellings:

ECNF comments: As the vast majority of these sites were not included in the Housing Supply Update published in October 2019, Table 5 makes no difference to the total dwelling numbers identified. We were unable to verify the validity of most of the sites as there was no Planning reference and the Planning Trace system does not appear to function based on the one line of the address as it claims.

We have claimed from the outset that RBC’s estimate of a supply of only 18 dwellings per annum was significantly too low and we proposed a figure of 25 per annum which is still considerably lower than this source can supply. We show in **Appendix B** supporting evidence from RBC’s Completed Site Lists and the annual Planning Approval rates which we have collated. It is clear from this evidence that this figure needs to be increased to a conservative minimum of 25 per annum.

Paragraph 4.2 Table 6: Sites partly allocated:

ECNF Comments are as follows:

There are seven sites on the list, none of which is in the Green Belt. We have selected three of the sites in Table 6 for comment; two of them will add 70 dwellings to the Housing Supply List.

The SHLAA 16393 site is still being considered by RBC:

SHLAA 16393	Refer to ECNF - HLA 2.2.	Add increased allocation to the Housing Supply List as and when it is resolved. We have provisionally added 10 dwellings to our list from the 73 the developer requested and shall adjust this figure when RBC provide a definitive number.
SHLAA 16218	Refer to ECNF - HLA 2.2.	Add 45 dwellings as an allocation in the Plan.
SHLAA 16219	Refer to ECNF - HLA 2.2.	Add 25 dwellings as an allocation in the Plan.

Paragraph 4.2 Table 7: Further SHLAA assessments undertaken after the Local Plan Hearings:

ECNF Comments: There were 12 sites on this list, 8 of which were in the Green Belt. We have disregarded the Green Belt sites and commented below on the four non- Green Belt Sites: 1 site will remain in Employment use and the other three, which are considered suitable by a local Chartered Town Planning Expert, could provide a further 106 dwellings:

SHLAA 19440	Refer to ECNF – HLA 2.2. Under SHLAA 16298	It is very difficult to understand RBC’s strategy on this site; the new SHLAA concludes residential whilst their response to Action Point 8.008.7 proposes employment. Our view is that it is likely the Owners will have some permitted rights, therefore RBC should adopt a more flexible approach and allocate for residential use. This will provide an extra 21 dwellings.
SHLAA 19432	Stubbins Vale Mills	Cannot understand why this is on the list, the site changed ownership approx 12 months ago and the new owners have applied for planning approval to use the developable areas for storage purposes.
SHLAA 19439	Refer to ECNF - HLA 2.2.	We support this development in Countryside which will provide a further 35 dwellings.

SHLAA 20441	Refer to ECNF - HLA 2.2.	This site should be considered for housing on the basis that the quantum of development is kept below 50 to rule out the issue of West Pennine Moors Impact. This in turn would mean only 1.7ha of the 6.27ha available would be utilised. The layout for the site could ensure that there is ample land available for any screening required to protect the landscape impact and the Biological Heritage Site etc. The site should be added to the Housing Supply List for up to 50 houses and should be allocated before any Green Belt Land is considered. (50 dwellings.)
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Paragraph 4.2 Table 8: Sites rejected for Housing Allocation but allocated as employment sites:

ECNF Comments: There are 13 sites on the list, none on Green Belt land. We challenge the Council's decisions on 5 of these sites as there is a surplus supply of employment land. We have selected 6 from this list for comment; 1 of them should be used for employment purpose and the other five will provide 112 dwellings and are considered suitable by a local Chartered Town Planning Expert:

SHLAA 18424	Refer to ECNF - HLA 2.2.	The Representatives for the Owners (Hourigan Connolly) cite the need for costly repairs, the difficulty of attracting tenants and the overall rating of the site as 'Poor' in RBC's Employment Land Review 2017. In view of this and the new Government guidelines with respect to permitted rights this site should be designated for housing. The development of the site would significantly enhance the surrounding area. Allocate and add to housing supply list. (16 dwellings.)
SHLAA 18430	Refer to ECNF - HLA 2.2.	This site should be redeveloped for employment purposes with modern units alongside the strategic road network to avoid using Green Belt land for this purpose. The older factories in the Valley that are no longer fit for purpose could then be demolished and utilised for residential development. (No dwellings.)

SHLAA 16115	Refer to ECNF - HLA 2.2.	This development should be included as a housing allocation in the plan and should have been included in the previous plan. There is a surplus of Employment Land, the planning regulations will make it easier for sites like this to be developed and it should be included in the Plan before any Green Belt land is considered. Additionally the new HIA states “Acceptable, subject to full retention of the Mill complex”. (11 dwellings.) RBC need to clarify the status of the land shown on the Proposals Map adjoining the south side of allocation EE44 and coloured orange but without an allocation number.
SHLAA 16093	Refer to ECNF - HLA 2.2.	We have stated many times that we have a surplus of employment land. Our calculations clearly show we have 35.97ha available for employment purposes with a requirement of 10.66ha. This site should be allocated for residential purposes on the basis that the owners agree to adhere to the Heritage Impact conclusion. Also, in line with the recent guidelines from the Government it could be used for housing and should certainly be used before any Green Belt Land is considered. (38 dwellings.)
SHLAA 18429	Refer to ECNF - HLA 2.2.	This was a former Police Station alongside existing Housing. It should be allocated for Housing as there is a surplus of employment land. Add 12 dwellings to housing supply. (12 dwellings.)
SHLAA 16251	Refer to ECNF - HLA 2.2.	Site within the Urban Boundary that should be allocated for Housing before any Green Belt land is considered. The access issues are not insurmountable as RBC had a proposal to overcome them when suggesting Employment use. Additionally, there is a surplus of employment land. (35 dwellings.)

Paragraph 4.4 and Appendix 1: Sites with Planning Permission / Completed Sites:

ECNF comments: We refer to our comments about paragraph 1.5. We tried to use the ‘View or Comment on the Planning Application Trace System’ but this did not appear to function based on the one line of the address as it claims. Additionally, there was no access to the system based on using the SHLAA reference. We tried to physically examine the committed site list based on the address but this proved very difficult. Therefore whilst our findings are

not in any way comprehensive we were able to make a judgement based on the information available to us and it appears there are no are no reductions from the 455 on the “Other committed Sites List” in the overall Housing Supply published in October 2019. We have noted though there are two extra which increase the number from 455 to 457. Additionally, there are another 21 dwellings in the table below to add to the Housing Supply list. We have identified blatant errors in Appendix 1, shown red in the Table below, and we deplore yet another RBC submission containing inaccurate information. The Table below identifies the changes and provides the supporting comments:

SHLAA 16273	Croft End, Stubbins	This development was not completed prior to 01/04/2019. We know this through local knowledge, and the site is not in the Housing Completion Report for 2018/9. Show allocation of 11 dwellings in the Plan, and retain in Supply List.
SHLAA 16298	Wavell House, Helmshore. Refer to ECNF – HLA 2.2.	Refer to SHLAA 19440, note owner will have some permitted rights and add 21 to the Housing Supply List. Wrongly shown as ‘Site completed’
SHLAA 16335	14 Deardengate	Note 2016/0001 Planning Permission for 6 Apartments. None completed by 01/04/19. ‘Local Plan adoption’ date is the wrong criterion as well.
SHLAA 16354	Bacup Conservative Club	None completed by 01/04/2019. On 19/09/2019 a revised scheme was approved for 6 flats, As there are only 4 on the Housing Supply List add a further 2. ‘Local Plan adoption’ date is the wrong criterion as well.

Alan G. Ashworth and Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum.

9th December 2020

APPENDIX A

Examination of the Rossendale Local Plan

Action 8.008.7 Site Selection Evidence

Cumulative Development in Edenfield

RBC have been rejecting sites based on the cumulative effects of development without providing any assumptions or limitation guidelines. It appears to be- just another effort to suppress available non-Green Belt sites in a desperate attempt to justify the release of Green Belt.

This cannot be considered as a legitimate action due to the lack of assumptions and limitations and the differences between settlement gradings in terms of infrastructure.

We have analysed the cumulative effect of the proposed developments in and around Edenfield. We examined the allocated sites in the Local Plan and committed sites as at 1st April 2019 within radii of 1km and 2km and plotted them (apart from the small sites) on the attached Map. Our findings are as follows (for information we list also sites approved after 1st April 2019):

Cumulative Effect within a 1km Radius (Refer to Map below):

Site Reference	Number of dwellings.	Comments
H71- Land East of Market Street.	9	
SHLAA 16358. Pilgrim Gardens (Horse & Jockey site)	10	
H72 – Land West of Market Street.	390	
H73 – Edenwood Mill.	47	
2018/0126 - Hawthorn House.	8	
2018/0091 - Alderwood House.	1	
2017/0618 - Bury Road.	1	
2019/0009 - Eden Lane.	1	
Gincroft Farm,difficult to resolve the number of additional properties but a minimum of 3.	1 (+ 3 approved after 1.4.19	4 Planning References: 2019/0033 for 1 dwelling; and (after 1.4.19 for 1 dwelling each) 2019/0349; 2019/0350;2020/0253
2020/0454 – Acre Nook Farm, Turn	1	Approved after 1.4.19
Total	468 (+ 4 approved since 1.4.19)	

Cumulative Effect within a 2Km Radius (Refer to Map below):

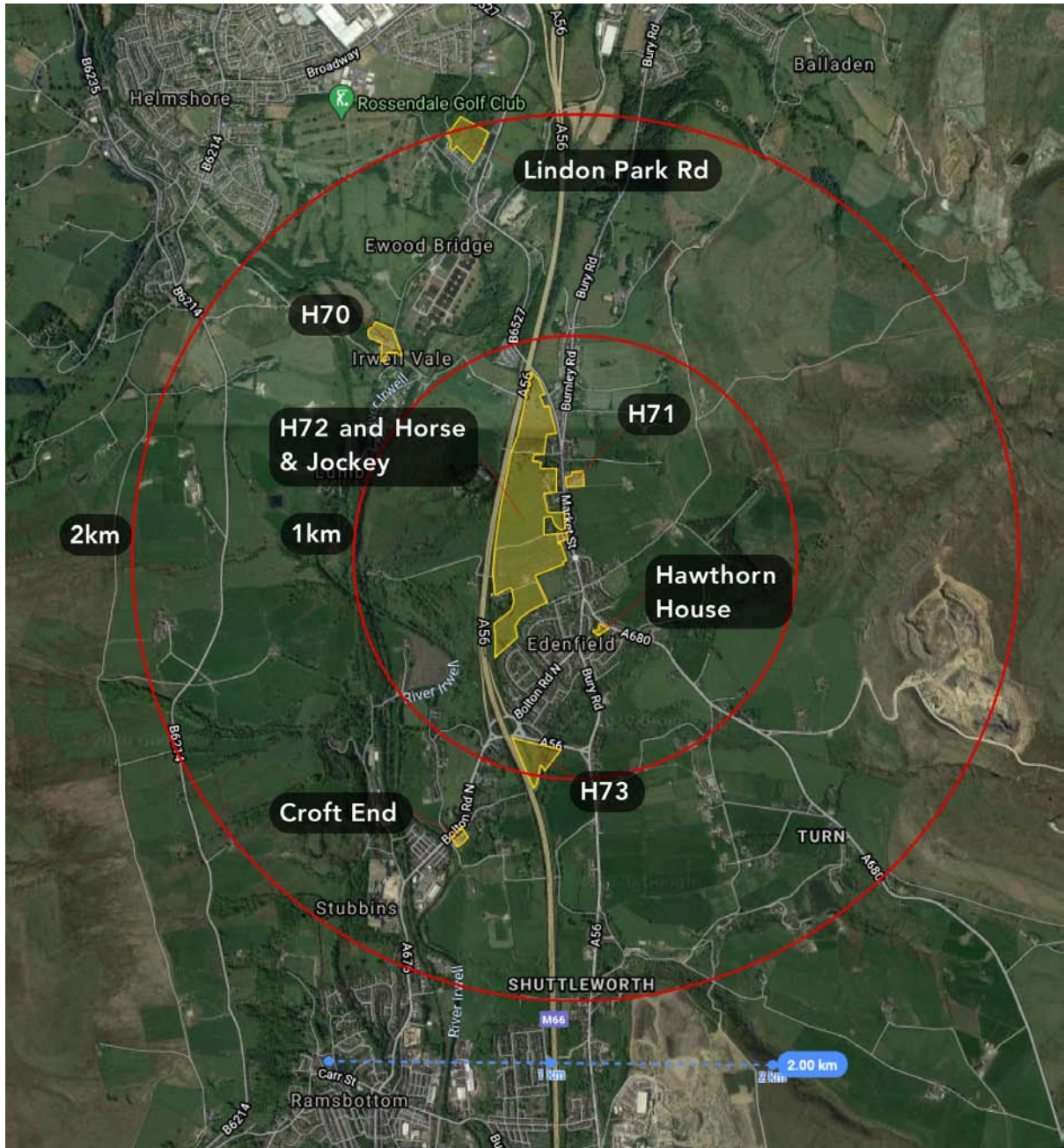
Site Reference	Number	Comments
SHLAA 16273 Croft End, Stubbins	11	
H70 – Irwell Vale Mill	30	
SHLAA 16283 – Lindon Park Development	187	
2018/0171. Aitken Court	1	
2019/0057 West of Lumb Cottages	1	Approved after 1.4.19
2019/0573 - Land adjacent to Lumb Cottages	1	Approved after 1.4.19
Sub-total	229 (+ 2 approved since 1.4.19)	
Within 1km radius	468 (+ 4 approved since 1.4.19)	
Grand total	697 (+ 6 approved since 1.4.19)	

Alan G. Ashworth and Richard W. Lester

On behalf of Edenfield Community Neighbourhood Forum and themselves

9th December 2020

Map of Cumulative Development in Edenfield



APPENDIX B

Examination of the Rossendale Local Plan

Action 8.008.7 Site Selection Evidence

Annual summary: Small Site approvals and Windfall Sites

Planning Applications and Approvals for Small Sites from April 1st 2017

We have analysed the results annually for Small Site Applications and Approvals from the 1st April 2017 to provide supporting evidence to justify our claim that RBC's figure of 18 per annum is far too low. The summary from our analysis is below and the individual site details are attached:-

Per-iod	Dwell-ings App-plied for	App-roved	Pending Consid-eration	With-drawals	Await-ing Appeal	Re-fused	Prior App-rovals	Comments
2017 /8	83	53	0	12	1	17		
2018 /9	118	82	4	8	1	23		
2019 /20	94	48	0	9	5	31		1 lost from an application for 3 when only 2 were approved
2020 /1	61	42	6	2	4	7	6 Not required	From 01.04.20-30.09.
2020 /1	84	44*	27	2	4	7	6 Not required	From 01.04.20 – 30.11.20.

* Figures will increase when the Pending Considerations and Appeals are processed.

** Figures are sourced from RBC's Weekly List of Planning Applications and updated from RBC's Planning View and Comment Site.

The approvals for the first three years average 61 and this year appears to be continuing this supply trend.

We accept that not all planning approvals come to fruition, however to meet our target of 25 per annum we only need a 41% completion rate.

We have examined the Housing Completions list for 2017/8 & 2018/9 but unfortunately the 2019/20 list does not appear to be available yet.

The figure for 2017/8 was 27.

The figure for 2018/9 was 31 but reduced to 27 by RBC for a correction for a reduction in a Windfall Site which had never been included in the Small Site list. This error was highlighted to RBC and they agreed to correct the figure to 31.

The two year average based on this data equates to 29 which is 16% higher than the figure we are proposing and 61% higher than RBC's proposed figure of only 18.

Windfall Sites

We have analysed the Planning Applications that we consider would be classed as windfalls and summarised them below:-

Period	Dwellings Applied For	Approval	Pending Consideration	Withdrawn	Awaiting Appeal	Refused
2017/20	264	148	42	38		36
Annual Average	88	49**				
**It is very likely this figure will significantly increase when the PC's and Appeals are resolved and we could expect the annual average to rise to at least 60.						

Period	Dwellings Applied For	Approval	Pending Consideration	Withdrawn	Awaiting Appeal	Refused
2020/21 *	45	10**	29			6

*Period 1st April 2020 to 30th November 2020.

** It is very likely this figure will increase when the PC's are resolved.

Comments: If we were to assume from this source a figure of 45 per annum for the fifteen year period of the Local Plan, the Windfalls would provide 675 dwellings. This equates to 21.2% of the total dwelling target in the Local Plan.

We have examined the Housing Completions lists for 2017/8 & 2018/9 as the 2019/20 list does not appear to be available yet.

The Windfall figure for 2017/8 was 49 and for 2018/9 41. The two-year average based on this data equates to 45 providing further support to our figure proposed.

Alan G. Ashworth & Richard W. Lester, on behalf of Edenfield Community Neighbourhood Forum and themselves.

9th December 2020

APPENDIX C

Examination of the Rossendale Local Plan

Action 8.008.7 Site Selection Evidence

Alternative Housing Sites - Document ECNF - HLA 2.2

Summary of Sites considered suitable

SHLAA Ref	Number of Dwellings		SHLAA Ref	Number of Dwellings		SHLAA Ref	Number of Dwellings
18426	42		16221	60		16397	14
16020	35		16222	19			
16022	32		16394	45			
16164	40		16245	17		16163	21
EMP 91	15					16046	41
16041	318		16377	47		16049	228
16184	24		16227	13		16048	202
16096	97		16393	10		16180	43
16229	22		16093	38		16196	16
16300	19		16139	30		16202	10
16194	48		19440	21		16295	19
16211	10		18424	16		16336	9
16382	45		16090	10		16375	15
16392	27		16215	21		16183	52
16050	112		16216	28		16345	53
16192	13		16217	10		16346	47
16409	99		19439	35		20441	50
16181	138		16115	11		18429	12
16017	52					16251	35
18305	198					16218	45
18431	17					16219	25
16088	32						2803

Note re 16393: We have provisionally only included 10 dwellings; however the Developer is chasing 73 dwellings. RBC have yet to provide a definitive number.

Details of Sites considered suitable

1) **SHLAA 18426. Heritage Arcade & 23-27 Bacup Road Rawtenstall.** Refer to SHLAA and ECNF comments under EL 2.066h ECNF HLA 2. Note comments and conclusions from RBC in the 2018 SHLAA were:-

Justification Summary: The site is situated in a medium market area. The conversion of the building into residential use is preferred, unless a viability assessment demonstrates that this would not be viable. The site is considered to be achievable in the short term.

Conclusion: Deliverable in the next five years.

Justification conclusion: The properties are currently vacant and the Landowner has expressed an interest to develop the site for Residential use. The site is considered suitable for Residential use subject to flood risk mitigation approved by the Environment Agency and LCC. The conversion of the Heritage Arcade into Apartments is the preferred option due to the importance of the building in terms of heritage and its location within Rawtenstall Town Centre Conservation Area.

Other RBC comments: (Source: Brownfield and Mixed Sites Assessed in the SHLAA - 26 June 2018). Site within the Town Centre. More appropriate for non-residential use.

ECNF General comment August 2019: We questioned the Forward Planning Team with regards to their decision to remove their support for this application when in their Brownfield and Mixed Sites Assessment (received from RBC on 22nd May 2018) their preferred option was to develop the site. We were advised in writing that their change related to the possibility of “Substantial Harm to the Grade II Church Site”, yet they comment that the site is suitable for non-residential use. They have ignored the fact that they previously supported the use of these buildings and others close by for “Late Night Clubs”. Additionally, RBC are now proposing to build apartments in proximity to the Chapel (*Local Plan Submission Version site reference M2 Spinning Point*; planning permission reference 2017/0617). Good quality residential conversion should enhance rather than have an adverse impact on the conservation area or the Grade II Chapel building. Additionally, development for housing (close to the new Bus Station) would bring vibrancy to the Town Centre. (Note the site is not on the Employment Land List.)

RBC comments on Rejected Site List dated June 2020: Retail use would be more appropriate as **within Rawtenstall Town Centre.**

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020:

A Planning Application was validated by RBC on the 28th January 2020, in total 44 documents have been registered up until 19th October including revised floor plans. This should fall into the Regeneration of Town Centres Scheme and the permitted rights for former retail properties. This development would provide 42 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

This building was been advertised for sale for commercial purposes for approximately 29 years and with no success. Approx 2 years ago it was placed in an the auction by Pugh and Co but did not sell. The Council itself has abandoned further commercial development at the 'Tipping point'. There is now a planning application for the use of this site for Residential purposes. **There is every reason to believe this is the best and most likely future for this site.**

2) **SHLAA 16020. HS 2.102. Barlow Bottoms, Whitworth.** Source: SHLAA (August 2018). Site Gross Area 1.29ha, Net Development Area 1.16ha. The site is within the Urban Boundary. (35 dwellings.) Refer to SHLAA and ECNF comments under EL 2.066h ECNF HLA 2.

RBC's comments in SHLAA (August 2018):

Justification comment: The Landowners have expressed their support for the allocation of the site for housing development (draft Local Plan consultation summer 2015). The land is considered available now for housing development.

The site is situated more than 5.5km from a strategic road network; however there is good access to public transport. The local services are within good access (within 15 mins walk on average or accessible by bus). There is potential land contamination so this will need to be addressed. There are active businesses some distance away to the south (manufacturing and offices) however it is considered that their activity will not affect the amenity of future residents.

Viability and achievable summary: Available now.

Justification summary: Extra costs are associated with the development regarding the land contamination survey and conservation of the adjacent Woodland Stepping Stone Habitat. The site is situated in a medium market value area and therefore is considered viable. The site is considered achievable in the short term.

Conclusion: Deliverable in the next five years.

Justification conclusion: The site is considered to be available, suitable and achievable now for residential use.

ECNF General comment August 2019: RBC removed this site from the list when they allocated the site for permanent use by Travellers. That allocation was then deleted by resolution of the Council on 11th July 2018 following the responses to the Regulation 18 Consultation. There is no reason why this site cannot be re-allocated to the HSA list. This site is not in the Green Belt; it is within the Urban Boundary and should be developed before any use of Green Belt is considered.

RBC Comment on Rejection List June 2020. Proposed to be allocated for Mixed-Use (employment and transit site for Gypsies and Travellers) at the Council Meeting of 11th July. Following the meeting, it was resolved to amend the plan to remove Barlow Bottoms and state “Gypsy and Traveller Transit site relocated to a small discreet piece of land owned by the Borough Council at the far corner of Futures Park”. Therefore the proposed allocation was removed from the plan to align with the Council’s decision.

ECNF Latest comments November 2020: This site is not in the Green Belt; it is within the Urban Boundary and should be developed before any use of Green Belt is considered. This development would provide 35 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; Suitable for housing.

3) **SHLAA 16022. Barlow Bottoms (west of the river), Whitworth Site.** The site is situated in the Urban Boundary, the gross size is 1.62ha and the net developable is 1.07ha. (32 dwellings.) Note comments and conclusions from RBC in the 2018 SHLAA were:-

Justification comments: The site is relatively flat and there is good vehicular access to the site. It is situated more than 5.5km to a strategic road but it has good access to public transport and local services. The site has some ecological value as it contains a Stepping Stone Woodland Habitat; as a consequence this part of the site has been excluded from the area available for development. Future development would need to retain trees situated along the sites boundaries. The East Lancashire Cycleway goes through the site and should be maintained. There is potential land contamination that needs to be further accessed. The site is situated in a mixed use area, with an employment site to the north; proper screening is required to reduce view/noise from the employment site. This site can be developable in the short term provided that the constraints identified are adequately addressed.

Viability and achievability summary. Achievable now.

Justification. There are extra costs associated with the development (mitigation of ecological impact, land contamination survey and potential remedial costs, screening from the employment site situated to the south of the site). However, the site is situated in a medium value market area and it is considered to be viable. The development is achievable in the short term.

Conclusion. Developable in the next five years.

Justification. The site is available now and can become suitable for a residential development in the short term provided that the constraints identified (e.g. important ecological and recreational values due to the presence of woodland and the East Lancashire Cycle route) are adequately addressed. The development is considered viable and achievable in the short term. The number of dwellings has been reduced to allow protection of the woodland habitat.

ECNF were not aware of this site in 2019.

RBC comments on Rejection List June 2020. Changed dramatically to “Unacceptable heritage impact. Biodiversity impact (Woodland Stepping Stone Habitat.)

ECNF Latest comment November 2020. If the Heritage Impact Assessment is examined (Refer to EB 034) you will note that under the Heritage Asset SHLAA Criteria it states “site does not contain or adjoin a listed building and site is not within or adjoin a conservation area”. However, in the Heritage Assessment Conclusion it states “Unacceptable, too greater impact on the setting of the listed asset”. The Conclusion therefore should be corrected. Additionally, if you refer to the justification above it was previously stated that the Woodland Habitat was not in the area designated for development. Surely the Woodland Habitat and the Cycleway would be a major positive for the people who would live in the dwellings. This site should be used before any Green Belt land is considered and it would provide 32 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; Suitable for housing

4) SHLAA 16164. HS 2.84. Land behind Myrtle Grove Mill, Waterfoot. Source: SHLAA (August 2018). Site Gross Area 3.57ha, Net Development Area 1.35ha. The site is mixed Greenfield and brownfield in Countryside adjoining the Urban Boundary but not within the Green Belt. (40 dwellings.)

RBC’s comments in SHLAA (August 2018):

Justification comment: The intentions of the landowner are unknown therefore the site is not currently available but can become available in the long term. The site is steep and is likely to require land engineering works to allow development. Access via Highfield Road or Lench Road is poor as both are single lanes. The site is situated 2.3 miles from a strategic road and has good access to a quality bus route. Only the local store is within walking access. Other local services are situated further away and are accessible by public or private transport. The site is adjacent to a woodland stepping stone habitat therefore it is important that the development does not have a negative impact on the ecological value of the adjoining site. Several public rights of way are going through the site and should be maintained. There is a small pocket of land with potential contamination issue and thus a land contamination survey would be required. There is an active employment area to the north of the site which is currently screened by trees. Some waste water infrastructure is present on site that would need to be taken into consideration. The site is considered to be developable in the long term provided the access is improved, the ecological value of the adjacent woodland is preserved and a land contamination survey is undertaken for the area at risk.

Viability and achievability summary: Achievable in medium to long term.

Justification summary: Extra costs are associated with the development of the site and the land is within a medium value market area. The development is considered marginally viable. No developer has expressed an interest to develop the site therefore it is not likely to be achieved in the short term and is rather a long term prospect.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years.)

Justification conclusion: Overall the site is potentially developable in the long term.

ECNF General Comment August 2019: We were informed in writing by RBC that this site was being removed from the list because of access / visual impact. The access issue could be relatively easily overcome by the re-design of the car park area to enable Highfield Road to be widened at its pinch point. In terms of visual impact the area would be enhanced by introducing a quality development. The Housing Topic Paper (August 2018 and March 2019) presented differently the reasons for not taking the site forward. This said "Landowner intentions unknown. 2 resident objections. Access issues." If the landowner is not willing to develop the land, RBC as planning authority has compulsory purchase powers. The Topic Paper is silent on the grounds of the residents' objections. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use **of Green Belt is considered.**

Local Planning Expert August 2019. Fine.

RGC comments on Rejection List 2020. The intentions of the Landowner are unknown. The SHLAA stated that the site is steep and there are vehicular access issues to the site (e.g. access via single lanes). The site was not considered to be appropriate for Housing Allocation in the Local Plan.

RBC comments in Table 3 of response to Action Point 8.7: Same as above.

ECNF Latest comment November 2020. We repeat our previous comment that if the landowner is not willing to develop the land, RBC as planning authority has compulsory purchase powers. The Topic Paper is silent on the grounds of the residents' objections. Additionally, having examined the site we advised that the road could be widened at its pinch point so access should no longer be considered to be an issue. This site is not in the Green Belt; it is adjacent to the Urban Boundary and therefore should be developed before any use of Green Belt is considered. It would provide 40 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; no reason to exclude.

5) EMP 91. Former Regal Cinema in Bacup. We have provisionally included 15 Apartments for this development on a comparative basis with SHLAA 18426 the Heritage Arcade in Rawtenstall, itself a former cinema.

RBC's comments on Rejection List 2020. The site is within Bacup Town Centre where retail and other town centre uses are supported.

ECNF Latest comments November 2020. This is part of the Bacup Regeneration Plan which includes an element of housing on the site. The Council should be required to quantify this rather than try to hide the numbers.

Comments from Local Chartered Town Planning Expert November 2020:

The Regal cinema site has been vacant, to my knowledge since 1974 and I believe for much longer. There have been rumours of schemes for its leisure use but nothing has ever come forward. For the same period of time Bacup centre has suffered from empty retail space and still does. **The redevelopment of the site for residential purposes seems a strong possibility with the right encouragement from the Council and should be included in its housing availability calculations'**

6) SHLAA 16041. Land around Sheephouse Reservoir, Britannia: Source: SHLAA (August 2018). Site Gross Area 14.6ha, Net Development Area 10.61ha. The site is Countryside adjoining the Urban Area but not within the Green Belt. (318 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification: Both Landowners have expressed an interest to release the site for housing development. The land has a pronounced slope gradient so some land engineering works will be required prior to development. The site is situated further than 5.5km/3.5 miles from a strategic road but it has good access to public services. The primary school, Bacup Town Centre, the Irwell Medical Practice and a play area are accessible by walking, while the secondary school can be accessible via public transport or school bus. There are various footpaths crisscrossing the site that would need to be maintained. The site is partly within the Moorland Fringe and in a prominent location, therefore further assessment is required. The site is considered suitable provided those constraints can be adequately addressed.

Extra costs are associated with the development, however since the site is within a medium value market, the development is considered viable. Due to the scale of the site the deliverability is likely to be in the medium to longer term.

Viability and achievability summary: Achievable in medium to longer term.

Conclusion: Developable in the medium to long term (within 6 to 10 years or after 10 years).

ECNF did not comment on this site previously.

RBC's comments on Rejection List 2020. The SHLAA reported that the site has a pronounced slope gradient and is partly in the Moorland Fringe Landscape Character Type which is sensitive to development. Also, due to presence of proposed housing allocations to the south and north of the site, the cumulative impact of development was considered to be overbearing for the local area.

ECNF Latest comments November 2020. We are staggered to examine this particular development opportunity for the following reasons: The site is reported to have good access to public services the majority being in walking distance. The maximum housing number proposed for the site is 318 and due to sites to the north and south of the development it is considered to be overbearing. If this is compared with Sites H71, 72, 73 and The Hawthorn House development in Edenfield the number proposed is 464, and with other development sites in the vicinity such as H70 and the Lindon Park Development the total is 681. Additionally, the Edenfield sites it does not have walking access to public services and on top of that there are Access, Heritage, Education and serious Transport issues. Additionally, H72 is in Green Belt not Countryside adjoining the Urban Area. This is another example of RBC's

determination to 'bury' sites to avoid there being an oversupply which would eradicate the need to use Green Belt.

Comments from Local Chartered Town Planning Expert November 2020:

This site is a logical extension of existing housing development and approvals and is an infill between Tong Lane and Rochdale Road and with clearly defined boundaries. **There can be no good reason for its exclusion.**

7) **SHLAA 16184. Land South of Hollin Lane, Reedsholme.** Source: SHLAA (August 2018) Site Gross Area 1.27ha, Net Development Area 0.81 ha. This is a greenfield site in Countryside adjoining the Urban Boundary but not in the Green Belt. (24 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comment: The landowner is willing to develop the site for residential use. The site is available now. The land is flat but vehicular access is an issue that requires significant improvements. The site is situated close (2.2 miles) to a strategic road but further than 400m from a bus stop (510m). Most local services are available within walking distance, except for a play area. A small part of the site is at high and medium risk of surface water flooding, while a larger part of the site is at low risk of surface water flooding. A flood risk assessment would be required prior to the development. The southern strip of the site is within a Woodland Stepping Stone. This habitat should be protected and has therefore been excluded from the area available for development. The public rights of way would need to be retained. Although no listed buildings adjoin the site, 3 heritage assets are located on the hill surrounding the site, thus the view from those properties might be affected by the development (Higher and Lower Chapel Hill Farm, Friends Burial Ground). A heritage impact assessment is recommended. The site is considered suitable in the future provided that the access is improved, the woodland habitat is protected and that the development does not affect the setting of the listed buildings.

Viability and achievability summary: Achievable now.

Justification summary: There are extra costs associated with the development (i.e. making the vehicular access suitable for a housing scheme), however the site is within a high value market area, therefore the development is considered viable. Once the barriers to development have been addressed, the site could be delivered in the short term.

Conclusion: Developable in the medium to longer term (within 6 to 10 years, or after 10 years.)

Justification conclusion: The site is available now. However it is not currently suitable due to vehicular access issues (narrow lane). The site can become suitable if the access is

improved, if the woodland habitat situated along the southern boundary of the site is protected and if the development does not affect the settings of the listed properties situated further up the hill. The development is considered viable & achievable within the medium to long term.

ECNF General comments August 2019: The comments noted above are from RBC's SHLAA dated August 2018, yet RBC decided to withdraw the site from the HSA list because of 'Access issue via Hollin Lane which is a narrow single lane with no possibility of widening' (*RBC Housing Topic Paper, August 2018 and March 2019*). This appears to be incorrect. The access issues can be overcome by a joint approach with SHLAA 16392. Emery Planning are representing Mrs. L. Bower about this site - see Appendix 3, pages 1 to 181, to RBC's November 2018 collection of Regulation 19 responses. In particular they include two letters from Lancashire County Council Highways Development Control (pages 93 to 99) confirming that LCC had no objection to a proposal for development subject to the Hollin Lane improvement and widening works being designed to provide a safe and suitable access in accordance with Manual for Streets to accommodate the development traffic and the existing farm traffic and pedestrian movements. In any event, by a joint approach with a developer of the site north of Hollin Lane reference SHLAA 16392, an alternative access could be achieved through the purchase of a property in Downham Avenue. As regards the listed buildings, RBC's Heritage Impact Assessment of Housing Sites (September 2017) suggested that the effects of development could be mitigated. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered.

RBC's comments on Rejection list 2020. The SHLAA stated that there is a vehicular access issue via Hollin Lane which is a narrow single lane with no possibility of widening. The Highways Department did not comment on that site during the Regulation 18 consultation. The Council considered appropriate not to allocate the site for housing allocation in the Plan. However, at the Regulation 19 consultation, the planning agent (Emery Planning) provided a pre-application advice letter from LCC Highways Department regarding the erection of 9 dwellings on the site. LCC concluded that it "would not raise objection to the proposal subject to Hollin Lane improvement and widening works being designed to provide a safe and suitable access in accordance with Manual for Streets to accommodate the development traffic, the existing farm traffic and pedestrian movements".

RBC's comment in Table 2 of their response to Action Point 8.7 is as follows: The Council repeated their statement made above.

ECNF Latest comments November 2020. On the comments above made by RBC we cannot understand why this is on the Rejected Sites List. There appears to be a minimum of 9 approved by LCC and not disputed by RBC. Additionally, there is also the opportunity we put forward to purchase a property in Downham Avenue to provide an alternative access to achieve 24 rather than just 9.

RBC to add a minimum of 9 when they next update their Housing Supply List.

Comments from Local Chartered Town Planning Expert November 2020:

This site is eminently suitable for housing development and I too have been involved in discussions with the Highway Authority regarding improved access. Hollin Lane is adopted up to the site. The adoptable highway includes the banking to either side. One possible proposal is to raise the height of the road so that it can then be made wider. The Highway Authority has not objected to such a technical solution. **The site should remain as available for residential development.**

8) SHLAA 16096. Land at Moss Farm Stacksteads. Source: SHLAA (August 2018) Site Gross Area 4.33ha, Net Development Area 3.22ha. This is a Greenfield site in Countryside adjoining the Urban Area but not in the Green Belt. (97 dwellings.)

Justification: The owner of a parcel of land is not willing to release the land for housing development, however the landowner of the remaining and largest part of the site is willing to release the site for housing development. The site is considered available in the medium term.

There is a significant slope on the site that requires attention. The access to the site is via two narrow lanes, therefore it needs significant improvements. The site is situated further than 5.5km / 3.5miles away from a strategic road and has no access to public transport within 400m. The closest bus stop is accessible within 600m. The primary school, a convenience store and a park are accessible within walking distance; while the secondary school and the GP surgery can be accessed by Public Transport. There are some areas of the site at risk of high, medium and low surface water flood risk that require mitigation. Several public footpaths are present on site and will need to be maintained. The site is considered suitable for housing development in the medium term provided that the constraints addressed are adequately addressed.

Viability and achievability summary: Available in medium to longer term.

Justification: There are extra costs associated with the development (e.g. improvements of the vehicular access and surface water flood risk mitigation) and the site is situated in a low value market area. It is considered the site is viable for a housing development. There is currently no developer interest. The development is achievable in the medium term.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF did not comment on the site in August 2019.

RBC's comments on Rejection list 2020: Note RBC's comments relate to sites 16096 and 16097. The SA highlights four strong adverse impacts to develop the site for housing. (It does not differentiate between the two sites.) THE SHLAA notes vehicular access and topography issues. Also not all the landowners are willing to develop the site.

RBC's comment in Table 3 of their response to Action Point 8.7 is as follows: Same as the above.

ECNF comments November 2020.

In terms of vehicular access and topography it was considered in the 2018 comments both of these could be mitigated against. Also, not all the Landowners are willing to develop the site but the owner of the largest part of the site is willing to release the land for development. Clearly there appears to be an opportunity to develop site 16096, the site is a big site with opportunities to overcome the constraints and it would provide up to 97 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

9) SHLAA 16229. HS 2.64. Land at Oakenhead Wood, Rawtenstall. Source: RBC SHLAA (August 2018). Site Gross Area 0.84 ha, Net development Area 0.75ha. It is a Greenfield site in Countryside adjoining the Urban Area but not in the Green Belt. (22 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comment: The new landowner has expressed an interest in developing the site. The site is accessible via a narrow lane off Haslingden Old Road. If the lane could be widened, this would greatly improve the access. Future residents will be able to access an hourly bus service for commuting and to access local services situated further away (e.g. secondary school, GP surgery and local store). However, residents are likely to rely on private car if the frequency of the bus service is not increased. The site is considered suitable for a housing development provided that the access can be improved and is then approved by LCC Highways.

Viability and achievability summary: Achievable now.

Justification summary: The vehicular access is via a narrow lane and would require improvements. The site is within a high value market area, so the development is considered viable. The development can be achieved in the short term.

Conclusion: Deliverable in the next five years.

Justification conclusion: The site is available now and is considered suitable for a housing development provided that the access can be improved and then approved by LCC Highways. The development is viable and can be achieved in the short term.

ECNF General comment August 2019: The comments noted above from RBC's SHLAA are dated August 2018, yet RBC decided to withdraw the site from the HSA list by reason of LCC's objection due to unsuitable vehicle access. The access issues could be overcome through a joint approach with SHLAA 16227 via Spring Bank Barn, which appears to be an option which LCC has not considered. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered.

Local Planning Expert comments August 2019: OK subject to access.

RBC Latest comments in November 2020. LCC raised an objection due to unsuitable vehicular access.

ECNF Latest comments November 2020. The access issues could be overcome through a joint approach with SHLAA 16227 via Spring Bank Barn, which appears to be an option which LCC has not considered. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered. This site would provide 22 dwelling.

Comments from Local Chartered Town Planning Expert November 2020:

Access can always be achieved by the acquisition and demolition of an existing property on Haslingden Old Road.

10) SHLAA 16300. Land south of Edinburgh Road (Former Cam Mill), Helmshore. **Source:** SHLAA (June 2017). Site Gross Area 2.71 ha, Net development Area 1.36ha. The site is Countryside adjoining the Urban Boundary but not in the Green Belt. (41 dwellings.)

In their Regulation 19 representations (reference 5196) the owners now propose developing 0.63ha. At 30 units per hectare, that would yield 19 dwellings.

RBC's comments in SHLAA (June 2017):

Justification comments: The site is available now. The agent stated that there is a covenant associated to the land title but that it does not affect the development of the site. Access improvement is required. The site is situated far away from bus services (760m) and future

residents will probably rely on the car to commute and access services. There is flood risk both from the river and surface water on the site. The net development area excludes the river (flood zone 3) and mitigation should be put in place to reduce risks associated with the flood risk. The woodland has a high ecological value (Stepping Stone) and several trees are protected by TPO. A high pressure gas pipeline adjoins the site to the north west, therefore consultation with HSE is required prior to the development. The site is not considered suitable for a housing development due to its high ecological value, flood risk, vehicular access issue and proximity to a Scheduled Ancient Monument (Higher Mill, Helmshore).

Viability and achievability summary: Achievable in medium to long term.

Justification summary: Significant extra costs are associated with access improvement, flood risk mitigation and ecological impact mitigation / compensation. The site is within a high value market area so the site is considered viable.

Conclusion: Not developable or not to be included in the SHLAA.

Justification conclusion: Although the site is available now, it is not considered suitable for a housing scheme. However, under delivery it states 11 to 15 years.

ECNF General comment August 2019: A site visit revealed that the negative comments in the SHLAA were significantly exaggerated. There is obvious potential to develop the field in the north-east corner of the site at the end of Edinburgh Road and it is difficult to understand why this has been removed entirely from the latest SHLAA. It does not have any particularly high ecological value, it is easily accessible if a small private garage were acquired and removed, and it is remote from the high pressure gas pipeline. A representation has been made by Hourigan Connolly on behalf of Mr & Mrs Ward. See *Rossendale Draft Local Plan Pre-Submission Publication Version Regulation 19 Consultation Comments Received reference 5196 Pages 879 to 887 December 2018*. They suggest that 0.63ha of the site, being the part adjacent to Edinburgh Road and Mercer Crescent, should be allocated for development. At a density of 30 units per hectare, that would yield 19 dwellings. That part of the site is less than 760m walking distance from the hourly 11 and half-hourly X41 bus services on Helmshore Road, which the SHLAA of 2017 neglects to mention, referring only to the hourly 11 and what is now the hourly 481 on Grane Road. Any dwellings that were to be built on the site to the east of the River Ogden would be further from Higher Mill than numerous modern dwellings on Cotton Way, Hyacinth Close and Anemone Drive, and dwellings in the north-eastern area of the site would also be further away from Higher Mill than modern properties on Snowdrop Close and Crocus Close. The conclusion that the site is not developable or not to be included in the SHLAA is simply unsupported by the facts, and the reasons for the conclusion are spurious. It was wrong not to carry the site forward to the SHLAA of August 2018 and wrong to exclude it in its entirety from the Housing Site Allocations in the various iterations of the emerging Local Plan. The site is Countryside adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered.

RBC comments on Rejection List June 2020: Comments relate to Sites 16300-16302. Flood Zones 3 and 2. Woodland and Grassland Stepping Stone Habitat. Potential High Landscape Impact.

RBC Comments in their Response to Action Point 8.1-June 2020: There is no 'Predicted Heritage Impact'.

ECNF Latest comments November 2020. The points which RBC highlights to justify the rejection of the three sites do not have any bearing on the reduced application made by the Landowners for site 16300. A visit to the site would be proof enough for the Inspectors. Add to Housing Supply List.

Comments from Local Chartered Town Planning Expert November 2020:

There has been continuing interest in this site for residential development over at least the past 36 years. **It is well screened and would make an attractive residential area with few adverse impacts**

11) SHLAA 16194. Land north of Adelaide Street, Crawshawbooth. Source: SHLAA (June 2017). Site Gross Area 4.73ha, Net development Area 1.62ha. The site is Countryside adjoining the Urban Area but not in the Green Belt. (48 dwellings.)

Justification: 40% of the site is within RBC ownership is available for development, the landowner owning the remaining 60% of the developable area expressed an interest to develop the site. The whole development can become available in the short term.

The site is within grassland and wooded stepping stone habitat, therefore those habitats should be protected and have been excluded from the area available for development. The grassland area to the east is a corridor. Access via Bottomley Bank Lane is poor and requires improvement. Some constraints are associated with the site however, part of the site (the grassland area to the east) can become suitable for housing development if the issues identified (e.g. vehicular access, ecological value) are adequately addressed

Viability and achievability summary: Achievable in medium to long term.

Justification: Extra costs have been identified, however the site is within a high value market area, therefore the development is considered viable. No developers have expressed an interest to develop the site; therefore the development is likely to be achievable in the medium term rather than the short term.

The developable area (grassland to the east) is considered available now, and can become suitable if the vehicular access is improved. The development is considered achievable in the medium term.

Conclusion: Developable in the medium to long term (within 6 years to 10 years or after 10 years).

ECNF: did not comment on this site in August 2019.

RBC comments on Rejection List June 2020. Greenland site not identified for release.

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020. This site is capable of providing 48 dwellings and it is not acceptable for RBC to claim the site has not been identified for release when clearly that was their intention in 2018. The site should be included in the Local Plan and not 'buried' and should be allocated before any Green Belt sites are considered.

Comments from Local Chartered Town Planning Expert November 2020:

This site is ideal for residential development, being very close to services in Crawshawbooth. RBC says it is a Greenland site. Areas identified as such in the current local plan are generally corridors, or parts of corridors allowing wildlife to pass along an area. **This site is**

not part of any such corridor, and even if it is, such a corridor could be included in any development proposal.

12) **SHLAA 16211. North of Commercial Street, Loveclough.** Source: Brownfield & Mixed Sites Assessed in the SHLAA - 26 June 2018 and SHLAA (August 2018). (10 dwellings.)

This site is Countryside outside the Urban Boundary but immediately adjacent to existing terraced housing. It is not in the Green Belt. Gross Site Area 0.71ha; Net development Area 0.33ha.

RBC's comments in SHLAA (August 2018):

Justification comments: A small parcel of land was proposed for housing development (2 houses) in the call for sites exercise in 2011. The landowner owning 67% of the site (southern section) is interested to release the site for development in the future. After exclusion of the land used as private gardens / smallholding / allotments, 0.33 ha of land is available for development. The site gently slopes westward and is accessible from Burnley Road. It is situated further than 4 miles from a strategic road, but has good access to a half-hourly bus service. The local park is accessible by walking. The other local services are not within walking distance but can be accessed by bus. The public rights of way will need to be maintained. Also, the presence of waste water infrastructure beneath the site can constrain the development layout. Overall, the site is considered suitable based on the above criteria.

Viability and achievability summary: Achievable now.

Justification summary: The development is considered viable and could be delivered in the short term.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

Justification conclusion: 46% of the site (0.33ha) is available for development in the future. The site is also considered suitable for development based on the above criteria. The development is viable and is likely to be achieved in the short term. Overall the site is considered developable in the medium term.

Other RBC comments: A version of the Brownfield and Mixed Sites Assessed in the SHLAA received from RBC in May 2018 contained the same as the 'Justification conclusion' above. So did the version dated 26 June 2018, but with the addition of Landscape impact.

ECNF General comments August 2019: This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be allocated for development in priority to existing Green Belt. The scale of the development proposed (10 +) would not have a big impact on the

landscape, particularly as the site is significantly lower than the dwellings on the opposite side of Burnley Road, and it could easily be mitigated by screening with hedges or such other measures as might be identified in a landscape assessment. The weekday daytime bus service frequency is actually 15 minutes, with additional peak period journeys.

Local Planning Expert comment August 2019: O.K. The owner of the land immediately to the south bounded by Commercial Street, Burnley Road and the river is very keen to see it allocated for housing (S.Ainsworth) and has made representation to that effect. Whilst this is not included in the draft plan, the area opposite is. I think it should be allocated

RBC comments on Rejection List 2020: Landscape issues.

RBC comments in Table 2 of their response to Action Point 8.7. The SHLAA stated the site could be developable. However, despite being in the Settled Valley Landscape Character Type the development of the site is likely to have a negative impact on the landscape due to the obstruction of long distance views from Burney Road.

ECNF Latest comments November 2020: (i) Relates to RBC's comments on their Rejection List: This site is in countryside outside the Urban Area and not in the Green Belt. The landscape issue is significantly less harmful than that of Site H72 which is in the Green Belt. (Refer to Penny Bennett report.) No site in the Countryside or Urban Boundary should be rejected on Landscape issues whilst site H72 remains in the Plan. (ii) Relates to RBC's comments in Table 2 Action Point 8.7: The comment relating to long distant views cannot be acceptable for this site when the Council are promoting site H72 which has outstanding long distanced views identified by the Council's own Landscape Architects.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

13) SHLAA 16382 Land to rear of Former Glory Public House, Burnley Road, Loveclough..
Source SHLAA dated August 2018. Site Gross Area 2.32 ha, Net development Area 1.5ha.
The site is Countryside not adjoining the Urban Boundary. (45 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comments: Landowner has shown willingness via the "Call for Sites". The site could be suitable subject to access issues being resolved and sufficient capacity being available at the local Primary School. Design would need careful consideration both with respect to the slope and the setting of the Conservation Area.

Viability and achievability summary: - Achievable in medium to longer term.

Justification summary:- The site may be achievable in the shorter term and there is substantial value in the site but issues with access, design and coal may take some time to resolve.

Conclusion: - Developable in the medium to long term (within 6 to 10years, or after 10 years).

Justification conclusion:- The site would be attractive to the market and has good bus access. However it is relatively remote from services and has a number of on-site issues that require attention.

ECNF comments August 2019: - The site is listed in the SHLAA of August 2018 but not in the Housing Site Allocation list in the Local Plan Submission Version. Being within the Countryside, the site should be considered for development ahead of any Green Belt land. There were Representations made with respect to the sites exclusion from the Local Plan, refer to Respondent 41 on Page 58 in Appendix 1 and Respondent 18 on Page 892 in the Representations section “ Comments received- December 2018 Update- sorted by Policy”.

RBC comments on Rejection List 2020: Landscape issues.

RBC comments in Table 2 of their response to Action Point 8.7: The SHLAA highlighted a fairly steep gradient and surface water flood risk. There is also potential land stability risk from the coal mining legacy. The site adjoins Loveclough Fold Conservation Area and is in proximity to a Listed Building.

ECNF Latest comments November 2020. (i) Relating to RBC comment in Rejection List 2020 : This site is countryside outside the Urban Area and not Green Belt. The landscape issue is significantly less harmful than that of Site H72 which is in the Green Belt. (Refer to Penny Bennett report.) No site in the Countryside or Urban Boundary should be rejected on Landscape issues whilst site H72 remains in the Plan. This site should be included in the Plan and would provide 45 dwellings.

(II) Relating to comments made in Table 2 of their response to A.P. 8.7: There is substantial value in the site and it should be possible to design it with careful consideration with respect to both the slope and the setting of the Conservation Area. No site in the Countryside or Urban Boundary should be rejected on Landscape issues whilst site H72 remains in the Plan. This site should be included in the Plan and would provide 45 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

Land owner willing to develop the site immediately.

14) SHLAA 16392. Land North of Hollin Lane, Reedsholme. Source: SHLAA (August 2018). Site Gross Area 1.24ha, Net Developable Area 0.9ha. This is a Greenfield site in Countryside adjoining the Urban Area but not in the Green Belt. (27 dwellings)

RBC's comments in SHLAA (August 2018):

Justification comment: The landowners are supportive of the land being released for development. The development of the site is dependent on access issues being resolved to the satisfaction of the Highways Authority. This may take some time to resolve. The land is distant from public transport services.

Viability and achievability summary: Achievable in medium to long term.

Justification summary: The site is in a high value area with proven demand. The road improvement is considered financially feasible especially if shared costs with SHLAA site 16184.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years.)

Justification comment: The deliverability of this site is dependent on an acceptable solution being found to the highway issue.

ECNF General comment August 2019: The comments noted above are from RBC's SHLAA dated August 2018, yet RBC decided to withdraw the site from the HSA list because of 'Access issue via Hollin Lane which is a narrow single lane with no possibility of widening' (*RBC Housing Topic Paper, August 2018 and March 2019*). This appears to be incorrect. The access issues can be overcome by a joint approach with the developer of site reference SHLAA 16184, in respect of which Emery Planning are representing Mrs L. Bower - see Appendix 3, pages 1 to 181, to RBC's November 2018 collection of Regulation 19 responses. In particular there are two letters from Lancashire County Council Highways Development Control (pages 93 to 99) confirming that LCC had no objection to a proposal for development subject to the Hollin Lane improvement and widening works being designed to provide a safe and suitable access in accordance with Manual for Streets to accommodate the development traffic, the existing farm traffic and pedestrian movements. In any event an alternative access could be achieved through the purchase of a property in Downham Avenue. As regards the listed buildings, RBC's Heritage Impact Assessment of Housing Sites (September 2017) suggested that the effects of development could be mitigated. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered.

RBC comments on Rejection List 2020: Access via Hollin Lane which is narrow single line with no possibility of widening.

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020: We highlighted in our comments in 2018 that an alternative access could be achieved through the purchase of a property in Downham Avenue. This opportunity should be pursued to gain further dwellings from non Green Belt land.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; see my earlier comments regarding site No 7 above. The adopted part of Hollin Lane extends as far as the site.

15) **SHLAA 16050. Off Coal Pit Lane, Bacup. Source:** Brownfield & Mixed Sites assessed in the SHLAA - 26 June 2018 and SHLAA (August 2018). Gross Site Area 5.38ha; Net development Area 3.74ha. Site adjoins Urban Boundary but is not in the Green Belt. (112 dwellings.)

Justification comments: The site is in multiple ownerships and landowners owning 30% of the site are not willing to release the site for development. The intentions of the other landowners are unknown. Therefore site is not available now but part of the site can become available in the future. There is a slope gradient on the site thus land engineering is likely to be required on the site. The access from Coal Pit Lane is poor, however the access via Hazel Grove is good but will require improvements. The site is situated further than 5.5km/3.5 miles away from a strategic road but within proximity to a bus service to Bacup and Todmorden. Local services are accessible by walking except the secondary school and GP Surgery. The public footpaths would need to be maintained. Further assessments are required including a coal risk assessment, a land contamination and land stability assessments due to the mining history of the site. The site is considered suitable in the medium term subject to the constraints identified being adequately addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification summary: There are extra costs associated with the development and the site is situated in a low value market area. If it is demonstrated that the site is unviable, then the affordable housing requirement and planning obligations can be negotiated. The site is considered viable in the medium term. The site is not currently achievable, as the owners intentions are unknown, but the site can become achievable in the long term.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years.)

Justification conclusion: The site is considered to be developable in the long term.

Other RBC comments: (Source: Brownfield and Mixed Sites Assessed in the SHLAA - 26 June 2018). The site is considered to be developable in the long term. Unwilling landowner. A previous version of that document received from RBC in May 2018, stated only: The site is considered to be developable in the long term.

ECNF General comments August 2019: This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered. The “Unwilling Owner” comment should be disregarded on the basis that the Council can instigate Compulsory Purchase procedures.

Local Planning Expert Comment August 2019: OK. Probably within the coal mining risk zone (poss underground voids) but not an insuperable problem.

RBC Comment on Rejection List 2020. Unwilling landowners regarding 30% of the site. The site is also within the Coal Authority high risk development area.

RBC comment in Table 3 of their response to Action point 8.7: The SHLAA stated that there is an unwilling landowner and the intentions of the remaining landowners are unknown. The site is within the Coal Authority high risk development area.

ECNF Latest comments November 2020. The intentions of the landowners who own 70% of the land need to be determined as this site offers good possibilities. Local services are accessible by walking except for the secondary school and GP Surgery which is not unique in our area. The unwilling landowner could also have his share compulsory purchased. This is a large non Green Belt site with a capability to provide over 100 homes, therefore additional research needs to be carried out in a proactive way to see what can be achieved before consideration is given to using any Green Belt Land.

Comments from Local Chartered Town Planning Expert November 2020:

Much of Bacup is within the High Risk Coal Assessment Abut that does not mean the site cannot be developed and is not proof that the site is actually affected. **There are no sound reasons for excluding this site.**

16) SHLAA 16192 **Land to Rear of Lyndale Scout Hut, Crawshawbooth.** Source: Brownfield & Mixed Sites assessed in the SHLAA -(August 2018). Gross Site Area 0.49ha; Net development Area 0.44ha. Site is in the Urban Boundary. (13 dwellings.)

RBC comments in SHLAA August 2018.

Justification: The intentions of the Landowner are unknown, therefore the site is not currently available, but can become available in the future. No major constraints have been identified on site therefore the site is considered suitable for a housing development.

Viability and achievability summary: Achievable in medium term.

Justification: The development is considered viable as no extra costs have been identified, plus the site is within a high value market area. No developer has come forward therefore the site is likely to be achieved in the medium term.

Conclusion: Developable in the medium term (within 6 to 10 years, or after 10 years).

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: The SHLAA stated that the intentions of the Landowners are unknown; therefore it was not considered appropriate to allocate the site in the Plan.

RBC repeated their comment in Table 2 of their Response to Action Point 8.7.

ECNF Latest comments November 2020: It is important that all possible sources are fully researched before the Council considers using any Green Belt and this is clearly not the case. Again, it looks like a perfectly good site is being buried when compulsory purchase powers could be utilised.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

17) SHLAA 16409. **Land to south of Weir Bottom Farm, Weir.** Source: SHLAA -(August 2018). Gross Site Area 4.59ha; Net development Area 3.3ha. Site is in the Countryside adjoining the Urban Area not Green Belt. (99 dwellings.)

RBC comments in SHLAA August 2018.

Justification: The intentions of the Landowners are unknown (except for the Landowner owning 0.22ha who is willing to develop the site for housing). The whole site is not currently

available but can become available in the long term. The vehicular access off Burnley Road will require improvements. The site is relatively isolated from local services, although it has access to an hourly bus service to Bacup & Burnley. A small part of the site is at high or medium risk of surface water flooding. Therefore a flood risk assessment would be important to understand the risks and to propose adequate mitigations. A third of the site is within the Coal Authority high risk development area, therefore a Coal Mining Risk Assessment will be required. Since coal is also present at or near the surface, it is important to discuss any potential extraction to avoid sterilization of resources. The site can become suitable for a housing development in the medium to long term if the constraints identified are adequately addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification: Extra costs have been identified (e.g. vehicular access improvements, flood risk assessment; coal mining risk assessment), but since the site is situated in a medium market value area, the development is considered viable.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: The SHLAA stated that the intentions of the Landowners of a large part of the site are unknown; therefore it was not considered appropriate to allocate the site in **the Plan**.

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020: It is important that all possible sources are fully researched before the Council considers using any Green Belt and this is clearly not the case. Again, it looks like a perfectly good site is being buried when compulsory purchase powers could be utilised.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; no good reason to reject this site.

18) SHLAA 16181. Land of Waingate Lane, Rawtenstall. Source: SHLAA -(August 2018). Gross Site Area 6.15ha; Net development Area 4.6ha. Site is in the Countryside adjoining the Urban Area not Green Belt. (138 dwellings.)

RBC comments in SHLAA August 2018.

Justification: The site is owned by a developer who has expressed an interest to develop the site. It is available for housing development. Vehicular access to the site is a significant constraint. Hurst Lane is a narrow lane that is accessed from Union Street which is narrow and steep. Another potential access is from the car park at Marl Pitts via another development site to the south, but it requires approval from LCC Highways. The site is situated 1.8 miles away from a strategic road network and more than 400m from a bus stop with an hourly bus service. The primary and secondary schools are accessible by walk. Other local services are situated further away. Since the site is situated more than 400m to an hourly bus service, future residents are likely to rely on private cars. Less than 10% is affected by medium risk of surface water flooding but since the site is over 1ha, a flood risk assessment would be required. The public rights of way should be maintained. A heritage assessment is needed as Waingate Farm (listed building grade II) adjoins the site. It is noted that a landscape assessment undertaken in 2015 concluded that the site is not suitable for development. The site is not considered suitable now, due to the constraints identified (e.g. access, heritage and landscape impact). However, the site can become suitable in the long term provided that those constraints are adequately addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification: There are extra costs associated with the development (e.g. access, infrastructure improvements, flood risk, heritage and landscape assessment), however the site is situated in a high value market area, therefore the development is considered viable. The land is owned by a developer who has expressed an interest to develop the site, thus part of the site is achievable in the short term (first 60 dwellings) and the remaining part is achievable in the medium term (78 dwellings) taking into consideration a 2 year leading time period and build out rate of 20 dwellings a year.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: Access is a major constraint. No bus service within 400m. Adjoins a listed building (grade II). Landscape impact.

RBC's comments on Table 2 in their response to Action Point 8.7 states "Waingate Manor is listed. Access is a significant constraint as Highway Authority is unwilling to accept an access via Marl Pitts.

ECNF Latest comments November 2020: The comment about the 400m to the bus stop is common to many of the sites approved. There is reference to an adjoining Grade II listed building which obviously needs consideration, however RBC paid scant attention or allowance with respect to the Grade II* listed building in Edenfield which was in Green Belt not on land in the countryside. The same applies to the Landscape impact comment, a very clear rejection of part of site H72 was made by the Landscape Architects employed by RBC which again they have just disregarded.

The access issue needs to be urgently reviewed due to the possibility of providing 233 dwellings from 3 sites in a prime location.

This development should be included in the Plan before any Green Belt sites are considered.

Comments from Local Chartered Town Planning Expert November 2020:

Access to this site is within the gift of the Council via Marl Pits Sports and leisure complex (and to its financial advantage). This has always been the case and no good reason is given as to why what has, until recently been proposed for inclusion by the Council, is no longer so. The listed building at Waingate Manor is several hundred metres away and with an intervening building. Moreover, the setting of the listed building is mainly hidden from the site, on a site which is not only a long way away but where it is physically detached and with completely different characteristics and appearance. **It is not an issue.**

19) SHLAA 16017. Land east of Long Acres Drive, Whitworth. Source: SHLAA -(August 2018). Gross Site Area 2.84ha; Net development Area 2.13ha. Site is in the Urban Area not Green Belt. (52 dwellings.)

Justification: The site is in multiple ownership and the intentions of the Landowners are unknown. The site is not considered available now but it can become available in the long term. Access is a major constraint. The site is also situated more than 5.5km to a strategic road, however the site offers good access to a high quality bus service, providing good access to local services. The footpaths along the boundary of the site will need to be maintained. The western part of the site situated in the Settled Valleys landscape character type is considered suitable for development, while the eastern part of the site situated in the Moorland Fringe is not considered suitable for development (landscape study 2015). The site can become suitable in the long term provided that a new access is created and that the landscape impact is mitigated or that the development is reduced.

Viability and achievability summary: Achievable now.

Justification: Significant extra costs are associated with the provision of a new access. However, the site is situated in a medium market area, therefore it is considered viable. The

site can become available in the long term and is considered suitable subject to vehicular access creation and findings from the landscape study.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: There are significant access constraints. The site is suitable for inclusion in the Green Belt according to the Green Belt Review. Therefore the site is proposed to be designated as Green Belt in the pre Submission Version of the Plan. (Reference GB (Major) 6)

RBC repeats the comment above in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020: The Council appears to have taken yet another full about turn with respect to this development. In 2018 the Council concluded that it was developable in the longer term, subject to a vehicular access being created and now they are proposing to put the land into the Green Belt whilst removing valuable Green Belt land in other areas of the Borough. This makes no sense whatsoever, the Council are proposing to remove site H72 from the Green Belt with its serious Landscape, Heritage and Transport issues and despite the Councils own Landscape Architects advising that the loss of the main part of H 72 could not be mitigated against.

This site should not be moved into the Green Belt; it should remain in the Plan and be allocated before any other Green Belt sites are considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing

20) SHLAA 18305 Land south of Grane Road and west of Holcombe Road, Helmshore.

Source SHLAA dated August 2018. Site Gross Area 8.94ha, Net development Area 6.61ha. The site is Countryside adjoining the Urban Boundary. (198 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comments: The Landowners are not interested in developing the site in the short term, however they remain open to suggestions for development in the longer term. The site can therefore become available in the future. The site is not within walking distances to local services but it has good access to two hourly bus services. Less than 10% of the site is

at high risk of surface water flooding, but this area has been excluded from the area available for development. The site adjoins Haslingden Grane, Valley and reservoirs Biological Heritage Site, therefore the development should protect and enhance this area and landscape screening might be required to act as a buffer. The site adjoins the listed building of St Stephen situated on Grane Road. A heritage impact assessment is required stating how the development can maintain the character of the local area and the setting of the listed building. Most of the site is within the Reservoir Valley landscape character type, therefore a landscape impact assessment is recommended. Also, approximately a fifth of the site is within the Coal Authority high risk development area, so a coal mining risk assessment is important to understand the legacy from the coal mining and how it can affect the development of the site. The site is considered suitable in the long term provided that the constraints identified are adequately addressed.

Viability and achievability summary: - Achievable in the medium to long term.

Justification summary:- Extra costs have been identified in relation to the development of the site (e.g. heritage impact assessment, coal mining risk assessment and potential mitigation), but since the site is within a high value market area, the development is considered viable. No developer has expressed an interest to develop the site; therefore the site is likely to be delivered in the long term.

Conclusion: - Developable in the medium to long term (within 6 to 10years, or after 10 years).

Justification conclusion:- The site is not available now for development but can become available in the future. The site is not currently suitable but can become suitable if the constraints identified can be adequately addressed. The development is considered viable and achievable in the longer term.

ECNF comments August 2019: - The site is in countryside adjacent to the Urban Boundary and should be considered ahead of any Green Belt land. There was a Representation made by the Landowners for this land to be included in the Local Plan, refer to Respondent 109 in the Representation Section- Appendix 3.

RBC comment on Rejection List 2020 for both 18305 & 18431: Adjoins a BHS and Listed Building. Landscape value. Coal mining risk. Cumulative impact with proposed housing allocation in the vicinity.

RBC comment in Table 2 of their response to Action Point 8.7. The Heritage Impact Assessment considers the development would be unacceptable due to a more than substantial harm to a listed asset.

ECNF Latest comments November 2020: This site is in the Countryside adjoining the Urban Boundary; it is not in the Green Belt. The Listed Building needs to be given very serious consideration and mitigated against by designing a scheme to maintain the character of the local area and the setting of the listed building. We cannot allow any Green belt land to be used until all proposals for mitigation of this large site have been exhausted. The reference to the cumulative effect based on the proposed development in the vicinity should be disregarded as the combination for the developments will still be significantly below the combination in Edenfield of 681 from sites H70, 71, 72, & 73 along with Hawthorn House and the Lindon Park Development.

This site should remain in the Plan, be fully researched and allocated before any Green Belt Land is used.

Comments from Local Chartered Town Planning Expert November 2020:

My understanding is that the owners are very keen to develop the site.

21) SHLAA 18431 Land west of Holcombe Road, Helmshore. Source SHLAA dated August 2018. Site Gross Area 0.62ha, Net development Area 0.56ha. The site is Countryside adjoining the Urban Boundary. (17 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification: The land is available within the short term. The site has a fair access to most local services except to a primary school. The closest primary school is situated more than 1.5km away. The site is currently Greenfield and provides long open views toward the west from Holcombe Road. A landscape assessment should be undertaken to understand the impact of a potential development. A small part of the site is within the Coal Authority high risk development area; therefore a consultation is required with the statutory Consultee. The site is considered suitable for residential development subject to a landscape assessment and the consultation with the Coal Authority.

Viability and achievability summary: Achievable now.

Justification: No extra costs are expected and the site is situated within a high value market area, therefore the development is considered viable.

The site is available and suitable for residential use subject to a landscape impact assessment and consultation with the Coal Authority. A traffic impact assessment is likely to be required, especially if the site to the east is also considered for a large residential scheme. The development is considered achievable in the short term.

Conclusion: Deliverable in the next five years.

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: Adjoins a BHS and Listed Building which requires consideration. Landscape value. Coal mining risk. Cumulative impact with proposed housing allocation in the vicinity.

RBC comment in Table 2 of their response to Action Point 8.7. The Heritage Impact Assessment considers the development would be unacceptable due to a more than substantial harm to a listed asset.

ECNF Latest comments November 2020: Another complete change of view by RBC, it seems clear their goal is to remove the maximum number of sites even relatively small sites like this with only 17 dwellings to allow them to try to justify the use of Green Belt. RBC's comments with respect to rejection due to the cumulative effect of proposed allocations in the vicinity are unbelievable when they are promoting four sites in Edenfield with a cumulative number close to 500 with existing traffic issues when it is one of the smallest villages in the Borough. Additionally, there are other sites in the vicinity taking the total number to close to 700.

Comments from Local Chartered Town Planning Expert November 2020:

Again, my understanding is that the owners are very keen to develop the site.

22) SHLAA 16088. HS 2.29. Land west of Sow Clough, Stacksteads. Source: RBC's comments in SHLAA (August 2018). Site Gross Area 1.2 ha, Net development Area 1.08ha. The site is Countryside adjoining the Urban Boundary but not in the Green Belt. (32 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comments: The intentions of the landowner are unknown, therefore the site is not considered to be available now. However it can become available in the long term. Access is a major constraint and a new access is required. The site is situated further than 5.5km / 3.5miles away from a strategic road. There are no bus stops within 400m; however the closest bus stop is within 430m, which is accessible by walking. The primary school, play area and local centre are available within walking distance. Other local services like the secondary school and medical centre are not accessible by walking. Future residents are likely to rely on private cars as the bus service situated on the main road runs every hour. The site is within the Local Geodiversity Site of Stacksteads Gorge and there are public footpaths along its western and northern boundaries that should be maintained. The access to the site is via a private road and is considered by Lancashire County Council Highways

Department to be insufficient in width to accommodate any development traffic. The site is not considered suitable for residential development.

Viability and achievability summary: Achievable in medium to long term.

Justification Summary: There are significant extra costs associated with the development of the site (e.g. new access requirement) and the site is within a low value market area. It is considered that the site is marginally viable. The site can be achieved in the medium term.

Conclusion: Not developable and not to be included in the SHLAA.

Justification conclusion: The site is not currently available; however it can become available in the long term (subject to Landowners). The site is not suitable due to vehicular access issues.

The Housing Topic Paper (March 2019) summed up the reasons for not taking the site forward as "Lancashire County Council highways objection and landowner intentions unknown."

ECNF General comments August 2019: The comments noted above from RBC's site assessment dated 16th August 2018 are different from those in the previous SHLAA dated 7th June 2017. The option of achieving access by extending Tunstead Road over some of the garden land between numbers 39 and 41 needs to be examined by LCC. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered. The comment about the unknown intentions of the landowner does not mean that they are not capable of being ascertained. The planning authority has the power to instigate Compulsory Purchase procedures, if necessary.

Local Planning Expert comment: Access may be a problem.

RBC comment on Rejection List 2020: LCC Highways objection and Landowners intentions unknown.

RBC comment in Table 4 of their response to Acton Point 8.7 2020: As above.

ECNF Latest comments November 2020: LCC should be requested to re-examine their decision in light of the recent decision they have made with the development in Edenfield for the southern section of H72. They are in support of a development for 70 dwellings which is twice the size of this one which will allow the new occupants to travel on narrow estate

roadways. There is no way SHLAA 16088 should be removed for this reason when LCC have adopted a totally different policy in Edenfield. Again the issue of Landowners intentions being unknown is not acceptable when Green Belt is being considered and land adjoining the Urban Boundary is being rejected.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing

23) **SHLAA 16221. Laund Bank Barn 2, Rawtenstall.** Source: RBC's comments in SHLAA (August 2018). Site Gross Area 2.73ha, Net development Area 2.02ha. The site is Countryside adjoining the Urban Boundary but not in the Green Belt. (60 dwellings.)

Justification: The Landowner has expressed an interest to develop the land during the call for sites in 2016. The site has a pronounced slope but development can still be undertaken provided the land engineering works are carried out. There is fair vehicular access from Burnley Road via a bridge over the river and the site is 2.1 miles from a strategic road. The site has also good access to an half-hourly bus service. All local services are within walking distance. The site is not at risk of flooding but the access via Burnley Road is within a flood zone 2. Less than 10% of the site is within the Laund Banks Biological Heritage Site and a woodland Core Area and Stepping Stone, however those areas have been excluded from the net development area. The development should provide a buffer to avoid any negative impact on the adjoining site of high biological and ecological importance. About 25% of the site is within the Coal Authority high risk development area, therefore a coal mining risk assessment is required to understand the risk to development from the coal mining legacy. The site is considered suitable in the medium term providing that the coal mining risk assessment demonstrates that there are no issues or they can be mitigated. Also, particular attention to the vehicular access should be given as the bridge over the river is within a flood zone 2. The development should also protect Laund Banks Biological Heritage Site and the woodland Core Area and Stepping Stone habitat. The development is considered suitable in the medium to long term provided that these constraints are adequately addressed.

Viability and achievability summary: Achievable in the medium to long term.

Justification: Extra costs are likely to occur, however the site is within a high value market area, therefore the development is considered viable. No developer has expressed an interest; therefore the deliverability is likely to be in the medium to long term. The site is available now and can become suitable in the medium term provided that the constraints identified are adequately addressed.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: Site partly in a Biological Heritage Site. A quarter of the site is within the Coal Authority high risk development area.

RBC has repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020: The latest comments made by RBC reflect their negative approach to the opportunities available to them for sites with the capability to provide 60 dwellings. All the points made above were considered to be able to be mitigated against previously and the Biological Heritage Site was set to gain a new buffer.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

24) SHLAA 16222. *Lea Brook, Land off Holland Avenue, Rawtenstall.* Source: RBC's comments in SHLAA (August 2018). Site Gross Area 0.88ha, Net development Area 0.63ha. The site is Countryside adjoining the Urban Boundary but not in the Green Belt. (19 dwellings.)

Justification: The landowners have promoted the site for housing development during the call for sites in 2016. The site is available now. The vehicular access has some constraints and should be improved. The woodland area to the east is steep and the habitat has an important ecological value as it is identified as a Stepping Stone on the Lancashire ecological network map. This area has been excluded from the area available for development. There is a Mill Shop situated to the South East of the site, with various retail units and a garage. The trees to the east and along the southern boundary of the site should be maintained to protect the visual amenity of future residents. Lower Laund Mill is a Listed Building situated 60m away to the north east. It is considered that the woodland area acts as an efficient screening and that the development is unlikely to affect the setting of the Listed Building; however a Heritage statement is recommended. The site is considered suitable for development provided that the scheme protects the woodland and the single TPO trees on the site and that the access is approved by LCC Highways.

Viability and achievability summary: Achievable now.

Justification: Some extra costs have been identified, but since the site is situated in a high value market area it is considered viable. The development is considered achievable in the short term. The site is available now and is considered suitable provided that the scheme

protects the woodland and the single TPO trees on the site, and that the access is approved by LCC Highways. The development is viable and achievable in the short term.

Conclusion: Deliverable in the next 5 years.

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: The site was considered 'deliverable' in the SHLAA subject to the protection of the woodland as well as the TPO trees, and subject to the vehicular access being approved by LCC Highways. RBC now advise that following LCC Highways comments on a site in the vicinity, it is considered that the vehicular access might not be appropriate for this larger site and therefore the site was not proposed for allocation. The SA also identified a strong adverse impact on biodiversity.

ECNF Latest comments November 2020: The comments above again reflect RBC's negative approach and this has resulted in RBC making a decision based on LCC Highways comments from another site. Surely, the correct procedure would be to request LCC Highways to look specifically at this site which can hardly be described as large having only 19 dwellings. Additionally, the comments relating to biodiversity had already been mitigated by reducing the developable area. This site should be included in the Local Plan.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

25) SHLAA 16394. **Land between New Barn Lane and Lomas Lane, Rawtenstall.** Source: RBC's comments in SHLAA (August 2018). Site Gross Area 1.66ha, Net development Area 1.49ha. The site is Countryside adjoining the Urban Area but not in the Green Belt. (45 dwellings.)

Justification: Multiple ownership, Landowners intentions unknown. This would be a very popular area for development. The site has no significant constraints in itself but access via Lomas Lane is a significant constraint. This would need significant improvement in order to accommodate the traffic from 45 houses which would be both costly and physically challenging.

Viability and achievability summary: Achievable in medium to long term.

Justification: The site is in a highly valuable location but would be challenging to gain access to. It is close to a school but otherwise the land is on the periphery of the Urban Area. The site may be developable in the medium to long term but requires the access issue to be addressed.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: Landowners intentions unknown. Vehicular access issues via a single track road that would be challenging to widen because of the constricted space available and ditches on each side.

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020: In this particular instance there are other non-Green Belt sites close by and they could also be developed if the Council was to be proactive. RBC should be required to assist the development of non Green Belt land by leading infrastructure projects and alternatives such as a traffic light control system. This site should be included in the Plan as there are no other constraints on its development.

Comments from Local Chartered Town Planning Expert November 2020:

This site already includes detached houses approved in the recent past and it is quite capable of accommodating more houses. **The general principle of its development has been determined by the houses already approved and constructed. There are passing places on Lomas Lane.**

26) SHLAA 16245. **Lomas Lane, Balladen, Rawtenstall.** Source: RBC's comments in SHLAA (August 2018). Site Gross Area 1.47ha, Net development Area 0.56ha. The site is Countryside adjoining the Urban Area but not in the Green Belt. (17 dwellings.)

Justification: The intentions of the Landowner owning 60% of the site are unknown. The remaining ownership is unknown. 60% of the site is not available now but can become available in the future.

The vehicular access is via Lomas Lane which is a narrow single lane which would require substantial improvement. The site is situated 750m away from a bus stop with an hourly service, therefore future residents are likely to rely on private cars to commute and access local services. However, Balladen Primary School, the playing field at Cherry Tree Lane and a convenience store are within walking distances. The area at high, medium and low risk of surface water flooding has been excluded from the area available for development together with the area protected by TPO in the southern section of the site. The area at risk of surface water flooding has also potential land contamination. A small part of the site is within the Moorland Fringe landscape character type. However, this area is of unknown ownership, therefore it has been excluded from the area available for development. The site is not situated in a sustainable location as future residents are likely to rely largely on the use of the

private cars for commuting. However, some local services are accessible by foot. The site can become suitable if the public transport in the local area is improved.

Viability and achievability summary. Available in medium to long term.

Justification: Some extra costs have been identified (e.g. vehicular improvements, flood risk assessment, land contamination report, landscape assessment), however the site is within a high value market area; therefore the development is considered viable. No developer has come forward, so the deliverability is likely to be a medium to long term prospect.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF did not comment on this site previously.

RBC comment on Rejection List 2020: Intentions of the Landowners unknown. No access to public transport within 400m.

RBC repeated this comment in Table 2 in their response to Action Point 8.7.

ECNF Latest comments November 2020: We repeat that RBC should be required to assist the development of non Green Belt land by leading infrastructure projects and investigating all alternatives including a traffic light control system. This site should be included in the Plan as there are no other constraints on its development and RBC should be looking to increase the number of dwellings proposed on this site.

Comments from Local Chartered Town Planning Expert November 2020:

The adjoining land bordering Lomas Lane is owned by the occupiers of Rossdale Farm and who are keen for its adjoining land to be released for residential development. This means that Lomas lane from its junction with New Barn Lane can be widened on land within the two ownerships to give adequate site access.

27) **SHLAA 16377. HS 2.99. Land south of Isle of Man Mill, Water.** Source: SHLAA (August 2018). Site Gross Area 2.11ha, Net Development Area 1.58ha. The site is Greenfield in Countryside adjoining the Urban Boundary but not in the Green Belt. (47 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comment: Relatively simple Greenfield site though gradient, access and landscaping will all require consideration. Availability of the site is unknown. The site is considered as suitable but there would be a number of mitigation issues to address.

Landscaping would be essential as the scheme would alter the primarily linear character of the area. The existing single track access is unlikely to be acceptable in its current form and is relatively steep.

Viability and achievability summary: Achievable in medium to longer term.

Justification summary: It may be possible to deliver the site in a faster timetable than this but this takes into account any necessary work required.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

Justification conclusion: The site is physically capable of development but some additional work may be required and the intentions of the landowner are unclear. Delivery of this number of units may not be feasible with the existing road access.

ECNF General comment August 2019. RBC subsequently removed this site from the list citing 'Landscape, uncertain landowner intentions'. The Housing Topic Paper is worded similarly.

As regards landscape impact, this would need to be, and was previously considered to be, capable of being mitigated.

The landowners' intentions should be investigated. If the owners are uncertain or unwilling, it is open to RBC as the planning authority to exercise powers of compulsory purchase.

The Peers Clough Road access could be significantly improved by increasing the width of the single track road through the utilisation of unused land at either side of the existing roadway. Alternatively, the development could be extended through site M3 to the Lower House Green site using Countryside (not Green Belt) land that would adjoin the existing Urban Boundary. This option should be given serious consideration - it would allow the site to be extended and enhance the total area.

This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered.

Local Planning Expert Comment 2019: Fine.

RBC comment on Rejection List 2020: The SHLAA reported that the intentions of the landowner are unknown; also the access would require improvements. Fairly isolated location. Development would alter the character of the area comprising of linear development along the road.

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF Latest comments November 2020: This site provides a real opportunity to enhance this area and there is no reason that a developer could not produce a scheme that would avoid changing the character of the area. The comment that it is a fairly isolated area is misleading; it is in the main area known as Water. This site should be used before any Green Belt land is considered. The description on the Rejection list is also incorrect; it is Land South of Isle of Man Mill.

Comments from Local Chartered Town Planning Expert November 2020:

Approval granted for the demolition of the mill on 20 Jan 2017 (2017/0006). The assumption is that it will be a housing site. It abuts the above site. **A good housing site and where such sites are rare along this valley.**

28) **SHLAA 16227. Land behind numbers 173 to 187 Haslingden Old Road, Rawtenstall.** Source: SHLAA (August 2018). Site Gross Area 0.51ha, Net Development Area 0.45ha. It is a Greenfield site in Countryside adjoining the Urban Area but not in the Green Belt. (13 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comment: The landowner has responded to a letter sent on the 15th November 2016 via a phone call stating his interest in releasing the site for a housing development. The site is considered available in the short term. The vehicular access to the site requires improvements. The access can either be via a lane to the east of Spring Bank Barn situated on Haslingden Old Road which is a narrow lane or via the lane leading to Cribden View and Spring Bank Farm but likely to be subject to a ransom strip. The access will need to be approved by LCC Highways. Traffic around the schools is severe at school time. The site is situated 1.9 miles away from a strategic road and has access to an hourly bus service. The primary school and Local Park are within walking distance. Other services such as the secondary school, GP surgery and local store are situated further away, although there is an hourly bus service to Rawtenstall and Haslingden. The site is in proximity to Rawtenstall Town Centre and is considered to be in a sustainable location. The site is considered suitable for housing development, provided that the current single track road vehicular access is improved and approved by LCC Highways.

Viability and achievability summary: Achievable now.

Justification summary: The vehicular access requires improvement and this will incur extra costs. However, since the site is within a high value market area, the development is considered viable. The development is achievable in the short term.

Conclusion: Deliverable In the next five years.

Justification conclusion: The site is likely to be available in the short term, and is considered suitable for development. The development is viable and considered achievable in the short term.

ECNF General comment August 2019: The comments noted above from RBC's SHLAA are dated August 2018, yet RBC decided to withdraw the site from the HSA list by reason of "LCC objection due to unsuitable vehicle access" (Housing Topic Paper, August 2018 and March 2019). The access issues could be overcome through a joint approach with SHLAA 16229 via Spring Bank Barn, which appears to be an option that LCC has not considered. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered.

Local Planning Expert comment 2019: OK subject to access.

RBC comment on Rejection List 2020: Transport an issue if taken off Holland Avenue. LCC raised an objection due to unsuitable vehicle access.

ECNF Latest comments November 2020: The access issues could be overcome through a joint approach with SHLAA 16229 via Spring Bank Barn, which appears to be an option which LCC has not considered. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered. This site would provide 13 dwelling.

Comments from Local Chartered Town Planning Expert November 2020:

This site forms part of a swathe of land behind Haslingden Old Road and Holland Avenue where many of its components have been considered earlier and above. The overall topography is suitable for housing development and it could meet a considerable portion of the housing

29) SHLAA 16393 **Land off Newchurch Road, east of Johnny Barn, Rawtenstall.** Source SHLAA dated August 2018. Site Gross Area 5.94 ha, Net development Area 4.67/3.5ha. The site is Countryside adjoining the Urban Boundary. Part of the site is in the Local Plan with 50 dwellings, Landowners want this increased to 123 dwellings. (+73). Note, we have provisionally only included a nominal 10 dwellings as RBC are yet to make a definitive decision relating to the sites extension.

RBC's comments in SHLAA (August 2018):

Justification comments: - Landowner supports development. The site is suitable for development subject to consideration of access; setting of Heightside; TPO's and flood risk. Upper area of site within "enclosed uplands" should be protected from development whilst the very eastern part of the land west of the wooded stream has not been included in the developable area because of impact on TPO; Heightside setting and presence of utility easement.

Viability and achievability summary: - Achievable now.

Justification summary:- The site is in a highly viable location quite close to Rawtenstall with only limited constraints to development.

Conclusion: - Deliverable in the next five years.

Justification conclusion:- Site is attractive for development and is reasonably sustainable. Attention would need to be paid to overall setting and design should be of a high standard. Construction is likely to start within the next five years with completion expected in the medium term. The eastern area beyond the wooded clough has been excluded.

ECNF comments October 2019: - The site was reviewed at the Examination Hearing; the Landowner of the site with 50 dwellings had submitted documents EL 2.056a-b; EL 2.057a-f & EL 2.058a-h which provided all the technical information relating to the site to support their proposal to increase the number from 50 to 123. The site is on Countryside land adjoining the Urban Boundary and should be considered ahead of any Green Belt land.

RBC comment on Rejection List 2020: RBC have not commented with respect to the overall increase for the three sites.

ECNF Latest comments November 2020: Confirm our comments above; add increased allocation to the Housing Supply List as and when it is resolved.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

30) SHLAA 16093. EE30. **Toll Bar Business Park, Stacksteads**. Source: SHLAA (August 2018). Site Gross Area 0.79ha, Net Development Area 0.76ha. The site is within the Urban Boundary. (38+ dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comments: The site is in single private ownership and the landowner has expressed an interest to develop the site in the short term for housing use. The vehicular access off Newchurch Road requires approval from LCC Highways. It is situated further than 5.5km / 3.5 miles away from a strategic road network, however, it has good access to a high quality bus route and most local services are accessible by walking except the GP Surgery which can be accessed by public transport. Part of the site is within flood zone 2 and part is at high and medium risk of surface water flooding, therefore particular attention to the layout and design will be required. The site is situated within a Local Geodiversity Site (Stacksteads Gorge). Stacksteads Mill, situated on the site, is a listed building Grade II. A Listed Building Consent will be required and the scheme should include a conversion of the mill that will enhance or maintain the character of the Listed Building and the local area. There is potential land contamination therefore a land contamination report will be needed. The site is in a sustainable location and is considered suitable for a housing development provided that the constraints identified are adequately addressed.

Viability and achievability summary: Achievable now.

Justification Summary: Extra costs are associated with the development of the site (e.g. Flood risk mitigation, heritage assessment, Listed Building Consent and land contamination survey). The site is in a low value market area, however it is considered viable for a housing development. The development can be achieved in the next 5 years.

Conclusion: Deliverable in the next 5 years.

Justification conclusion: The site is available now (landowner / developer intentions to develop the site for housing in the short term), suitable provided that the constraints identified are adequately addressed, viable and achievable in the short term.

ECNF General comment August 2019: A representation has been made by Hourigan Connolly on behalf of B & E Boys Ltd - see Appendix 5, pages 26 to 71, to RBC's collection of Regulation 19 responses. Additionally, the development of this site would significantly enhance the surrounding area. The site has been identified as capable of development for housing if the constraints are addressed. A key consideration in determining whether this existing employment site should be re-allocated for housing must be to ensure the continued upkeep of the listed building and preservation of its significant features, both exterior and interior. If re-allocating the site for housing is deemed to be the best way to ensure the long-term protection of the listed building, the site, being within the Urban Boundary, should be designated for housing before any land is taken out of Green Belt.

RBC comment on Allocation List 2020: The site is in use for employment. (B-Class uses.) As well as retail and leisure. Employment Land Review recommends retaining as mixed use site. It is proposed to retain the use of the site as existing employment.

RBC comment in their Response to Action Point 8.1- June 2020: Could be acceptable, subject to full retention of the Mill complex, detailed Buildings Archaeology report undertaken at an early stage by a fully qualified and professional Building Archaeologist. The retention of all the historic fabric, fixtures and fittings. This will require a detailed Heritage Statement which the BA report would feed into.

ECNF comment November 2020. We have stated many times that we have a surplus of employment land. Our calculations clearly show we have 35.97ha available for employment purposes with a requirement of 10.66ha. This site should be designated for residential purposes in line with the recent guidelines from the Government and should certainly be used before any Green Belt Land is considered.

Comments from Local Chartered Town Planning Expert November 2020:

Rossendale was at the forefront of the Industrial Revolution but its slipper and shoe businesses have suffered a catastrophic decline, leaving former mills out of date and in need of replacement by new uses. Toll Bar detracts from the character and appearance of the area. The owners clearly support its redevelopment for housing. It should be included as such and as part of a new Environmental Revolution to transform the landscape and lives. **The new local plan should not condemn us to keeping what has long past its sell by date.**

31) SHLAA 16139, 16385, 16386 and 16387. EE42. The Waterfoot Business Centre, Burnley Road East, Waterfoot. (includes Dale, Albion and Globe Mills). Source: SHLAA (August 2018). Site Gross Area 1.84ha (per EE42), 2.32ha (per SHLAA) Net Development Area estimate 1ha. The site is within the Urban Boundary. (30+ dwellings.)

ECNF General comments August 2019: In the SHLAA (August 2018) only part of the site was deemed to be developable. In view of this Hourigan Connolly on behalf of the owners B & E Boys Ltd have prepared a new plan for the whole site. (Refer to Appendix 5, pages 72 to 95, to RBC's November 2018 collection of Regulation 19 responses.) This development would significantly improve the area and the northern approach to Waterfoot. If use of all or part of the site, which is within the Urban Boundary, for housing is deemed appropriate, it should be developed before any removal of land from Green Belt is considered.

RBC comment on Allocation List 2020: Employment Land Review recommends to retain for employment with a flexible approach for mixed use.

ECNF comment November 2020. In view of RBC’s proposal to adopt a flexible approach, serious consideration should be given to the plan prepared by the Owners of the site and it should be adopted. This would create a minimum of 30 dwellings and further enhance the area.

Comments from Local Chartered Town Planning Expert November 2020:

As per the one above.

32) SHLAA 16298. EE20. Wavell House, Holcombe Road, Helmshore. Source: Local Plan Regulation 19 representation from Hourigan Connolly on behalf of Brilie Properties Ltd. Site Gross Area 0.48ha, Net Development Area 0.48ha. The site is Brownfield within the urban boundary. **(14 dwellings.)**

SHLAA 19440. New SHLAA issues 26th February 2020. Wavell House, Holcombe Road, Helmshore. Source Local Plan Regulation 19. Site Gross Area 0.47ha, Net Development Area 0.42ha. The site is Brownfield within the urban boundary. **(21 dwellings.)**

ECNF General comments August 2019: The site includes offices which are now all vacant and the owner wishes to develop it for residential purposes. The owner considers that there is no reasonable prospect of the site’s being used again for employment purposes. There is the possibility to use permitted development rights for a residential conversion, but the owner would prefer to redevelop its entire site, according to a representation by Hourigan Connolly. (Refer to Appendix 5, pages 223 to 262, of RBC’s November 2018 collection of Regulation 19 responses.) This would appear to be a sensible solution and further enhance the area. This site is not in the Green Belt; it is within the Urban Boundary and should be developed before any removal of land from Green Belt is contemplated. A part of site EE20 in different ownership is in an advanced state of residential redevelopment.

RBC comments in the SHLAA 19440 February 2020:

Justification: Landowners have stated their willingness to redevelop the site for residential use during the Local Plan period. The site is situated in a high value market area and despite extra costs the site is viable and achievable in the medium to long term.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

RBC comment on Allocation List 2020: The Employment Land Review recommends to retain for employment use but monitor going forward. A flexible approach to future development such as mixed use is suggested. However, RBC issued an updated SHLAA 19440 with their response to Action Point 8.1 and the conclusion from this was “Developable in the medium to long term (within 6 to 10 years, or after 10 years).”

RBC comment in Table 7 of their response to Action Point 8.7 2020: The site is proposed for allocation as an existing employment site EE20-Wavell House.

RBC comment in their Response to Action Point 8.1- June 2020: There is no ‘Predicted Heritage Impact’.

ECNF comment November 2020. It is very difficult to understand RBC’s strategy on this site; the new SHLAA concludes residential whilst their response to Action Point 8.7 proposes employment. Our view that it is likely the Owners will have some permitted rights, therefore the Council should adopt a more flexible approach and allocate for residential use. This will provide an extra 21 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

On the 21 July 2020 the Council’s Development Control Committee was ‘minded to approve’ the demolition of Wavell Mill and its replacement with 14 dwellings (2019/0596). It was not subject to a S106 Agreement and for whatever reason the application was withdrawn on the 9 October, possibly because of delays in finalizing the S106. However, the principle of housing development on this site is clearly not at issue.

33) SHLAA 18424. EE 41. Forest Mill, Water. Source: SHLAA (August 2018). Site Gross Area 0.61ha, Net Development Area 0.55ha. The site is brownfield within the Urban Boundary. (16 dwellings.)

RBC’s comments in SHLAA (August 2018):

Justification comments: The landowner has expressed an interest to change the use of the site from employment and retail to residential. The site is considered available in the short term. The site is a brownfield site currently in employment and retail use within the urban area. It has good access from Burnley Road East but is situated far away from a strategic road network. The site is situated in proximity to a primary school and local shop. However, the closest medical centre is situated 4.5km away. There is a high risk of surface water flooding on the site and potential land contamination from previous use. Provided that flood risk can be mitigated and land contamination assessed and adequately mitigated if required, the site is considered suitable for residential use.

Viability and achievability summary: Achievable in medium to long term.

Justification Summary: Extra costs are likely due to demolition and flood risk mitigation. The site is within a medium value market area and is likely to be viable. Development is considered to be achievable in the medium to long term.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

Justification conclusion: The site is available for development and is considered suitable subject to surface water flood risk mitigation and a land contamination report. The development can be delivered in the medium term.

ECNF General comment August 2019: A representation has been made by Hourigan Connolly on behalf of Brother Investments Ltd. the owners. (Refer to Appendix 5, pages 263 to 287, to RBC's November 2018 collection of Regulation 19 responses.) They cite the need for costly repairs, the difficulty of attracting tenants and the overall rating of the site as 'Poor' in RBC's Employment Land Review 2017. ECNF consider that redevelopment of the site would significantly enhance the surrounding area. RBC found the site to be suitable for housing, subject to mitigation of flood risk and any contamination. It is within the Urban Boundary and should be developed before any use of Green Belt is considered.

RBC comment on Allocation List 2020: The Employment Land Review recommends to retain the site for employment use.

ECNF comment November 2020. The Representatives for the Owners (Hourigan Connolly) cite the need for costly repairs, the difficulty of attracting tenants and the overall rating of the site as 'Poor' in RBC's Employment Land Review 2017. In view of this and the new Government guidelines with respect to permitted rights this site should be designated for housing. The development of the site would significantly enhance the surrounding area. Add to housing supply list.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

34) **SHLAA 16090. Acre Avenue, Stacksteads.** Source: SHLAA (August 2018). Site Gross Area 1.36ha Net Development Area 1.04ha. The site is Greenfield. The north-west corner of the site is within the Urban Boundary but is not allocated for a specific use. The remainder of the site is Countryside adjoining the urban area. (10 dwellings.)

RBC's comments in SHLAA (August 2018):

Justification comment: Part of the site to the north west was kept as a wooded area as part of the planning permission 1993/541 for the adjacent residential estate. The landowner of this wooded area wishes to develop the site for residential use, however the area is too small to be able to deliver 5 or more houses. The main landowner does not wish to release the land for housing development (letter received in August 2015). Therefore, the site is not available for development. The land is capable of development, although the access is a problem and the narrow and steep nature of the site makes production of a suitable design challenging.

Viability and achievability summary: Achievable in medium to long term.

Justification summary: Extra costs for vehicular access and flood risk mitigation. Design challenging due to the steep and narrow nature of the site. A development would be marginally viable and could be delivered in the medium term.

Conclusion: Not developable or not to be included in the SHLAA.

Justification conclusion: The site is not developable, as the land is not available for housing development. The main landowner does not wish to release the land for housing development.

ECNF General Comments August 2019: The landowners' intentions should be re-investigated. If the owners are uncertain or unwilling, it is open to RBC as the planning authority to exercise powers of compulsory purchase. It is noted that there is additional land between the site and Bacup Cemetery that might also be developed for housing. The whole of the site identified in the SHLAA should be considered for development, before removal of land from Green Belt is contemplated.

Local Planning Expert comment August 2019: Fine.

RBC comment on Rejection List 2020: The main landowner does not wish to release the land for housing development.

RBC comment in Table 4 of their response to Action 8.7. 2020. As above.

ECNF comment November 2020. As the comments relating to the Landowner were in 2015 further contact should be arranged to determine if he is willing to develop the site.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing

35) SHLAA 16215. Opposite 1019 Burnley Road, Loveclough. Source: Brownfield & Mixed Sites Assessed in the SHLAA - 26 June 2018 and SHLAA (August 2018). (21 Dwellings.)

The site is Countryside on the west side of the A682, close to the Urban Boundary which runs along the east side of the A682. The land is not in the Green Belt. It is mixed greenfield and brownfield {grassland and garage colony). Gross Site Area 0.81ha; Net Development Area 0.72ha.

RBC's comments in SHLAA (August 2018):

Justification comments: The landowner has submitted a planning application for the erection of 15 dwellings in 2014. The site is available for development. Planning application for 15 dwellings has been refused and the appeal dismissed in 2015. Less than 10% of the site is within the Coal Authority high risk development area therefore the impact is minimal. The site is situated within the Settled Valleys landscape character type however an independent landscape assessment concluded that the site is not suitable for development on landscape grounds. The site is not suitable now but can become suitable in the medium to long term provided that the landscape issues are adequately addressed.

Viability and achievability summary: Achievable now.

Justification summary: No extra costs have been identified as a land contamination report has already been submitted during the application 2014/0427. The site is located in a high value market area, therefore the development is considered viable. The site is likely to be delivered in the short term.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

Justification conclusion: The site is available for residential development, but not currently suitable due to its landscape value. It can become suitable in the future if the constraint is adequately addressed. The development is considered viable and achievable in the short term. Overall, the site is developable in the medium to long term.

Other RBC comments: A version of the Brownfield and Mixed Sites Assessed in the SHLAA received from RBC in May 2018 contained the same as the 'Justification conclusion' above. So did the version dated 26 June 2018, but with the addition of Landscape impact.

ECNF General comment August 2019: This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered. The scale of the development proposed (15) would not have a big impact on the landscape, particularly as the site is significantly lower than the dwellings on the opposite side of Burnley Road. Any impact could be mitigated by screening with hedges or such other measures as might be identified in a landscape assessment. The weekday daytime bus service frequency is actually 15 minutes, with additional peak period journeys. There are opportunities to increase the size of this development by including the neglected site between the proposed site and Burnley Road and there is also a possibility for development of the land to the south of this site. All of these developments will provide an opportunity to enhance the area. Hourigan Connolly have submitted representations on behalf of Mr. Ken Howieson about this site. See Appendix 1, pages 1 to 17, to RBC's November 18 collection of Regulation 19 responses.

Local Planning Expert Comment August 2019: O.K.

RBC comment on Rejection List 2020 refers to sites 16215/7: Although no landscape assessment was undertaken on the location of this site to the south of SHLAA 16215 is likely to result in similar landscape issues. (Not suitable for development on landscape issues.)

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

RBC comment in their Response to Action Point 8.1- June 2020: There is no 'Predictable Heritage Impact'.

RBC comment in Table 3 of their response to Action Point 8.7 2020: The Landscape Study concluded that the site is not suitable for development on landscape grounds.

ECNF comment November 2020. This site is not in the Green Belt; it is adjacent to the Urban Boundary and should be developed before any use of Green Belt is considered. Additionally as the site is significantly lower than the dwellings opposite the landscape issues are somewhat mitigated. Furthermore, a significant part of H72 was described as not suitable for development and this was in the Green Belt yet RBC just disregarded it.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

36) SHLAA 16216. Land off Burnley Road, Loveclough. Source: Brownfield & Mixed Sites Assessed in the SHLAA - 26 June 2018 and SHLAA (August 2018). (28 Dwellings.)

The site is Countryside adjoining the Urban Area. Gross Site Area 1.13ha; Net Development Area 0.92ha.

RBC's comments in SHLAA (August 2018):

Justification: One of the land owners expressed an interest to release the site for development; however the intentions of the remaining land owners are unknown. The site is considered available in the long term. The site slopes gently westwards and is accessible via Burnley Road. It is situated 4.1 miles from a strategic road but has good access to a half-hourly bus service. Loveclough playing field and a convenience store are situated within walking distance. Other local services such as the primary school, secondary school, and GP surgery are situated further away but can be accessed by bus. The area at high and medium risk of surface water flooding (situated at the west near the Sinks identified on the OS map) has been excluded from the area available for development. However, adequate drainage system is needed as the site contains a stream and a sink area as identified on the OS map. No other constraints have been identified therefore the site is considered suitable for residential use.

Viability and achievability summary: Achievable in medium to long term.

Justification: The site is situated within a high value market area. Extra costs have been identified (e.g. flood risk assessment) but the development is still considered viable. No developer has expressed an interest to develop the site therefore the deliverability is likely to be within the medium to long term. The site is not considered available now as not all the landowners have expressed an interest. The site is considered suitable and the development viable. The delivery is likely to be within the medium to long term as no developer has yet expressed an interest. Overall, the site is considered to be developable in the long term.

Conclusion: Developable in the medium to long term, (within 6 to 10 years, or after 10 years).

ECNF have made no previous comments on this site.

RBC comment on Rejection List 2020: Although no landscape assessment was undertaken, the location of this site to the south of SHLAA 16215 is likely to result in similar landscape issues. (Not suitable for development on landscape issues.)

RBC repeated this comment in Table 2 of their response to Action Point 8.7.

ECNF comments November 2020. This site is not in the Green Belt; it is adjoining the Urban Boundary and should be developed before any use of Green Belt is considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

37) SHLAA-16217. Land north of Goodshaw Fold (rear of Silver Street), Loveclough.

Source: Brownfield & Mixed Sites Assessed in the SHLAA - 26 June 2018 and SHLAA (August 2018). (10 Dwellings.) The site is Countryside adjoining the Urban Area. Gross Site Area 0.33ha; Net Development Area 0.33ha.

RBC's comments in SHLAA (August 2018):

Justification: The Landowner expressed an interest to develop the site during a call for sites in 2011. The site is considered available for development. The site is situated 3.7 miles from a strategic road. The local services are within the medium range in term of accessibility, except the GP surgery which is situated further away. However, future residents can access a half-hourly bus service on Burnley Road within 400m. The public right of way to the north of the site should be retained. The site adjoins Goodshawfold conservation area, therefore particular attention to the design and construction materials is expected as well as a heritage impact assessment. The site is within the Settled Valleys Landscape Character type; however it has open views to the moors that would be lost as a consequence of development. The potential impacts on the landscape and conservation area need to be addressed prior to development in order to retain the character of the local area.

Viability and achievability summary: Achievable now.

Justification: Extra costs have been identified (e.g. heritage impact assessment), however the site is in a high market area, so the development is considered viable. The site is available now (subject to the Landowner renewing its interest to develop the site) but issues regarding the impact on the landscape and local character of the area (i.e. Goodshawfold Conservation Area) will need to be addressed prior to development. The development is considered viable, but overall the site is considered developable in the medium term.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF have made no previous comments on this site.

RBC comment on Rejection List 2020: Although no landscape assessment was undertaken, the location of this site to the south of SHLAA 16215 is likely to result in similar landscape issues. (Not suitable for development on landscape issues.)

RBC comment on Table 2 of their response to Action Point 8.7: The SHLAA stated that the development of the site is likely to result in the loss of open views into the moors. The site also adjoins Goodshawfold Conservation Area and there is a gentle slope gradient becoming steeper within the western part. Due to the constraints identified, this countryside site was not proposed for allocation.

ECNF comments November 2020. This site is not in the Green Belt; it is adjoining the Urban Boundary and should be developed before any use of Green Belt is considered. The comment relating to the loss of open views into the moors should be judged against similar losses particularly those highlighted by RBC's own Landscape Architects to sites that have been allocated on Green Belt land in the Local Plan.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

38) SHLAA 19439. Land south of Loveclough Park and Penny

Lodge Lane.. Source: Assessed in the SHLAA dated 26th February 20. (35 Dwellings.) The site is Countryside not adjoining the Urban Area. Gross Site Area 1.7ha; Net Development Area 1.4ha.

RBC's comments in SHLAA (February 2020):

Justification: A developer stated that they had secured an interest for the site. It is a Greenfield site situated within the Countryside which is adjoining an existing residential area and another site with approval for residential use. The site is not within walking distance of a GP surgery or local centre but is within 400m to a bus stop with half-hourly service to Burnley or Rawtenstall. The site is likely to have ecological value due to the presence of a pond; therefore an ecological impact assessment will be required. Due to its location in proximity to Loveclough Fold Conservation Area, particular attention to the historic environment would be needed. Please refer to the Heritage Impact Assessment. In terms of landscape and access, the site should be designed in close relation to the adjoining proposed residential scheme. Advice from L.C.C. regarding the possible sterilization of mineral resource should be sought. Overall, subject to the creation of a suitable access, the findings of an ecological impact assessment, historic impact assessment and landscape impact assessment, as well as advice from the Minerals and Waste Team, the site should be suitable for residential development.

Viability and achievability summary: Available now.

Justification: The site is situated in a high market value area with no extra costs identified, therefore the site considered achievable. The site is considered to be available for development. It can be suitable for residential use subject to the findings of further studies regarding the ecology of the site, historic environment and landscape. Also, advice from the Waste and Minerals Team at L.C.C. should be sought due to the presence of a mineral safeguarding area.

RBC's Rejected Site List 2020: Not considered, the site was put forward during the Local Plan Examination.

RBC's comment in their Response to Action Point 8.1-dated June 2020: Acceptable, subject to strict mitigation.

ECNF comment November 2020: We support this development in Countryside which will provide a further 35 dwellings.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

39) SHLAA 16115. Hugh Business Park, Stacksteads. Source: Assessed in the SHLAA dated 16th August 2018. (11 Dwellings.) The site is in the Urban Area. Gross Site Area 1.24ha; Net Development Area 0.36ha.

RBC comments in August 2018:

Justification: The site is in active employment use and the landowners have not expressed an interest to change the use of the site, therefore the site is not considered available for development.

There is a small area at medium risk of surface water flooding within the eastern part of the site, so flood risk mitigation will be required. The eastern part of the site is not directly adjoining the Railway Tunnel Entrance heritage asset. There is potential land contamination therefore a land contamination survey will be required prior to development. The western part of the site is in active employment use, if the eastern part of the site is developed for housing the future residents will adjoin the business units. However, the business activities are not considered to have a negative impact on the amenity of future residents. The eastern part of the site is considered suitable for housing development.

Viability and achievability summary: Achievable in medium to long term.

Justification: There are some extra costs associated with the development of the site (e.g. flood risk mitigation, land contamination survey), however the site is within a medium market value area, therefore the development is considered viable. There is no developer interest in developing housing in the site; therefore the development is achievable in the medium to long term. The site is not considered available for housing development as it is in active employment use and the landowners have not proposed to change the use of the land. The site is suitable for housing development and can be achieved in the medium to long term if a developer comes forward. Overall the site is not developable as the site is not currently available for development.

Conclusion: Not developable or not to be included in the SHLAA.

ECNF have not commented on this site previously.

RBC comments on Allocated Site List – June 2020. The Employment Land Review recommends retaining for employment use

RBC comment in their Reponse to Action Point 8.1 dated 3rd June 2020: The Heritage Impact Assessment carried out revealed that there was no ‘Predicted Heritage Impact’.

ECNF comment November 2020: This development should be included in the plan and should have been included in the previous plan. There is a surplus of Employment Land, the planning regulations will make it easier for sites like this to be developed and it should be included in the Plan before any Green Belt land is considered. Additionally the new HIA states “Acceptable, subject to full retention of the Mill complex”.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

40) SHLAA 16397. **Isle of Man Mill and Garage. Water. Source:** Assessed in the SHLAA dated 16th August 2018. (14 additional dwellings.) The site is in the Urban Area. Gross Site Area 1.06ha; Net Development Area 0.74ha.

RBC’s comments in the SHLAA in August 2018: 16 dwellings were included in the Local Plan which was based on the Mill building continuing to be used for employment purposes.

RBC's comments on the Allocated Site List –Part of the Response to Action Point 1.3 in 2020. Suitable in principle, subject to suitable mitigation.

ECNF comments November 2020: The entire site should be used for residential purpose to enhance the area and create an additional 14 dwellings, taking the total for the site to 30.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

41) SHLAA 16163. Crabtree Hurst, Waterfoot. Source: Assessed in the SHLAA dated 16th August 2018. (21 Dwellings.) The site is in the Countryside adjoining the Urban Area. Gross Site Area 0.9ha; Net Development Area 0.7ha.

RBC comments August 2018:

Justification: The site is in public ownership (RBC) and is available for development. The site has a pronounced slope and land engineering works might be required prior to development. Access is a significant issue, there is potential access off Lench Road via a narrow track but it is subject to a ransom strip with different ownership. The site is situated within 3 miles from a strategic road and has good access to a quality bus route. A local shop is within walking distance, however all other local services are situated further away. Less than 10% of the site is affected by flood zones 3 and 2, however a flood risk assessment would be recommended. Kenroy's pond is a Biological Heritage Site situated 40m from the site, up the hill, and is unlikely to be affected by the development. The public right of way along the southern boundary will need to be maintained. Less than 10% of the site has potential contamination risk, but a land contamination is still recommended. The employment site in active use to the north should be appropriately screened from the development. Overall the site is not currently suitable for housing. The site can become suitable in the future provided that access is secured and land contamination and flood risk issues are addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification: The site is in a medium market value area but significant costs are associated with the development. The site is considered marginally viable. No developer has expressed an interest regarding this site; therefore the delivery is expected to be in the medium to long term. The site is available now, but is not currently suitable or achievable. The site is considered to be developable in the long term once the issues such as the vehicular access, flood risk and land contamination can be addressed.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF have not commented on this site previously.

RBC's comments from the Rejected Site List –Part of the Response to Action Point 1.3 in 2020.

The SHLAA stated that the site has a pronounced slope gradient and that vehicular access is a major issue. The SHLAA concluded that the site is not currently suitable but could become developable in the future if the constraints are overcome. The site was not considered appropriate for housing application in the Local Plan.

RBC repeated the comments above in Table 2 of their response to Action Point 8.7.

ECNF comment November 2020. If the site is in RBC's ownership why have they not compulsory purchased the ransom strip? The site could be used to improve the supply of affordable homes in the area. This site should be developed before any Green Belt land is used.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

42) SHLAA 16046. Tong Farm B, Bacup Source: Assessed in the SHLAA dated 16th August 2018. (41 Dwellings.) The site is in the Countryside adjoining the Urban Area. Gross Site Area 2.79ha; Net Development Area 1.38ha.

RBC comments August 2018:

Justification: The landowner has expressed an interest to develop the site for housing in the short term. The access requires improvement. The site is situated further than 5.5km / 3.5miles to a strategic road and has no access to public transport within 400m. The closest bus stop is within 500m which is accessible by walk. The primary school, Bacup town centre and a play area are within walking distance, the G P Surgery and Secondary school are accessible by public transport. The Wetland and heath Stepping Stone Habitat has been excluded from the area available for development. The Public Rights of Way should be retained on site. Further assessments are required regarding landscape, land contamination and coal risk. The site is situated near the active Tong Quarry, thus the HGVs traffic can cause disturbance to future residents. The site can be suitable in the medium term provided that the constraints are adequately addressed.

Viability and achievability summary: Achievable now.

Justification: The development of the site required some extra costs. Since the land is within a low value market area, more flexibility can be applied to the affordable housing requirement and planning obligations if it is demonstrated that the site is not viable. The site is thus considered viable. The development is considered achievable in the short term. The site is considered developable in the medium term.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

RBC comments in Table 3 of their response to Action Point 8.7 June 2020: The Landscape Study concluded that the site is not suitable for development on Landscape grounds.

ECNF comments November 2020. The landscape impact is considered to be lower than the Green Belt site H72 and site 16046 is in Countryside adjoining the Urban Area.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

43) SHLAA 16049. Tong Farm, Bacup: (Countryside not adjoining the Urban Area.) Assessed in the SHLAA dated 16th August 2018. Gross site area 11.2ha, net developable area 7.6ha. Yield 228.

RBC comments August 2018:

Justification: The site is available for development as the landowner expressed an interest to develop during the call for sites. There is a slope gradient on the site this land engineering work is likely to be required prior to development. Vehicular access is poor and requires improvements. The site is situated further than 5.5km/3.5 miles away from a strategic road network and there is no public transport available within 400m. The closest bus stop is within 530m, which is within walking distance but has only an hourly service, thus future residents will be reliant on the use of a private car. Most local services are accessible by walk, except the secondary school and GP Surgery. There are some areas affected by medium and low surface water flooding that will require mitigation. There are several public rights of way within the site that would need to be maintained. There are two Listed Buildings on Oaken Clough Road, therefore an assessment of the impact of a development on the heritage assets is recommended. The site is within the Moorland Fringe landscape character type thus a landscape assessment is required. Furthermore, there are potential land

contamination issues on the site, thus a land contamination will be needed. The site is partly within the Coal high risk development area and therefore a coal risk assessment is required. There is an active quarry to the south of the site that can reduce the amenity of the site due to dust and noise generated by the quarry activities. The site is not considered suitable but can become suitable in the long term.

Viability and achievability summary: Achievable in medium to long term.

Justification: There are significant extra costs associated with the development of the site and it is situated in a low market value area, thus the site is not considered viable now. Development can be achieved in the long term.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

RBC comments in Table 3 of their response to Action Point 8.7 June 2020: Due to the constraints identified in the SHLAA (e.g. site within the sensitive Moorland Fringe landscape character type and the Coal Authority high risk development area) and due to the location of the site within the Countryside but not adjoining the urban boundary, it was not considered suitable for allocation.

ECNF comments November 2020: This is another huge site (228 dwellings) in the Countryside not adjoining the Urban Boundary where a significant number of homes could be created to avoid using any Green Belt. A proactive study of the site to identify areas that could be developed without impacting the Moorland Fringe should be instigated before any Green Belt land is considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

44) SHLAA 16048: Land east of Warcock Lane, Bacup. (Countryside adjoining the urban area). Assessed in the SHLAA dated 16th August 2018. Gross site area 9.22ha, net developable area 6.73ha. Yield 202.

RBC comments August 2018:

Justification: The intentions of the landowner are unknown. The site is not available now but can become available in the future. There is a slope gradient on site that will require land engineering works prior to development. The site is situated further away than 5.5km/3.5 miles from a strategic road network; however the site is situated in proximity to a bus stop

with seven services a day to Rawtenstall and Bury. Local services are accessible by walk, except the GP Surgery and the secondary school which can be accessed by public transport. Several public rights of way are present on site and should be maintained. There are two Listed Buildings on Oaken Clough Road, therefore further assessment is required and particular attention will be given to the design and the quality of the materials used. The site is in a prominent location and largely within the moorland fringe; therefore a landscape assessment is required. There are potential land contamination issues, thus further assessment will be needed. The site is not considered suitable now, but can become suitable in the medium to long term, provided that the constraints are adequately addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification: There are extra costs associated with the development and the site is situated in a low value market area. It is demonstrated that the site is not viable then flexibility can be applied to the affordable housing requirement and planning obligations. The site is considered viable in the short term. Part of the development is achievable in the short term (approximately 60 dwellings), however the remainder of the site can be achieved in the medium term (100 dwellings) and long term (42 dwellings). The site is developable in the long term.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

ECNF have not commented on this site previously.

RBC comments in Table 3 of their response to Action Point 8.7 June 2020: The SHLAA reported that the intentions of the landowners are unknown. Also, the site is in the vicinity of Listed Buildings and partly within the Moorland Fringe Landscape Character type which is sensitive to development. Furthermore, the site is within the high risk development area of the Coal Authority. Based on the constraints identified, the site was not considered suitable for allocation.

ECNF comments November 2020: This is another huge site (202 dwellings) in the Countryside not adjoining the Urban Boundary where a significant number of homes could be created to avoid using any Green Belt. A proactive study of the site to identify areas that could be developed without impacting the Moorland Fringe or the Listed Buildings should be instigated before any Green Belt land is considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

45) SHLAA 16180: Land to rear of Waingate, Springside, Rawtenstall. (Countryside adjoining the urban area). Assessed in the SHLAA dated 16th August 2018. Gross site area 1.78 ha net developable area 1.44ha. Yield 43.

RBC comments August 2018:

Justification: The site is available in the short term as the landowners have expressed the interest to sell the site for housing development and a developer has shown an interest. Access is a constraint. If a new access is created off the car park at Marl Pits and approved by L.C.C. Highways then the site will become suitable. It is considered that the site is suitable in the medium to long terms.

Viability and achievability summary: Achievable now.

Justification: There are some costs associated with the creation of a new access, however, the site is situated in a high value market area, so the development is considered to be viable. A developer has expressed an interest in developing the site, therefore the site is considered to be deliverable in the short term. The site is available now, however it is not currently suitable due mainly to the vehicular access. If the access can be improved and approved by L.C.C. Highways then the site can become suitable for a housing development. The development is considered suitable and achievable in the short term. Overall, the site is developable in the medium term.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

RBC's comment on the Rejection List 2020: Waingate Manor is listed. Access is a significant constraint as Highways Authority unwilling to accept access via Marl Pitts.

ECNF have not commented on this site previously.

RBC's comment in Table 3 of their response to Action Point 8.7: As above.

ECNF comment November 2020: There is reference to an adjoining Grade II listed building which obviously needs consideration, however RBC paid scant attention or allowance with respect to the Grade II* listed building in Edenfield which was in Green Belt not on land in the countryside.

The access issue needs to be urgently reviewed due to the possibility of providing 233 dwellings from 3 sites in a prime location.

This development should be included in the Plan before any Green Belt sites are considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed, suitable for housing.

46) SHLAA 16196 : Land east of Goodshaw Lane, Crawshawbooth. (Countryside adjoining the urban area.) Assessed in the SHLAA dated 16th August 2018. Gross site area 1.86 ha net developable area 0.54ha. Yield 16.

RBC comments August 2018:

Justification: The northern part of the site is in public ownership and is available for development. The vehicular access off Goodshaw lane is poor as it is a narrow lane. It will require approval from L.C.C. Highways. The site is situated 3.7 miles away from a strategic road but it has good access to a half-hourly bus service. The nearest primary school and play area are within walking distances while the other local services are situated further away. The site adjoins a Biological Heritage Site, and the development should not have any negative effect on this protected site. Various public rights of way are going through the site and should be maintained as far as possible. The site adjoins two Listed Buildings, one of them being of grade II*, so a Heritage Impact Assessment is required to ensure the development does not negatively affect the setting of the listed buildings and the character of the local area. Part of the site is within Enclosed Uplands, therefore a landscape assessment is recommended. The northern part of the site is within a high risk development area, so a coal mining risk assessment will be thought after. Several constraints have been identified, however depending on the scheme proposed and the findings of the assessments, there is potential for the constraints to be overcome in the future.

Viability and achievability summary: Achievable now.

Justification: There are extra costs identified with the development, however the site is within a high value development area, therefore the development is considered viable. A developer has expressed an interest in developing part of the site, so development can be achieved in the short term. Thirty percent of the site is available for development. Several constraints have been identified (small e.g. high risk development area for coal, landscape value, heritage assets and biological heritage site adjoining the land) but the constraints can be overcome in the future and the site can become suitable in the long term. The development is considered viable now and achievable in the short term, as a developer has expressed an interest. Overall, the site is developable in the medium to long term

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

ECNF have not commented on this site previously.

RBC comments in their Rejection List 2020: The SHLAA identified potential impact on the historic environment, however the Heritage Impact Assessment considers development could be acceptable subject to mitigations. The SHLAA also highlighted access issues, as well as potential landscape impact and legacy coal mining risk. The SHLAA considered the site could be developable subject to overcoming the constraints and approval by LCC Highways Department. However, due to the constraints identified and the presence of 2 housing site allocation proposals in the vicinity (situated in the urban area), it was not considered appropriate to allocate this countryside site.

RBC comment in Table 3 of their response to Action Point 8.7: Same as above.

ECNF comment November 2020. THE SHLAA deemed the site to be acceptable subject to overcoming all the constraints and approval by LCC Highway Department. Now we have the addition of cumulative sites in the vicinity. Assuming the constraints can be overcome the site should be allocated. We have covered in our comments on other sites our response to the cumulative effect in vicinities and as long as RBC continues to propose close to 700 in the Edenfield vicinity this argument cannot be not valid.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

47) SHLAA 16202: Land (A) Adjacent Swinshaw Cottages, Goodshaw. (Countryside adjoining the urban area.) Assessed in the SHLAA dated 16th August 2018. Gross site area 0.71ha net developable area 0.36ha. Yield 10.

Justification: The site is in public ownership (RBC) and is currently available for development. The site slopes gently westwards and is accessible from Goodshaw lane. It is situated 3.8 miles away from a strategic road and further than 400m from a bus stop. However, the bus stop is still within walking distance (540m) but via a steep path. Only Loveclough Park is within walking distance from the site, other local services are accessible by public transport. However, since the bus stop is situated 540m away via a steep path, future residents are likely to rely on private cars. The site is not in a sustainable location. A stream goes through the site therefore a flood risk assessment is recommended. The public right of way should be maintained. About fifty percent of the site is within a Coal Authority high risk development area, therefore a coal risk assessment is needed to avoid coal sterilisation. Several constraints have been identified for the site (surface water flood risk and risk of coal sterilisation), however the site is considered suitable in the medium term provided that those constraints can be adequately addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification: Some extra costs are identified with the development but since the site is within a high value market assessment, the development is considered viable. No developer has expressed an interest for the site, so it is likely to be achieved within the medium to long term. The site is in public ownership (RBC) and is available now. Some constraints have been identified (e.g. presence of coal underground and stream going through the site with potential surface water flooding), however if the constraints can be overcome in the medium term, the development is considered viable and achievable in the medium to long term, once a developer comes forward.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

ECNF have not commented on this site previously.

RBC comment in their Rejection List 2020: Gradient present. Access will require improvements. Flood risk in small part of site. Complex ownership.

RBC comment in Table 3 of their response to Action Point 8.7: THE SHLAA said the site is not in a sustainable location as future residents will be likely to rely on the use of private cars.

ECNF comment November 2020: The reliance on private cars is a feature of living in a rural area and this in itself is not a valid reason to reject the site or a reason to justify the use of Green Belt land elsewhere. This site should be included in the Plan.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

48) SHLAA 16295: Land west of Park Road, Helmshore. Assessed in the SHLAA dated 16th August 2018. (Countryside adjoining the Urban Area). Gross Site Area 0.94ha, Net developable area 0.64ha. Yield 19.

RBC comments August 2018:

Justification: The land ownership is unknown therefore the intentions of the landowners are unknown. The site is not available now but can become available in the future. The vehicular access is poor as Park Road becomes a narrow lane after the car park. The access would need to be improved then approved by LCC Highways. The site is situated far away from local services and there is an access to an hourly bus service only. The future residents are likely to rely on the use of their private cars to access services and commute to work, unless the accessibility to local services or link to public transport is improved. More than ten percent of the site is within flood zone 3 and at high risk of surface water flooding. This area has been excluded from the area available for development. A flood risk assessment is recommended. Two thirds of the site is situated within the Reservoir Valley landscape character type which has an important value. A landscape impact assessment is recommended to identify the impact of the development and any mitigation measures. The high pressure gas pipeline intersects the site within its western section, thus the area available for development is likely to be reduced further and the HSE should be consulted. Overall the site is not currently suitable for a housing development but can become suitable in the future provided that the constraints identified are adequately addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification: Extra costs have been identified (e.g. vehicular access improvement), but since the site is in a high value market area, the site is considered viable. No developer has expressed an interest to develop the site; therefore the deliverability of 19 houses is likely to be within the medium term. The site is not currently available or suitable but can become available and suitable in the long term. The development can be viable as the site is within a high value market area and achievable in the medium term. Overall, the site is developable in the long term.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

ECNF have not commented on this site previously.

RBC comments on the Rejection List 2020: Intentions of landowners unknown. Relatively isolated.

RBC comments in their Table 3 of their response to Action Point 8.7: As above.

ECNF comment November 2020: The SHLAA concluded the site would become suitable if the constraints were addressed. The site is in the countryside adjoining the urban area, a very nice area which should be developed before any Green Belt land is considered for use.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

49) SHLAA 16336: Land at South Side of Hud Rake, Haslingden. Assessed in the SHLAA dated 16th August 2018. (Countryside adjoining the urban area.) Gross site area 0.3ha. Net developable area 0.3ha. Yield 9.

RBC comments August 2018:

Justification: Was a previous indication that the landowner was open to the site being developed. The access would need improvement and the site is fairly steep.

Viability and achievability summary: Achievable in medium to long term.

Justification: High value area. Physical and ownership issues. The site is developable but there would be physical and ownership issues to address. The site is developable but there would be physical and ownership issues to address.

Conclusion: Developable in the medium to long term (within six to ten years, or after ten years).

ECNF have not commented on this site previously.

RBC comment on the Rejection List 2020. Unknown ownership. Site is fairly steep, and access would require **improvements**.

RBC comment in Table 3 of their response to Action Point 8.7: As above.

ECNF comment November 2020: This site should be developed before any Green Belt land is considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

50) SHLAA 16375: Height Barn Lane, Bacup: Assessed in the SHLAA dated 16th August 2018. (Countryside adjoining the urban area.) Gross site area 0.6ha net developable area 0.5ha. Yield 15.

RBC comments August 2018:

Justification: Landowner has indicated that the site is available for development via the “call for sites” exercise. A significant improvement to the road access would be required. The site is remote from services, though the introduction of the medium frequency 466 bus route down New Line has improved transport facilities.

Viability and achievability summary: Achievable in medium to long term.

Justification: While located in a low value area this is within an attractive part of the town. However the need to enhance the access on to New Line and address the location adjacent to a small industrial estate means that the site must be considered as marginal. The site is currently in the countryside but adjacent to existing housing and employment uses. It has poor availability to services and work will be required to upgrade the access on to New Line.

Conclusion: Developable in the medium to long term (within 6 to 10 years, or after 10 years).

ECNF have not commented on this site previously.

RBC comment on the Rejection List 2020. Slope present. Access is via a narrow track and poor visibility splays onto New Line. No good access to bus service.

RBC comment in Table 3 of their response to Action Point 8.7: As above.

ECNF comment November 2020: Site in the countryside and adjacent to existing houses. The access already works for the existing housing; hence it should not be a serious issue for the extra 15 dwellings. Should be allocated before any Green Belt Land is considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

51) **SHLAA16183: Land to the east of Alder Grange School, Rawtenstall.** Assessed in the SHLAA dated 16th August 2018. (Countryside adjoining the urban area.) Gross site area 6.34ha. Net developable area 1.75ha. Yield 52.

RBC comments August 2018:

Justification: The site is in public ownership. The intentions of LCC are unknown. The site in RBC's ownership is available (with 1.95ha). Access is poor and a new road is likely to be required to enable the development. The site is situated 1.3 miles from a strategic road and more than 400 mtrs away from a bus stop. The primary school and secondary school are within walking distances via a footpath. However other services such as GP Surgery, local shop and play area are situated further away and are accessible by private cars. Less than 10 percent of the site is at high, medium and low risk of surface water flooding. Also, less than 10 percent of the site is within a woodland Stepping Stone. This area is within LCC ownership and is outside the area available for development, however, development should minimize any negative effects. The public rights of way should be maintained. A heritage assessment is required to ensure the development protects the local character of the area and the setting of the listed buildings. The site is in a prominent location and partly within the enclosed uplands character type, therefore a landscape assessment is recommended. The site is not considered to be in a sustainable location as future residents will be relying on the use of private cars to commute and access services. The site is not suitable for residential development.

Viability and achievability summary: Achievable in medium to long term.

Justification: There are extra costs associated with the development, however the site is within a high value market area, therefore the development is considered viable. No developer has expressed an interest in developing the site, thus the site is not currently achievable but can be achieved in the medium to long term. The site in RBC ownership is available now. The site is not considered suitable for a housing development due to a significant vehicular access constraint and landscape impact.

Conclusion: Not developable or not to be included in the SHLAA.

ECNF have not commented on this site previously.

RBC comment on the Rejection List 2020. Access is a major constraint. No bus service within 400m. Adjoins a Listed Building Grade II. Landscape Impact.

RBC comment in Table 4 of their response to Action Point 8.7: Poor vehicular access by a narrow track. No bus service within 400m. Adjoins listed building. Potential high landscape impacts.

ECNF comment November 2020: There is reference to an adjoining Grade II listed building which obviously needs consideration, however RBC paid scant attention or allowance with respect to the Grade II* listed building in Edenfield which was in Green Belt not on land in the countryside.

The access issue needs to be urgently reviewed due to the possibility of providing 233 dwellings from 3 sites in a prime location.

This development should be included in the Plan before any Green Belt sites are considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; Grade 2 Listed building is some way off and its setting would not be adversely affected.

52) SHLAA 16345: **Number 6570, Roundhill Road, Haslingden.** Assessed in the SHLAA dated 16th August 2018. (Countryside not adjoining the urban area.) Gross site area 1.97ha net developable area 1.77ha Yield 53.

RBC comments August 2018:

Justification: Stated as available on call for sites submission. The site is in the countryside and relatively isolated. Roundhill Lane is a relatively winding unlit country road but forms the main link to the services present in Rising Bridge. There are currently no crossing facilities on Roundhill Road. There are no buses to link to services in Haslingden. Development in the open countryside would be obtrusive and difficult to screen.

Viability and achievability summary: Achievable in medium to long term.

Justification: The site is likely to be viable but addressing the issues of contamination and access may take time. The issues with isolation from settlements and its elevated location plus potential access issues make this an unsuitable site for development.

Conclusion: Not developable or not to be included in the SHLAA.

ECNF have not commented on this site previously.

RBC comment in Table 4 of their response to Action Point 8.7: Issues with isolation and its elevated location plus potential access issues makes this an unsuitable site for development.

ECNF comment November 2020: First of all the isolation issue, if this site and SHLAA 16346 are developed together it will result in 100 dwellings which in itself would mitigate any isolation. The access issue should be fully researched; a development of this magnitude will create finance for road improvements. With respect to the development being obtrusive, it will be no more serious than other developments such as H72 and there are opportunities to mitigate this issue. There is a major benefit to developing these two sites, they are close to the strategic roads network and will create extra development in the west of the Borough.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

53) SHLAA 16346: Number 8476, Roundhill Road, Haslingden. Assessed in the SHLAA dated 16th August 2018. (Countryside not adjoining the urban area.) Gross site area 1.95ha. Net developable area 1.57ha. Yield 47.

RBC comments August 2018:

Justification: Both owners have indicated the availability of the site. The site is in the countryside and relatively isolated. Roundhill Lane, which is the main link to Rising Bridge, is a relatively winding unlit country road but forms the main link to the services present in Rising Bridge. There are currently no crossing facilities on Roundhill Road. There are no buses to link to services in Haslingden. Development in the open countryside would be obtrusive and difficult to screen.

Viability and achievability summary: Achievable in medium to long term.

Justification: Creation of a new access and addressing the overhead lines could take time. The site is likely to be viable. The issues with isolation from settlements and its elevated location plus potential access/utility issues make this an unsuitable site for development.

Conclusion: Not developable or not to be included in the SHLAA.

ECNF have not commented on this site previously.

RBC comment in Table 4 of their response to Action Point 8.7: Issues with isolation and its elevated location, plus potential access /utility issues make this an unsuitable site for development.

ECNF comment November 2020: First of all the isolation issue, if this site and SHLAA 16345 are developed together it will result in 100 dwellings which in itself would mitigate any isolation. The access issue should be fully researched; a development of this magnitude will create finance for road improvements. The comments with respect to utility should not be an issue in view of the size of the development. With respect to the development being obtrusive, it will be no more serious than other developments such as H72 and there are opportunities to mitigate this issue. There is a major benefit to developing these two sites, they are close to the strategic roads network and will create extra development in the west of the Borough.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

54) SHLAA 20441: Land south of Grane Rd, Helmsshore. Assessed in the SHLAA dated June 2020. (Countryside not adjoining the urban area.) Gross site area 6.27ha. Net developable area 4.49ha. Yield 135.

RBC Comments June 2020:

Justification: The landowner objected to the site not being proposed for housing allocation in the local plan. So it is considered that the landowner is willing to develop the site and that the site is available. The site is situated in the countryside and does not adjoin the existing urban boundary (nor the proposed urban boundary change in the local plan submission version). It is quite isolated from services and the nearest bus stop is situated over 400m. Some future residents will be relying on private cars to access services and commute to work. The site adjoins a Biological Heritage Site and is within the West Pennine Moors SSSI impact zone for development of fifty dwellings or over outside settlements. Furthermore, the site is within the Reservoir Valleys Landscape Character Type which is not considered suitable for development. A band of land within the southern section of the site is also partly situated within The Coal Authority high risk development area. The site is not considered suitable for development due to its location which would not provide a sustainable form of development and which would have potentially high landscape impact.

Viability and achievability summary: Achievable in medium to long term.

Justification: The site is situated within a high value market area and therefore is considered to be viable. The site is available, however it is not considered to be suitable for residential development which would give rise to a non-sustainable form of development (isolated from local services with poor access to local transport) and its potential significant landscape impacts.

Conclusion: Not developable or not to be included in the SHLAA.

ECNF have not commented on this site previously.

RBC comment in their Rejection List issued 2020: The SHLAA concludes that the site is not suitable due to its location; this is a standalone site within the countryside also quite isolated from local services and with poor access to public transport. It is likely to have significant landscape impacts.

RBC comments in Table 7 of their response to Action Point 8.7 2020: Repeats the above.

ECNF comments November 2020: This site should be considered for housing on the basis that the quantum of development is kept below 50 to rule out the issue of West Pennine Moors Impact. This in turn would mean only 1.7ha of the 6.27ha available would be utilised. The layout for the site could ensure that there is ample land available for any screening required to protect the landscape impact and the Biological Heritage Site etc. The site should be added to the Housing Supply List for up to 50 houses and should be allocated before any Green Belt Land is considered.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

55) SHLAA 18429: Waterfoot Police Station. Assessed in the SHLAA dated 16th August 2018. (Site is within the urban boundary.) Gross site area 0.44ha net developable area 0.40ha. Yield 12.

RBC comments August 2018:

Justification: The site has been proposed by an agent during the draft local plan consultation in summer 2017. The intentions of the landowner are currently unknown; however the site could become available in the medium to long term. The site is considered to be in a sustainable location with good access to local services and public transport. The site is almost entirely within flood zone two. Unless it can be demonstrated that appropriate flood risk mitigation measures can reduce the risk of flooding on the site and without increasing the risk of flooding further downstream, the site is unlikely to be suitable for development. The site is adjoining employment units and the amenity of future residents should be protected using landscaping. Due to the constraints affecting the site, the land is considered more suitable for employment use.

Viability and achievability summary: Achievable in the medium to long term.

Justification: Extra costs will be associated with a redevelopment for residential including demolition costs, flood risk defenses and landscaping. However, development is considered viable. The site is considered to be available in the medium to long term for residential use, but the land is more suited to employment use based on the constraints affecting the site and the presence of employment units to the south-east and north-west of the site.

Conclusion: Not developable or not to be included in the SHLAA.

ECNF have not commented on this site previously.

RBC comments in Table 8 of their response to Action Point 8.7 2020: The Employment Land Review recommends to retain the site for employment use. The site is proposed to be allocated as part of the Existing Employment EE 43 – Warth Mill.

ECNF comments November 2020: The properties immediately to the north of this site are residential and the Police Station looks like it was originally developed from existing housing. There is already a surplus of employment land, (refer to our response to Action Point 5.3), and it is in a good location. The site should be added to the Housing Supply list. (12 dwellings.)

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

56) SHLAA 16251: Townsend Fold, North of Hill, Rawtenstall. Assessed in the SHLAA dated 16th August 2018. (The site is within the urban boundary.) Gross site area 2.62ha. Net developable area 1.17ha. Yield 35.

RBC comments August 2018:

Justification: The landowners are eager to sell the site for development in the short term and will contact a developer. The site is available now. The vehicular access is a major constraint for this site as it does not adjoin any public highway. New access can be created via Holme Lane or Bury Road; however it will require approval from third parties (different ownership). Alternatively, the construction of a bridge over the river would require approval from the Environmental Agency. The creation of a new bridge over the railway or the river will add significant cost implications. The strip of land adjoining the river Irwell is in flood zone 3; however the remaining part of the site is at a higher level and within flood zone 1. A flood risk assessment is still recommended as the site is over 1ha. The site performs a strong ecological function as it is identified as a grassland stepping stone habitat. An ecological impact assessment should be carried out to understand if a development is suitable on the

site. The site is informally used by local residents, however the site situated to the north can perform this function as it has a public right of way. There is potential land contamination; therefore a land contamination report is needed to understand if there is any contamination and if it can be remediated. Overall, the site is not currently suitable but it can become suitable in the medium to long term provided that the constraints identified are adequately addressed.

Viability and achievability summary: Achievable in medium to long term.

Justification: There are significant extra costs associated with the development of the site, especially regarding the creation of a new vehicular access. The site is situated in a high value market area; therefore the development can still be viable. A developer is interested in developing the site therefore the site can be delivered in the medium term. The site is available now, but it is not currently suitable due in particular to the lack of vehicular access. The site can become suitable in the medium term if the range of other constraints is adequately addressed. Although significant costs are associated with the development, it can still be viable due to its location in a high value market area. The development is likely to be achieved in the medium term.

Conclusion: Developable in the medium term (within 6 to 10 years or after 10 years).

ECNF have not commented on this site previously.

RBC comments in Table 8 of their response to Action Point 8.7 2020: The 2019 assessment update concludes that the site can be allocated for employment. The site proposed to be allocated as NE4 – Extension of New Hall Hey, Rawtenstall.

ECNF comments November 2020: This site is in the Urban Boundary and as such is suitable for either Housing or Employment. As there is a surplus of Employment Land (refer to our response to Action Point 5.3), the land should be allocated for residential purposes. RBC has put forward several alternative access points for consideration, the main part of the land is in flood zone 1 and no doubt the ecological issues can be mitigated against as they would apply equally to housing and employment. The site should be added to the housing supply list. (35 dwellings.)

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

57) SHLAA 16218: Land south of Goodshaw Fold Road, Loveclough Assessed in the SHLAA dated 16th August 2018. (The site is countryside adjoining the urban area.) Gross site area 4.78ha. Net developable area 3.15ha. Yield 94.

RBC comments August 2018:

Justification: The landowner expressed an interest to release the site for housing development in an e-mail received on December 2016. The site is available now. There is a pronounced slope on the site; however it does not prohibit development. The site is situated 3.7 miles away from a strategic road but has good access to a half-hourly bus service. The local store and playground are situated within 800m and are accessible by walking. The primary school, secondary school and GP Surgery are situated further away and can be accessed by public transport. More than 10 percent of the site is at high risk of surface water flooding especially along Limy Water, therefore a flood risk assessment is required. The public right of ways should be retained as part of the development. The site adjoins Goodshaw Fold Conservation Area, therefore a high quality design and natural materials are expected to contribute positively to the local character of the area. About a third of the site is within a Coal Authority high risk development area, therefore a coal mining risk assessment is recommended. Overall, the site is not currently suitable for a housing development but can become suitable in the future provided that the constraints such as surface water flooding and coal mining legacy are adequately addressed. Also, the scheme should be of high design and proposing to use high quality material to enhance the local character of the adjoining Conservation Area.

Viability and achievability summary: Achievable in medium to long term.

Justification: Extra costs have been identified; however the site is within a high value market area, so the development is considered viable. No developer has expressed an interest. Due to the size of the development, the delivery is likely to be within the medium to long term. The site is available now, however it is not currently suitable for housing development. Indeed, the surface water flooding issues and the coal mining legacy need to be adequately addressed. Also, since the site adjoins Goodshaw Fold Conservation a high quality design scheme is requested to enhance the character of the local area. The site can become suitable in the medium to long term. The development is considered viable as it is situated in a high value market area. However, no developer has expressed an interest, so the site is likely to be achievable in the medium to long term.

Conclusion: Developable in the medium to long term (within 6 to 10 years or after 10 years).

ECNF have not commented on this site previously.

RBC comment in Table 6 of their response to Action Point 8.7 2020. Firstly under the reason for not allocating the site: “Partly allocated as Existing Employment EE51. – Kippax Mill. THE SHLAA highlighted the presence of a gradient and potential risk of coal mining legacy on the remainder of the site”. Secondly the under HIA conclusion: “The site could be acceptable if the scale of development is significantly reduced and pulled back out from the Conservation Area and see the sympathetic conversion of the former Hargreaves Mill. The proposed number of dwellings needs to be substantially reduced and the boundary of the site pulled back and out of the Conservation Area. Likely that number would be half of the current yield if not less. The style of dwellings would need to look to the local vernacular, using natural materials of stone and slate. They would need to be restricted to two storey dwellings. Sympathetic reuse of the Mill would be welcome, but design and use would need to be of the highest design and quality”.

ECNF comments November 2020: The comments under the reasons for not allocating the site are misleading the SHLAA actually stated: “There is a pronounced slope on the site; however it does not prohibit development”. Additionally it stated, “About a third of the site is within a Coal Authority high risk development area, therefore a coal mining risk assessment is recommended”. The other issues with respect to flooding and the Goodshaw Fold Conservation Area can be mitigated against by following the proposals in the HIA conclusion referred to above. **This site should be included in the Housing Supply List with 45 dwellings.**

Comments from Local Chartered Town Planning Expert November 2020:
Agreed.; suitable for housing.

58) SHLAA 16219: Land north of the Jester, Burnley Road, Rawtenstall. . Assessed in the SHLAA dated 16th August 2018. (The site is countryside adjoining the urban area.) Gross site area 1.9ha. Net developable area 1.67ha. Yield 50.

RBC comments August 2018:

Justification: The landowners of 12 percent of the site expressed an interest to develop the site for houses (e-mail received September 2017). The landowners owning the remaining part of the site are unknown. The northern part of the site is considered available now but the remaining part is not considered available in the short term. The site is relatively flat and can be accessed from Burnley Road or Goodshaw Fold Road. It is situated far away from a strategic road (3.4 miles), however, it has good access to a half hourly bus service. The primary school, convenience store and play area are available within walking distance. The secondary school and GP Surgery are situated further away but can be accessed by bus. Less than 10 percent of the site is at high risk of surface water flooding. This area has been excluded from the net developable area. Less than 50 percent of the site is at medium and low risk of surface water flooding. A flood risk assessment will be required and particular

attention should be given to drainage. Several public rights of way cross the site and should be retained as part of the development. Approximately 25 percent of the site is within a Coal Authority high risk development area, therefore a coal mining risk assessment is anticipated to understand the coal mining legacy risk. A gas governor is situated on the site and can constrain development. Overall, the site can become suitable for a housing development in the medium term, provided that the flood risk and coal mining assessment do not highlight any particular risks, or if they do, that those can be adequately mitigated.

Viability and achievability summary: Achievable in the medium to long term.

Justification: Some extra costs have been identified, however the site is within a high value market area, therefore the development is considered viable. No developer has expressed an interest, so the delivery is likely to be within the medium to long term. The site is not considered available now as the landowner owning 12 percent of the site expressed an interest to develop the site for 10 houses in 2008 but the interest has not been renewed since. Also, the intentions of the other landowners are unknown. However the site can become available in the long term. The site can become suitable for a housing development in the medium term, provided that the flood risk and coal mining assessment do not highlight any particular risks, or if they do, that those can be adequately mitigated. Also, the development is considered viable and deliverable in the medium to long term. Overall, the site is developable in the long term.

Conclusion: Developable in the medium to long term (within 6 to 10 years or after 10 years).

ECNF have not commented on this site previously.

RBC comments in Table 7 of their response to Action Point 8.7 2020: Firstly under the reason for not allocating the Site: “Partly allocated (H17); following the advice from the Heritage Impact Assessment, the allocation has been reduced in size; however it is still located to the north of Abbeycroft. Development of the remainder of the site is likely to have significant landscape impact due to the long views currently available from Burnley Road towards the west”. Secondly under the Heritage Impact Assessment Conclusion:”Could be acceptable so long as the mitigation is adhered to. The development plot will need to pull the boundary away from the conservation area further south. The boundary should not go further north of Abbeycroft. The design should look to mirror the local style. The dwelling should take example from the local terraced dwelling which would in turn help to limit the impact. These could run along the road which would mirror what is already found within the immediate and wider area. The dwelling should be traditional in form and design, using natural stone, slate and timber. They should be of the highest possible quality. The proposals would ensure a good landscaping scheme and would mitigate against any visual impact from the conservation area and other key site lines.

ECNF comments November 2020:

- a) This allocation has been reduced (substantially from the SHLAA) on account of the Heritage Impact Assessment. This contrasts with the actions taken by RBC with respect to site H72. THE HIA for Site H72 indicated the development line should be removed “South of Mushroom House” which would have effectively halved the scale of the development but the Council disregarded the HIA, did not reduce the number despite, the site being in the Green Belt rather than being in the countryside adjoining the urban area and the Listed Building involved being a Grade II*.
- b) On this site consideration has been given to the Landscape impact which again contrasts with site H72 when the Council disregarded the conclusions of their own Landscape Architects Study carried out by Penny Bennett. The Landscape Architect advised that Site H72 was not developable because the effects on the landscape would be significant, would be uncharacteristic of the local landscape character area and nor could they be mitigated against because of the sites openness.
- c) The position taken by RBC with respect to SHLAA 16219 with respect to “Long Views” again contrasts with site H72 were they were once again disregarded despite it being Green Belt land.
- d) RBC’s approach to this site in contrast to site H72 is not only inconsistent but contrary to the policy in seeking to release H72 from the Green Belt when this site is available

As this is not a Green Belt site it should remain in the Housing Supply with half the quantum of dwellings to enable the constraints identified to be mitigated against. We have included 25 dwellings on our Housing Supply list.

Comments from Local Chartered Town Planning Expert November 2020:

Agreed; suitable for housing.

Alan G. Ashworth & Richard W. Lester

On behalf of Edenfield Community Neighbourhood Forum and themselves.

9th December 2020

Examination of the Rossendale Local Plan

**Action 8.008.10 Compensation Measures for Green Belt Release.
Actions 8.015.6 NE1 Mayfield Chicks; 8.015.7 NE2 Land north of Hud Hey; and
8.015.9 NE4 Extension of New Hall Hey**

Representations by A.G. Ashworth and R.W. Lester *re* RBC's Paper dated 21 October 2020

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Key Points

- **Sufficient land for housing and employment without recourse to Green Belt.**
- **No exceptional circumstances to justify Green Belt release. Refer to NPPF, para 136.**
- **No detail about compensatory measures, contrary to NPPF, paragraph 138.**
- **No answers to the 'how/where/when/what?' requested by Inspectors.**
- **For H72 the 'potential compensatory measures' are insignificant or irrelevant.**
- **Exclusion of ECNF from discussion of compensatory measures.**
- **RBC under misapprehension that Green Belt Review recommended release of sites.**
- **RBC disregard findings of Landscape Study about site H72.**
- **Release of site H72 involves High, not Medium, degree of harm.**

Examination of the Rossendale Local Plan

**Action 8.008.10 Compensation Measures for Green Belt Release.
Actions 8.015.6 NE1 Mayfield Chicks; 8.015.7 NE2 Land north of Hud Hey; and
8.015.9 NE4 Extension of New Hall Hey**

Representations by A.G. Ashworth and R.W. Lester re RBC's Paper dated 21 October 2020

Representations

Section 1 Introduction

Paragraph 1.1. Rossendale Borough Council (RBC) claims:

"In order to provide sufficient housing and employment land to meet expected requirements [they have] identified the need to allocate land within the existing Green Belt for development."

They also claim that exceptional circumstances exist to justify the release of Green Belt land as set out in their response to Action 8.008.12.

Comments:

We identified at the Examination Hearing (EH) in terms of Housing there were sites for at least 2000 dwellings available to the Council over and above the 3180 they were targeting and we provided the details of all the sources for these. Since the EH and in view of their response to Action Point 1.2 this number has increased to in excess of 2800 dwellings none of which is on Green Belt and all of which have been considered suitable by a local Chartered Town Planning expert. The details will be included in our response to Action 8.019.01 when RBC publish their paper for consultation.

There can be no justification for RBC to contemplate the use of any Green Belt land in these circumstances.

A similar situation applies to Employment Land. We stated clearly at the EH that the claimed employment land requirements were flawed and the real requirement was 10.72hectares (ha), not the 27ha claimed.

We provided details of all our calculations in our submission to the EH and recently our MP, the Right Honourable Jake Berry, wrote to the Inspectors and RBC to confirm this requirement had been re-checked by examining all the sites identified and allocated for other uses that were formerly designated for Employment and this confirmed the requirement at 10.66ha.

RBC had identified 35.97ha of which 10.71ha is in the Green Belt. If this is deducted from the 35.97ha identified, it still leaves 25.26ha for a calculated need of 10.66ha, giving a surplus of 14.6ha. **(Refer to the Edenfield Community Neighbourhood Forum (ECNF) response to Action 8.005.02 - to be provided when RBC publish their paper on that Action for consultation - for supporting evidence and to letter from Mr Berry reference EL 6.012a & b.)**

There can be no justification for RBC to contemplate the use of any Green Belt land in these circumstances.

Exceptional Circumstances: **Our response to Action Point 8.008.12** examines what RBC considers to be Exceptional Circumstances and clearly highlights they are not justified or indeed valid.

Paragraph 1.2.

“This note provides more information on compensatory measures which could be implemented in order to offset this Green Belt loss, as required in the [NPPF]. At this stage, this note provides a starting point highlighting the type of measures and schemes that could be provided.”

In short there are still no serious or definite proposals, such as are required by NPPF, Paragraph 138.

Section 2. National planning context.

Paragraph 2.1. Refers to paragraph 138 in the NPPF.

Paragraph 2.2. Refers to paragraph 141 in the NPPF.

Paragraph 2.3 records that

“[Planning Policy Guidance (PPG)] on Green Belt states that compensatory improvements may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies and could for instance include;

- *new or enhanced green infrastructure*
- *woodland planting*
- *landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal)*
- *improvements to biodiversity, habitat connectivity and natural capital*
- *new or enhanced walking and cycling routes and*
- *improved access to new, enhanced or existing recreational and playing field provision.”*

Paragraph 2.4 adds:

“It goes on to recommend that identifying the scope for compensatory improvements is likely to require early engagement with landowners and other interest groups, once the areas of land necessary for release have been identified.”

We understood that the Inspectors suggested ECNF should be considered to be stakeholders during the EH. Obviously they are an interest group. ECNF therefore had a legitimate expectation of being contacted along with the Landowners and Developers and is dismayed that this did not happen. We are also disappointed to note that ‘Compensation Measures for Green Belt Release’ was submitted in draft to the Inspectors on 1st June 2020 and circulated to landowners and developers on 4th August 2020 without being publicised on the Examination website pages.

Section 3. Green Belt release in Rossendale.

Paragraph 3.1. RBC state the note focuses “on the potential opportunities to enhance Green Belt land adjacent, or in close proximity to the sites proposed for release”. In other words, it contains no serious or definite proposals, such as are required by NPPF, Paragraph 138.

Paragraph 3.2. RBC state:

“A Green Belt review was undertaken to inform the preparation of the Local Plan in 2016. Whilst this assessment did not provide the ‘exceptional circumstances’ for the loss of Green Belt it was able to identify which parcels or sub-parcels of Green Belt land could, potentially, be released (subject to this release being justified in the first place). This was achieved by assessing the existing Green Belt against the five purposes of Green Belt and identifying whether it still met these objectives. It also assessed the potential harm that development of any parcel would have on the remaining Green Belt. In this way, the Review was able to recommend which parcels/sub-parcels would cause least harm if they were to be released from the Green Belt.”

We make three comments here:

- i) There is no justification to use any Green Belt Land for Housing or Employment,
- ii) the Inspector asked at the EH if the individual sites had been compared against each other and RBC advised this had not been carried out, and
- iii) we dispute the Lepus assessment both of how the parcels forming site H72 serve the purposes of Green Belt and of the harm that their release would cause.

Paragraph 3.3. *The findings from this were used to inform the allocation of development sites. Wherever possible, those parcels of Green Belt which were felt to have the least potential harm to the Green Belt if they were developed (and were recommended for release) were chosen for allocation. In some cases, however, sites not recommended for release were allocated, due to other overriding circumstances. This is set out in the Exceptional Circumstances paper. In these cases, the review set out some possible mitigation measures which could contribute towards minimising the effect of the release on the openness of the remaining Green Belt.*

In other words RBC ignored the recommendations if they were inconvenient.

The Green Belt Review did not recommend sites for release - refer to our comments on paragraph 6.1 below.

There are no justified or valid exceptional circumstances as there is a significant surplus of both housing and employment land. **(Refer to our response to Action Point 8.12 which covers the lack of any exceptional circumstances.)**

Section 4. Enhancing Green Infrastructure.

There is no requirement for this when RBC clearly have a surplus of land suitable for housing and employment which is not in the Green Belt.

Section 5. Existing Green Infrastructure Evidence.

Paragraph 5.1. This says the information from paragraphs 5.2-5.7 can be used to form the identification of potential compensatory measures for land connected with Green Belt release sites. We consider in particular paragraph 5.7.

Paragraph 5.7. The Landscape Study 2015 & 2017:

“provided landscape appraisals of all sites which were identified as having landscape sensitivity in the Borough, including sites identified by the Council and potential developers. This assessment was prepared from a landscape character perspective, to identify areas which are suitable for development and suggest mitigation measures if required. Where relevant, some of these mitigating measures can be useful in identifying potential compensatory measures for Green Belt release.”

We call on RBC to explain how, in relation to site H72, the mitigation measures for the development would identify any such compensatory measures and exactly what those compensatory measures would be.

We ask why RBC have totally disregarded their Consultants’ Reports dated 2015 and 2017 which stated with respect to site H72 the following:

- Not suitable for development on landscaping grounds.
- Nor could it be effectively mitigated against because of the sites openness, long views west from [Market Street] and eastwards from the far side of the valley would be affected and there would be significant adverse effects on attractive and well used walks in the area.” (Refer to pages 127-132 in the Penny Bennett Landscape Architects Report for Lives and Landscapes for RBC in January 2015.)

Section 6. Proposed allocations involving Green Belt release and potential compensatory measures.

Paragraph 6.1 states:

“The following sets out some potential measures which could be taken to improve the environmental quality and accessibility of remaining Green Belt land around the proposed allocations involving Green Belt release. The Council feel this is particularly important for those sites which were not necessarily recommended for release in the Green Belt Review and where greater levels of mitigation would be expected to reduce any potential harm. In some cases, particularly for smaller sites, not all the potential compensatory measures will be necessary.”

We observe that the terms of reference, as stated in the Green Belt Review, did not require it to recommend Green Belt sites for release, nor does it do so. The Study Aims are set out in its paragraph 1.8 (page2).

We note, in passing, that one of the Aims is muddled: providing ‘clear conclusions on the relative performance of Green Belt’ should have no bearing at all on the question whether exceptional circumstances exist to justify altering its boundaries.

We refer to paragraph 1.1 and our response to it above.

Our comments on the individual sites are as follows:

Paragraph 6.2. H69 Cowm Water Treatment Works. (Medium degree of harm if developed.) 20 dwellings. We did not oppose this development, on the grounds that it was partly brownfield land, it is only small scale (20 dwellings) and the redevelopment would enhance the area. We have no comments with respect to the compensatory measures proposed. **(Refer to EL 2.066g ECNF GBP 5.)**

Paragraph 6.3. H70 Irwell Vale Mill. (Medium degree of harm if developed.) 30 dwellings. We did not oppose this development, because it reduces the flood risk, and we note that the number of dwellings proposed has been reduced from 45, which is a positive move. We have no comments with respect to the compensatory measures proposed. **(Refer to EL 2.066g ECNF GBP 5.)**

Paragraph 6.4. H71. Land east of Market Street. (High degree of Harm.) 9 dwellings. We did not oppose this allocation because of the brownfield content, the very small number of dwellings involved (9) and the opportunity to enhance the area. **(Refer to EL 2.066g ECNF GBP 5.)**

We have no comments with respect to the compensatory measures proposed in respect of those three sites, save to say that they lack the requisite detail.

Paragraph 6.5. H72. Land west of Market Street. (Medium degree of Harm.) 400 dwellings. We strongly oppose this development and comment as follows:

When development of sites H71 & H73 is rightly classified as having a ‘High degree of Harm’, it makes no sense to classify development of site H72 as involving only a medium degree of harm. Site H72 would provide 400 dwellings while the other four Green Belt housing allocations involve only 106 dwellings. It is impossible to agree with the comment ‘Medium degree of Harm’ for site H72. Refer to our response to Action 8.008.6

Additionally, all of the other sites have brownfield content whereas H72 does not have brownfield content.

RBCs Landscape Architects Penny Bennett Landscape Architects concluded the central part of the site was **“Not suitable for development on Landscaping grounds”** and **“Nor could it be effectively mitigated against because of the sites openness, long views west from [Market Street] and eastwards from the far side of the valley would be affected and there would be significant adverse effects on attractive and well used walks in the area.”** **(Refer to Appendix A.)**

For site H72, RBC purports to identify under four themes what it considers to be compensatory improvements in the remaining Green Belt. These are now considered in turn as follows.

On the theme of access the measure suggested is to enhance links to cycle way and PRoW, and the opportunities identified are:

“Existing PRoW can be found within the allocation, which link to the wider network in the remaining Green Belt on the other side of the A56 and Market Street. These eventually link to riverside walks along the River Irwell and pass along the green corridor formed by the former railway and which now forms part of National Cycle Route 6. These must be retained and enhanced with links to the wider network kept free from obstruction, particularly where these cross the A56. The Landscape Study suggests that a new area of public open space could be created to the south of the site, alongside the existing stream, where steep slopes would make development difficult. New paths could also link in with the existing public footpath network in this area and pedestrian links should be maintained from the end of Woodlands Road. Appropriate signage and information, for example route maps showing circular walks or links to the wider network and public transport, could be provided.”

This amounts to very little. If ‘These must be retained’ refers to the PRoW within H72 that does not address the question of improving the remaining Green Belt. If it refers to ‘the wider network’ and ‘riverside walks’ and NCR 6, these, together with ‘the ‘links to the wider network’, already enjoy statutory protection. It is not clear whether the suggested maps would be publications or display boards, but their availability, with a few signs, would not compensate for the loss of Green Belt. Nor would the mooted new public open space, the ‘how’ and ‘when’ for which are not stated.

On the theme of sport and recreation the measure suggested is to enhance links to nearby recreation grounds, and the opportunities identified are:

“Existing PRoW must be retained and enhanced with links to the wider network kept free from obstruction, particularly where these cross the A56. Direct links from the allocation to the recreation area to the south east of the allocation should be provided, as should a link to the cricket ground within Green Belt on the other side of Market Street. A more direct link to the recreation and play area in Chatterton could also be provided from the south. Developer contributions to enhance these recreational facilities could also be required.”

Nothing in those opportunities would improve the remaining Green Belt. The reference to the cricket ground is irrelevant: from Site H72 the obvious routes would be via Market Street and Heycrofts View, or via Exchange Street, Market Street and Gin Croft Lane. Any alternative direct link would require demolition of existing properties. In the unlikely event of a more direct link to Chatterton being provided at reasonable cost, it is difficult to see why Edenfield residents would prefer to travel to the play area there rather than their local one. RBC are silent on the “how’, ‘where’ and ‘when’.

On the theme of biodiversity and wildlife corridors the measure suggested is to enhance biodiversity corridors, and the opportunities identified are:

“There are several areas of woodland within and in close proximity to the site, including to the north and south of Church Lane and at Chatterton Wood to the south. Areas within the site should be retained as far as possible and enhanced through the development; opportunities to provide further tree planting, particularly if this would link with existing woodland could be explored. Any watercourses within the site which have biodiversity value should be protected.

There is an area of Ancient Woodland at Great Hey Clough to the other side of the A56 and any opportunities to enhance the biodiversity value of this and other BHS sites in the area through contributions from the development could be explored. Any opportunities to provide a continuous link for wildlife between habitat areas in the allocation and the wider network should be explored, for example, ways for wildlife to safely cross over roads and paths.”

The first paragraph, i.e., the first three sentences, address mainly the site, not the remaining Green Belt. The second paragraph is notable only for its trite generalities. Yes, opportunities could or should be explored, but what opportunities, and how, where and when?

On the theme of landscape and visual amenity, the measure suggested is to retain and enhance existing landscape features, and the opportunities identified are:

“The Landscape Study recommends a number of mitigation measures to be implemented within the site which will have benefits for the wider area. In relation to compensation measures on land outside the allocation, the Study recognises the value of the mature beech trees on the land south of H72 which is also proposed to be released from the Green Belt but is not part of the allocation. The Study recommends that, subject to an arboricultural report confirming that the trees are healthy, these should be protected by a Tree Preservation Order to ensure they are retained.”

How are these supposed benefits to be assessed? The term ‘mitigation measures’ acknowledges that development of Site H72 has harmful impact which cannot be eliminated. The on-site mitigation measures might bring benefits in the sense of being better than nothing but still leave the wider area worse off, and this RBC document is silent on what compensatory improvement for landscape and visual improvement can be made in the remaining Green Belt. A TPO might be a good thing, but it is in no sense an improvement. As its name says, it merely seeks to assure the retention of an existing feature.

In summary, RBC, after devoting considerable time and resources, have been unable to provide a coherent, viable, achievable strategy of compensatory improvements in the remaining Green Belt, let alone indicate how, where and when these might be delivered. There is no list of potential sites/ schemes that Action Point 10 demanded. They have clouded the issue by introducing a number of matters which are irrelevant. The fact is that, as ECNF have consistently argued and as the RBC response demonstrates, it would not be possible to compensate in the remaining Green Belt the removal of site H72 from the Green Belt.

Accordingly, the draft Local Plan continues to be out of conformity with planning policy in that it does not comply with Paragraph 138 of NPPF, which states that, where it has been concluded that it is necessary to release Green Belt land for development, plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

In terms of compensatory measures there appears to be very little proposed for a site of this magnitude, we already have good PRoWs and Cycling Routes close by with connections to the main cycle paths. The one Developer of the three involved that could take the time and trouble to respond appears to have provided a careful response that provides very little commitment and raises serious questions about the viability, and thus the deliverability, of RBC’s list of compensatory improvements.

We comment on all the issues that relate to site H72 in **Appendix A** and it is **critical** that this document is examined before any decision is taken with respect to this site. **Please refer also to Comments on Appendix 1 to RBC’s Response to the Action Point in Paragraph 2.4, below.**

Paragraph 6.6. H73. Edenwood Mill. (High degree of Harm.) 47dwellings. We did not oppose this allocation, it enables redevelopment to enhance the area and removes the danger of injury to children who play close to the derelict site.

Action Point 8.015.6. Paragraph 6.7. NE1 Extension to Mayfield Chicks. (Medium degree of Harm.) We do not support this proposal to use Green Belt for employment purposes when it is clear there is already a surplus of employment land. If RBC wish to build housing in the South West of the Borough this site would be much less harmful in terms of Landscape, Heritage, Education, Human Health and Transport than site H72. Additionally the Landowner would prefer to develop the site for housing.

Action 8.015.7. Paragraph 6.8. NE 2 Land north of Hud Hey near Acre. (High degree of Harm.) We do not support this proposal to use Green Belt for employment purposes when it is clear there is already a surplus of employment land.

Action Point 8.015.9. Paragraph 6.9. NE4 Extension of New Hall Hey. (High degree of Harm.) We do not support this proposal to use Green Belt for employment purposes when it is clear there is already a surplus of employment land.

We have no comments with respect to the compensatory measures proposed for these four sites, save to say that they lack the requisite detail.

Section 7 Conclusions

Paragraphs 7, 7.1 & 7.2.

We do not agree with RBC's conclusion that the plan accords with the guidance set out in the PPG and it certainly is not in accord with the NPPF owing to the availability of over 2800 dwellings from non-Green Belt land and a surplus of employment land.

RBC's paper does not set out any actual improvements at all, and there is no clarity as to finance.

Appendix 1 to RBC's Response: Consultation with Landowners and Developers.

Only two replies, one covering H73 and one covering part of H72.

Paragraph 2.3. Pegasus raised concerns about the lack of information about the costs involved.

Paragraph 2.4. Pegasus supports the enhancement of the Cycleways, ProWs and the link to the Recreation Ground most of which are in existence. There was no commitment to the other issues raised and they reserve their rights to provide further comments.

We note Taylor Wimpey will also employ their own Landscape Architects to dispute the Penny Bennett Landscape Architects conclusions and we suspect we will not be surprised with their findings!

Paragraph 3.1. We cannot support the Council's conclusion that the Landowners / Developers were generally supportive of the Council's proposals when only half of them respond and their commitment could hardly be considered as firm.

Alan G. Ashworth & Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum

1st December 2020

APPENDIX A

Site H72: Land west of Market Street Comments on Sustainability Appraisal 2020 Update

In the 2018 Sustainability Appraisal (SA) this site was referred to as H74 (refer to page B3) which creates confusion and masks the negative nature of the scores awarded.

Table B.3 on Page B8 identifies the scores for the Specific Sites Proposed (SSM) giving 3 major negatives for H74 whilst the maximum for all other sites is only one major negative. Table B.3 also gives site H74 5 minor negatives, 1 negligible, 3 minor positives and 1 major positive. Table 5.1 on page 44 identifies the scores assessed Pre-Mitigation (Pre MSM) again giving 3 major negatives for H74 whilst the maximum for all other sites is 1. Table 5.3 on Page 48 which identifies the scores assessed site Post-Mitigation (Post MSM) still gives 3 major negative scores with no other site being awarded even one major negative.

For what it is worth, Table 5.3 scores site H72 (referred to then as H74) with 1 major positive (Housing), 4 minor positives (Climate Change Adaptation, Employment Location, Employment Skills, Transport) 2 negligible (Landscape, Cultural Heritage), 3 minor negatives (Biodiversity, Flooding) and 3 major negatives (Natural Resources, Climate Change Mitigation, Material Assets). Clearly, on the application of the precautionary principle and worst-case scenarios, those negligibles should have been major negatives.

The picture painted by Table 5.3 is too optimistic, and the input to the Table is unreliable. We must look at page 45 of the 2018 SA, paragraph 5.2.1, which states

*“The Local Plan proposes a range of development management policies which are designed to help ensure development in the Plan area is sustainable and satisfies the local need. Each policy has been assessed for its likely impacts on each SA Objective, the results of which are presented in **Appendix C**. The SA scoring matrix for each policy is presented in **Table 5.2**. These scores should be read in conjunction with the detailed text narrative provided in **Appendix C**.”*

SA 2018, Appendix C, Para 1.7.1, Page C7 said of Policy HS3: Edenfield

“The Policies Map accompanying the RBC Plan defines a 15.25ha developable area as ‘Edenfield’, within which a comprehensive site development will be permitted so long as it is in accordance with an agreed Design Code and demonstrated through a masterplan. The Design Code will be likely to help ensure that the major site development makes a positive contribution to its surroundings, avoids adverse impacts on the natural environment and allows residents of the site to pursue high quality, social and healthy lifestyles.”

It is not apparent from the Plan how the adverse impacts of developing site H72 will be mitigated. The problem is that Policy HS3 Edenfield does no more than give headings about what the Design Code might cover and speak vaguely about “identification of mechanisms to enhance the quality of and access to, Green Belt land in the area between the development site and Rawtenstall/Haslingden.” We say

that, without knowing what is in the Design Code, which is yet to be published, it is not possible to judge whether it is likely to help ensure anything. However, SA 2018 presented the assessment scores in Appendix C as a matrix in Table 5.2. Table 5.2 is therefore only as reliable as the policy assessments in Appendix C, which we say, as noted above, is flawed.

Table 5.2 (page 45, SA 2018) scores Policy HS3 as minor positive for all 13 assessments. The next paragraph, 5.3.1, states

*“It is clear from **Table 5.2** that policies in the Local Plan will enable the Council to manage development in the borough in a manner which mitigates many of the adverse impacts identified during the assessments of sites. The SA Scoring matrix for each site has been updated to reflect this ‘post-mitigation’ scenario (see **Table 5.3**).”*

It is by no means clear that the local planning authority will be able to mitigate the adverse impacts of developing site H72. In short, Appendix C over-estimates the value of Policy HS3. Its assessment scores were carried into Table 5.2, which is then used as a flawed basis to amend the site-scoring matrix in a post-mitigation scenario shown in Table 5.3.

In the 2020 SA in Appendix B on page B25 only one site of the four examined in Edenfield had one major negative score; the other 3 had no major negatives in comparison with Site H72’s 3 negatives in the 2018 SA.

The individual comments which refer to site H74 in the 2018 SA and to H72 in the 2020 SA are as follows:-

1a) Landscape: In the 2018 SA: Page B9 – Paragraph 1.3.3 it states *“No major adverse impacts of any site proposal are anticipated for the landscape objective.”* Lepus/RBC therefore rule out any major negative in this category which restricts the choice of judgements. Why there is not a major negative/strong adverse category available in Landscape owing to the comment above is a cause for serious concern when the majority of the other objectives have both a major and minor positive or negative grading. When you consider that for the Landscape category all the 96 sites judged fall into just two categories, minor negative or negligible, something is amiss!

1b) Importantly, in the Spatial Options Sector 2020 SA there is a major negative category for Landscape so why not in the Site assessment sector?

1c) If there had been a major negative grading in the June 2020, and the sites had been reassessed **site** H72 should have been awarded it both on the basis of the Penny Bennett Landscape Architects reports produced in 2015 & 2017 (**Not suitable for development on Landscaping grounds.**) and the comment made on Page 56 in Paragraph 5.3.2 of RBC’s response to Action Point 1.3. *“Due to the proposed expansion at **Edenfield, Spatial Option B would be expected to result in large-scale adverse impacts on the local landscape at this location.**”*

1d) The minor negative grading awarded for landscape is the same in Table B.3 (SSM) on page B8 and Table 5.1 on page 44 (Pre MSM) of the 2018 SA. However, on page 48 in the same report in Table 5.3 (Post MSM) the grading is changed to a negligible impact.

This is despite the Penny Bennett Landscape Architects report stating **“Nor could it be effectively mitigated against because of the sites openness, long views west from [Market Street] and eastwards from the far side of the valley would be affected and there would be significant adverse effects on attractive and well used walks in the area.”** (Refer to pages 127-132 in their 2015 report.)

1e) It is also worth considering the objectives in the 2018 SA on Page B6 in Table B.1 which states for landscape **“Protect and enhance high quality landscapes and townscapes in the Borough, especially those that contribute to local distinctiveness.”**

1f) The evidence highlights that the conclusion made in the 2018 SA with respect to this objective needs to be re-examined and consideration should be given to changing the categories available and giving Site H72 a major negative impact score. **The impact on landscape of developing this site could never be considered to be negligible.**

2a) Cultural Heritage: There are both major and minor negative impact gradings available for this objective. In Tables B.3 (SSM) & Table 5.1(Pre MSM) in the 2018 SA site H74 (now H72) has a minor negative impact score whilst in Table 5.3 (Post MSM) the score is reduced to negligible.

2b) In Table 4.7 in the 2018 SA, page 36 it states *“Where a Listed Building coincides with a site proposal, it is assumed that the setting of the Listed Building will be permanently altered and a strong adverse score is recorded.”* It also states *“Adverse impacts on Grade 1 and Grade II* Listed Buildings are considered to be more severe than adverse impacts on Grade II Listed Buildings.”* In other words the impact related to Edenfield Parish Church would be more severe than the Whitworth Cemetery.

2c) In the 2020 SA Lepus/RBC appear to have modified the assumptions, limitations and uniformities of assessments with respect to the Grade II* Listed Buildings coinciding with a site proposal from strong adverse to minor adverse and failed to repeat the comments with respect to the differentials between II* and II graded Listed Buildings.

2c) We should also consider the objectives in the 2018 SA in Table B.1, page B6, which states for Cultural Heritage: *“To conserve and enhance the historic environment, heritage assets and their settings.”*

2d) It is absolutely amazing there is no reference in Option B and D to Edenfield Parish Church and its Graveyard, a Grade II* Listed Building dating back to 1778 with parts of the Church Tower dating from 1614 but yet constant references to Whitworth Cemetery which is a Grade II not II*.

There appears to have been a serious error of judgement with this objective, it should have been classified as a major negative impact. Again the impact on this site could never be considered to be negligible but it could be reduced if the recommendation made in Heritage Impact Assessment with respect to SHLAA 16262 were implemented. **(Reference: EL 2.066g; ECFN – HLA 4.2.)**

3a) Biodiversity and Geodiversity: The grading for this objective was a minor negative impact and this was retained in all three tables in the 2018 SA. However in the 2020 SA for RBC’s preferred Option D the score was downgraded to a negligible impact. See detail below:

3b) 2020 SA: Option B: Page 57 – Paragraph 5.3.7: *“The proposed expansion at **Edenfield could potentially result in adverse impacts** on numerous surrounding Biological Heritage Sites and important Wildlife sites”.* Page 57 –Paragraph 5.3.8: *“Overall, a **minor negative impact** on biodiversity and geodiversity within the borough would be expected.”*

3c) 2020 SA: Option D: Page 72 – Paragraph 5.5.9:

3d) Options B and D both include Edenfield, Option B *“could result in adverse impacts”* comment therefore applies to both so how does D become **negligible**? Additionally, in Paragraph 5.5.9 of the June 2020 SA Lepus expect a minor negative impact for the Borough so once again how it could become negligible.

3e) RBC's Objective in Table B: 1 in 2018 was *"To protect, enhance and manage biodiversity and Geodiversity in Rossendale"*. Note also *"in Paragraph 5.5.9 of the June 2020 SA Lepus expect a minor negative impact for the Borough"*.

3f) It seems yet again the judgements can be changed on a whim to suit RBC's proposals despite their objective noted above. Note also *"in Paragraph 5.5.9 of the June 2020 SA Lepus expect a minor negative impact for the Borough"*.

4a) Water and Flooding: The grading for this objective for site H72 (then H74) was a minor negative impact in all three tables in 2018. However, the grading in the Spatial Options for this category was a major negative in both the 2019 SA on page 16 & 2020 SA on page 47.

5a) Natural Resources: The grading for this objective for site H72 (then H74) was a major negative impact in all three tables in 2018.

6a) Climate Change Mitigation: The grading for this objective was a major negative impact in all three tables in 2018. The grading was the same in the 2019 SA but was downgraded to a minor negative impact in the 2020 SA. **WHY?**

6b) SA 2018, Page 39, states *"Plan proposals which may be likely to increase the Plan area's carbon footprint by 1% or more are awarded a strong adverse score for this objective."* It further states: *"Proposals for 300 or more homes may be likely to increase the Plan area's carbon footprint by 1% or more."* This means that all the options should be awarded a major negative impact.

6c) Comments in the 2020 SA page 20 Section 6 - Change the housing number limit from 300 to 330 for the plus 1% range but this still means that all four options would be classed as having a major negative impact and not a minor impact as Lepus/RBC are proposing.

6d) The 2020 SA change should be reversed as Site H72 exceeds the 330 dwellings on its own.

7a) Climate Change Adaption: The grading for this objective for site H72 (then H74) in 2018 in tables B3 (SSM) and 5.1(Pre MSM) was negligible and this was upgraded to minor positive in Table 5.3 (Post MSM).

7b) In the 2018 SA on Page 40 – Paragraph 7 states: *"Development which would result in the loss of green fields, which as a proportion of the Plan area constitute 0.1% or more, will be awarded a strong adverse score for this objective. Development which would result in the loss of green fields, which as a proportion of the Plan area constitute less than 0.1%, will be awarded a minor adverse score for this objective."*

7c) In the 2020 SA Spatial Options version on Page 21 Section 7 there is only one category and this is awarded a minor negative impact

7d) Site H72 should have been awarded a major negative impact as it is mainly greenfield or Green Belt land. The score was incorrect in 2018 in all three tables and it is even more incorrect in 2020 due to the change made. It should revert to a major negative as the site's gross area in itself is greater than 0.1% of the Plan area.

7e) Again, it highlights that the assumptions can be changed on a whim to suit RBC's proposal.

8a) Human Health: The gradings for this objective for Site H72 in 2018 in table B3 (SSM); table 5.1 (Pre MSM) and table 5.3 (Post MSM) were all minor negative. This grading was retained in the 2020 SA for all options.

8b) In the 2020 SA on Page 59 – Paragraph 5.3.15: It states: *“Residents in Edenfield and the majority of locations proposed for development under this spatial option, would be located outside of a sustainable distance to an NHS Hospital with an A & E department. With limited public transport options, many residents may need to rely on personal car use to reach health care facilities.”*

8c) We must consider the explanation of the limitations and assumptions for the Health objective on page 22 of the June 2020 SA. (It does not help that this refers to a non-existent Table 4.6. Presumably it means Table 2.4 on page 15.) Table 2.4 specifies sustainable distances of 800m to a GP surgery and 5,000m to a hospital with A & E. The explanation for the Health objective provides:

“It is assumed that sites located in close proximity to major or busy roads will be exposed to road transport associated noise, air and light pollution. Road transport air pollution impacts are considered to be most severe within 200m of the source. Air Quality Management Areas (AQMAs) are also considered to be areas of dangerously poor air quality. A minor negative impact on the long-term health of residents is anticipated where residents will be exposed to air pollution, i.e. located within 200m of a main road or AQMA”.

Site H72 is mainly within 200m of the busy A56, part of the strategic road network

The explanation continues: *“Development proposals which would locate site end users outside the sustainable distance of all health services and are within an area of poor air quality are assessed as having a **major negative impact** on human health.”*

Site H72 is more than the sustainable distance from “all health services”, which in context must be taken to mean A & E hospitals and GP surgeries, and the site must therefore be regarded as having a **major negative impact** on health

It is unhelpful for the June 2020 SA to identify an overall minor negative impact on health when a key site such as H72 would have a **major negative impact**.

8d) RBC’s Objective in Table B: 1 in 2018 was: *“To improve physical and mental health and well-being of people and reduce inequalities of health in Rossendale.”*

8e) It is difficult to understand with all the negative comments relating to Site H72 why the scores for Options B & D which both include Edenfield are the same as options A & C.

9a) Material Assets: The grading for this objective for Site H72 in 2018 in table B3 (SSM); table 5.1 (Pre MSM) and table 5.3 (Post MSM) were all major negative. **This is the only site out of the 96 to score a major negative** and on this basis as well as all the other negative aspects it seems surprising it remains in RBC’s Local Plan..

10a) Housing: The grading for this objective for Site H72 is as you would expect with all three tables being awarded a major positive impact. This is the biggest site in RBC’s local plan being more than twice the size of the next largest site in one of the smallest villages in the Borough with significant heritage, education and infrastructure issues.

10b) This development creates a disproportionate growth in the village of close to 50% in comparison with 10% for the Borough as a whole. RBC claims it was necessary to build in the southwest of the Borough to achieve a balanced approach yet they omitted a site that has extant planning permission for 187 dwellings which is also in the southwest of the Borough. This site would be the largest site in the Local Plan if site H72 were removed.

10c) There does not appear to have been consideration given to other alternative sites in the Green Belt for housing which would be less harmful in terms of the loss of valuable landscape, heritage, education and transport issues, such as the Mayfield Chicks site EMP 10 /NE1.

10d) ECNF have submitted evidence before, during and after the Examination Hearing to confirm the identification of more than 2000 extra dwellings on non-green belt land that should ensure that no Green Belt land can be released in line with paragraph 137 of the NPPF. This evidence has subsequently been updated following the publication of the 2020 SA from Lepus/RBC in June 2020, and reference to our response to Action 1.3 in the Main document on

10e) RBC's Objective in Table B: 1 in 2018 was: *"Provide a range of affordable, environmentally sound and good quality housing which meets the needs of the community of Rossendale"*

They have failed in their objective, site H72 is far from being environmentally sound.

11a) Employment Locations: The gradings for this objective for Site H72 in 2018 in table B3 (SSM); table 5.1 (Pre MSM) and table 5.3 (Post MSM) were all minor positive. There are no specific comments relating to H72 for this objective other than to highlight that the actual employment land requirement should be 10.66ha not the 27ha in the Local Plan.

12a) Employment Skills: The gradings for this objective for Site H72 in 2018 in table B3 (SSM); table 5.1 (Pre MSM) and table 5.3 (Post MSM) were all minor positive. There are no specific comments relating to H72 for this objective other than to highlight that the majority of the other 95 sites were awarded with a major positive impact rather than a minor positive impact in the Local Plan.

13a) Transport: The grading for this objective for Site H72 in 2018 in table B3 (SSM); table 5.1 (Pre MSM) and table 5.3 (Post MSM) were all minor positive. The gradings in the 2019 SA in Spatial Options for Transport were minor negative for Options B & D which include Edenfield and minor positive for Options A & C. In the 2020 SA this was changed to Options A,C & D being minor positive with only B being minor negative. As Edenfield is included in both Options B and D how can option B be a minor negative impact and D have a minor positive impact grading?

13b) Additionally, on Page 61 of the 2020 SA, Paragraph 5.3.25 states: *"The A56 dual carriageway in the west leads onto the M66 at Edenfield in the south of Rossendale. The A56 also leads onto the M65 towards Blackburn and Burnley. These routes provide good road access to surrounding towns and cities for residents within the borough. However, as an expansion at Edenfield is proposed under this spatial option, traffic congestion within the area and on the A56 and M66 would be expected to increase."*

*Further on Page 62 of the 2020 SA, Paragraph 5.3.26 states: "Overall, a number of new residents under this spatial option would be expected to have poor access to local services and facilities via sustainable transport options, and therefore, a **minor negative impact** would be expected."*

13c) In the 2020 SA Lepus/RBC changed the criteria for site proposals located outside a sustainable distance to a bus stop offering a frequent service or to the PRow network so that they were assessed as having a minor negative impact on transport. Previously in the 2018 criteria this would have been awarded a major negative impact. This is yet another change to make the criteria fit with RBC's proposal; it undermines the value of the examination and raises serious questions with respect to the professionalism of both Lepus and RBC.

13d) There is no justification for the change made to the classification of Option D from 2018 to 2020 from minor negative to minor positive and it is very difficult to understand why the negative comments relating to Edenfield in Option B do not apply equally to Option D.

14) Conclusion: If site H72 were re-evaluated on the basis of the comments made above it would be awarded 7 major negative impacts; 3 minor negative impacts; 2 minor positive impacts and one major positive impact. When you consider it is the only site with more than one major negative impact and the fact that it is Green Belt land there is no doubt the site should be removed from the Local Plan Site Allocation List.

Alan G. Ashworth & Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum

1st December 2020

Examination of the Rossendale Local Plan

Action 8.008.12: Approach to Site Allocations and Green Belt Release

Representations by Edenfield Community Neighbourhood Forum re RBC's paper dated 1 June 2020

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Key Points

- 1) The NPPF, paragraph 133, states that the fundamental aim of Green Belt policy is to prevent urban sprawl and that this is achieved by keeping land permanently open. Therefore, as the NPPF states, the essential characteristics of Green Belts are their openness and their permanence, not, as RBC claim, to preserve openness. *Refer to Representations, paragraph 1.*
- With almost three times as much countryside as Green Belt, there is no need to use any Green Belt Land. *Refer to Representations, paragraph 2.*
- RBC have disregarded the supply of housing from increases to the Small Site allowance, Windfalls, Empty Homes, Town Centre Regeneration, and they have excluded for spurious reasons sites that were suitable for allocation in their attempts to try to justify the use of Green Belt Land.
- With a surplus of housing and employment land there is no requirement to release Green Belt. There is a 5 year buffer of 34.7%, a housing surplus of at least 2800 dwellings and an employment land surplus of 14.6ha. *Refer to Housing Supply List to be included in consultation response to Action 8.019.01.*
- RBC's claimed evidence of exceptional circumstances is deficient and does not justify Green Belt release. Plan non-compliant with NPPF, paragraph 136. *Refer to Representations, paragraphs 5-7.*
- RBC have not demonstrated that they have fully exhausted all other options before allocating Green Belt. Plan non-compliant with NPPF, paragraph 137.
- RBC have failed to identify definite, viable and achievable compensatory improvement measures in the remaining Green Belt. Plan non-compliant with NPPF, paragraph 138.

- **RBC claim that not all the sites within the Urban Area are suitable due to Landscape, Green Spaces, Heritage and Highway issues yet they disregard all of these with respect to site H72 which is in the Green Belt.**
- **RBC claim the number of dwellings on Green Belt Land is 467 but there are 511 in the Local Plan and even when this figure is updated there are still 496. Refer to Representations, paragraph 12.**
- **The nature and extent of harm from release of Green Belt site H72 are based on incorrect conclusions as to how the site serves the five purposes of Green Belt, and they disregard serious issues raised by their own Landscape Architects and Heritage Officer. Refer to Representations, paragraph 22 - Test (iv).**
- **RBC's Policy HS3 provides no guarantees that the mitigation measures highlighted in the *Calverton* case will be protected.**

Examination of the Rossendale Local Plan

Action 8.008.12: Approach to Site Allocations and Green Belt Release

Representations by Edenfield Community Neighbourhood Forum re RBC's paper dated 1 June 2020

Representations

We wish to comment as follows:

- 1) **Page 1; Paragraph 1.2.2 Green Belt.** *"Its main purpose is to preserve "openness" of the land."* This is not correct, the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl and that this is achieved by keeping land permanently open. Therefore as the NPPF states, the essential characteristics of Green Belts are their openness and their permanence. (see Para 133 of the NPPF 2019)
- 2) **Page 3; Paragraph 1.3.3.** *In the Borough there are 3177ha of Green Belt out of a total land area of 13800ha of which less than 10% is within the Urban Boundary. (UB = 10%; Countryside = 67%; Green Belt = 23 %.)*
- 3) **Page 3; Paragraph 1.4.Housing Need. 212dpa*1 – 3180** for 15 years. Five year supply with a 20% buffer = 1272. Note the RBC Housing Land Supply Update Report identifies 1634 dwellings as deliverable in the first five years. This provides a buffer of 54% way over the 20% required. 135 of these dwellings are on Green Belt and could easily be removed and still maintain a buffer of 41%. Additionally, the 71 dwellings lost from site H29 will reduce the buffer to 34.7% still well in excess of the 20% required. (***1 The Housing need is actually 210dpa which equates to 3150, refer to footnote on page 26 of RBC's Response to Action Point 1.3.)**
- 4) **Page 3; Paragraph 1.5. Employment Land Requirements.** RBC maintains the 27ha figure despite all our submissions that an accurate calculation rather a prediction results in a requirement of 10.66ha.
- 5) **Page 3; Paragraph 1.6.2. NPPF.** *Paragraph 136 in the NPPF states that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified.* It is very clear that there are no exceptional circumstances evidenced or justified in RBC's response to this action point.
- 6) **Page 3; Paragraph 1.6.3.NPPF.** *"Paragraph 137 in the NPPF goes on to state that, before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development."* (Refer to paragraph numbers 21, 22 & 34 below.)
- 7) **Page 4; Paragraph 1.6.4. NPPF.** *"Paragraph 138 of the NPPF then makes it clear that, where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or well-served by public transport. They should 'set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.'" It is noted that later in the response (at Page 15 Paragraphs 3.6.3-3.6.5) in relation to site H72 RBC advise "the Developers are working with the Council through pre-application discussions to demonstrate how this can be done". In other words at this point, **twenty months after the draft Local Plan was submitted for examination,** there are no compensatory sites identified and no mechanism in place by which they can be funded and brought forward. Additionally, the representative from Taylor Wimpey has suggested wider pavements and signage for Public footpaths would be provided as part of this which provides an indication of the extent of their commitment to it. We refer to our detailed observations about RBC's paper on Action Point 8.10 as regards the non-conformity of the Plan with NPPF, Paragraph 138, in relation to site H72.*

Page 4: Paragraph 2.1.1. The Council misunderstands Paragraph 137 of the NPPF. The NPPF does not go about explaining how local authorities should establish exceptional circumstances as the Council has interpreted it. The NPPF explains that the authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development before reaching a conclusion that exceptional circumstances exist to justify changes to the Green Belt. The NPPF is not a 'how to' instruction guide for how one should establish exceptional circumstances, it is Government Green Belt policy which sets very strict requirements for what an authority must demonstrate and the outcomes of the authority's strategy.

Page 4: Paragraph 2.1.2. The Council again misunderstands Paragraph 137 of the NPPF. It does not require that the authority first consider the full use of suitable brownfield and under-utilised land as the Council states. This is of course something the Council must do but it does not have to come first. The Council states that they've also interpreted Paragraph 137 as prioritising suitable sites within the urban boundary first before looking at the countryside or Green Belt. This is simply not what the NPPF says. The NPPF does not correlate the Green Belt with countryside or greenfield, but the Council appears to confuse these terms in their response. The Council uses the example of "reassessing existing employment sites to identify whether they are still fully and appropriately utilised for economic uses" as a potential source of suitable sites within the urban boundary – this could be one potential source but is surely and hopefully not the full extent of what the Council has considered in its search for brownfield sites and under-utilised land. The Council concludes the paragraph by stating "*Greenfield sites were then identified as a last resort*" – however there is nothing in the NPPF that explains that 'greenfield' should be used as a last resort to meet housing needs. The NPPF instead makes it quite clear that exceptional circumstances must be fully evidenced for an authority to conclude it should change its Green Belt boundaries.

We would like to point out that the Council states that given that the NPPF does not define 'under-utilised' land or state whether it is distinct from brownfield land, that Council has used its own interpretation of what 'under-utilised' means which they say is "*prioritising the identification of suitable sites within the urban boundary first before looking at countryside or Green Belt*". Firstly, the Council's interpretation describes a process for how the council went about its overall site selection (which we discredit in our above response) whereas under-utilised land is specifically about land that could be used more effectively (see [Cambridge Dictionary meaning for 'utilise'](#)). Secondly, PPG does provide guidance on supporting more effective use of land ([Paragraph: 001 Reference ID: 66-001-20190722](#)) and explains what evidence can be used to determine whether land should reallocated for a more deliverable use. PPG states in relation to this evidence that "*when considering whether there is a realistic prospect of an allocated site being developed for its intended use, it may be relevant to take into account factors such as:*

- *the length of time since the site was allocated in the development plan;*
- *the planning history of the site including any planning applications or pre-application enquiries;*
- *whether there is evidence that the site has been actively marketed for its intended use for a reasonable period, and at a realistic price; and*
- *whether there are any changes of circumstance that mean that take-up of the site for its intended use is now unlikely."*

The Guidance also states in relation to evidence:

"where an alternative use for the allocated is proposed, it will also be relevant to consider the extent to which evidence suggests the alternative use would address an unmet need, as well

as the implications for the wider planning strategy for the area and other development plan policies”.

The Guidance sets out, in relation to making more effective use of land, what tools local authorities can use to assemble land to support their planning and development objectives including acquiring land compulsorily or by agreement and dispose of land in their ownership ; and how local authorities can encourage best use of under-utilised land in the short term.

The Council does not appear to have undertaken their assessments with the rigour required by Government policy and guidance. Their extent of rigour appears to be *“reassessing existing employment sites to identify whether they are still fully and appropriately utilised for economic uses”* as a potential source of suitable sites within the urban boundary.

- 8) **Page 4; Paragraph 2.2.1.** The footnote defines ‘available’ as ‘where there is confidence that there are no legal or ownership impediments to development’. We note that RBC say in several cases as a reason for not selecting a site that the owners are unwilling or unknown. We submit that this does not necessarily mean a site is unavailable - compulsory purchase powers may be exercised.
- 9) **Pages 5 & 6; Paragraph 2.2.5 + Table 1.** The figures in this table are from the Housing Topic Paper dated March 2019 and the numbers do not correlate with the Housing Land Supply Update published in October 2019. For example the number of dwellings on deliverable sites (first 5 years) is 1266; whilst there are 1634 on the Updated list. All Green Belt sites could be removed and there would still be 1499 dwellings deliverable in the first five years. The total number over the Plan period without any Green Belt Sites in Table 1 Paragraph 2.2.5 is 4159, close to one thousand more than the plan number. In the Housing Land Supply Updated List, RBC has identified 3353 homes against their target of 3180 and the 3150 Housing Need. We have evidence identifying in excess of 2800 dwellings which has been over and above RBC’s number (3180) without having to resort to the use of Green Belt. This number has increased from our initial MIQ submission to the Examination Hearing following a full review of all the various sites lists and the sites have been approved by a Local Chartered Town Planning Expert
- 10) **Page 6; Paragraph 2.2.9.** *“As previously noted, not all of the sites which were identified within the Urban Boundary are ‘suitable’ for allocation. For example, some are in active use or protected for employment development. **The development of others could have significant impact on heritage assets or a community green space. Others might give rise to highways issues.**”* There is a fundamental inconsistency in RBC’s approach. Regard is rightly had to the unsuitability of some sites within the Urban Boundary due to significant impact on heritage assets, but the allocation of H72, which is mainly in Green Belt, entirely disregards its impact on the setting of a Grade II* listed building. Nor have highways issues been adequately addressed.
- 11) **Page 7; Paragraph 2.2.16.** Like Table 1 the numbers referred to in Table 2 relate to RBC’s original position which they claim left them with no alternative other than as a last resort to turn to Green Belt. They disregarded any supplies from Small Sites, Windfall Sites, Empty Homes, and any potential from the Regeneration of Town Centres or a review of the sites rejected for spurious reasons after Regulation 18. **The facts remain that the target in the Regulation 18 Plan was 3975 and this included 786 dwellings on Green Belt land, this was reduced to 3180 for Regulation 19, a reduction of 795 providing RBC with an opportunity to remove all dwellings in Green Belt.**
- 12) **Page 7; Paragraph 2.2.16 Table 2.** We note in Table 2 in this paragraph that the number of dwellings proposed on Green Belt sites is 467. We are unable to identify how RBC have calculated this number and we provide the individual site details below:

Site Reference	Number of Dwellings in the Local Plan	Updated number of dwellings in the Plan
H 69	20	20
H 70	45	30
H 71	9	9
H 72	390	390
H 73	47	47
Total	511	496

In view of the discrepancy will RBC please clarify how they arrived at their total of 467, and then correct both the total and the percentage in the Green Belt.

- 13) Page 8; Paragraph 2.3.1.** *“Sites . . . assessed as . . . poor quality in relation to employment use can be a valuable source of land for development which meets the needs of smaller businesses which can only pay modest rents and who wish to remain in the local area.”* Landlords do not accept this, the older the property the higher the vacancy level. **These sites should be redeveloped for housing in areas where small businesses are not keen to relocate and provide extra affordable homes and increase the numbers on brownfield sites.** We have called attention to the fact that RBC have not provided a comprehensive list of existing employment sites in the Borough. Therefore there cannot be an informed assessment as to which sites need to be retained.
- 14) Page 8; Paragraph 2.3.2 and Table 3.** This shows that in the SHLAA brownfield land could accommodate only 391 dwellings. Yet on the next page **Table 4** shows that under the Local Plan allocations 603 dwellings would be provided on brownfield sites. As the difference between the figures is not explained, can RBC please provide the details?
- 15) Page 9; Paragraph 2.4.3.** *“The Council . . . have not assumed a high density is appropriate for every site if this would have an adverse impact on the surrounding character or would create a disproportionate amount of new housing in an area (in relation to existing services).”* This paragraph does not truly reflect RBC’s approach. The allocation of site H72 does not accord with those principles, since it clearly has an adverse impact on the surrounding character in terms of openness, landscape and the setting of a Grade II* listed building and is disproportionate to the settlement size (in relation to primary education and highways). Furthermore, RBC have stated their ‘strategic view’ that land released from the Green Belt ‘should provide the maximum amount of development’ (RBC response to Action Point 8.7, Paragraph 3.1). We question the rigour of the Council’s assessment of optimising development in the Borough. Whilst they say they have maximised densities wherever *“they felt it was appropriate”* for example in the most sustainable locations or on existing heavily developed land - where is the Council’s technical evidence which undertakes this detailed assessment? The Council refers to the NPPF (Paragraph 123) where they say in *“The NPPF is clear that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that development make optimal use of the potential of each site”* (Paragraph 2.4.1). However the Council stops short of addressing the most important part of Paragraph 123 of the NPPF which sets out what authorities should do in these circumstances. The NPPF in Paragraph states that in these circumstances:
- a) *plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;*

- b) *the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and*
- c) *local planning authorities should refuse applications which they consider fail to make efficient use of land...*

The Council's response to the Inspectors is not convincing that density standards for town centres and areas well served by public transport have been fully assessed and analysed in a pro-active way. The NPPF explains that this will be tested robustly at examination and we consider that much further scrutiny is required on the Council's approach and technical evidence base in regard to this topic as it is severely lacking.

- 16) **Page 9; Paragraph 2.4.5. Housing Density.** We have already highlighted (**EL 2.066g-ECNF – GBP -7**) that the average density of development on the 23 brownfield sites is 44 based on their net developable area, not 100, yet RBC continue to use their 100 number which only adds to the general confusion. They have already accepted the method we used was valid, yet they persist with one that has an unscientific basis.
- 17) **Page 10; Paragraph 2.5.1 Employment site selection process.** The Employment Land Review seriously over-estimated the amount of employment land needed and assessed only a selection of the existing sites. It therefore does not form a sound evidence base, from which to argue there are exceptional circumstances to release Green Belt land for employment.
- 18) **Page 10; Paragraph 2.5.3. Employment Land Requirement.** *"RBC claim there is an underlying demand for B2 (General Industrial) premises and, to a lesser extent, B8 Warehousing."* This comment is not borne out by Lichfields calculations or by the latest Experian data. The data from these sources indicate negative growth in General Industrial and positive growth in Warehousing. **Refer to EL 2.066i and the submission made by the Right Honourable Jake Berry MP. (Refer to EL 6.012A.)**
- 19) **Page 10; Paragraph 2.5.5.** *"The lack of sufficient land to meet the employment requirement in the urban boundary, the need to avoid further loss of existing space and the need for high quality, large sites in the parts of the Borough most attractive to potential new investors (i. e. the west of the Borough closest to the strategic road network) meant that Green Belt releases had to be considered for employment Land."*
 RBC has also provided a Table 5 relating to the location of the allocations in terms of land type. Unfortunately the figures differ from those in their response to action 5.3. The figures in the Exceptional Circumstances response Action 8.12 add up to 27.47 ha whilst those in Action 5.3 are 27.62 but when corrected for omissions total 35.79ha. It should be noted the description as floorspace is incorrect; these figures are gross site areas which are subject to plot ratios to determine the actual floorspace. **(Refer to the Edenfield Community Neighbourhood Forum (ECNF) response to Action 8.005.2 in a later Consultation for supporting evidence re the 35.97ha figure.)**
 The amount shown to be in Green Belt in Table 5 of Action 8.12 is 12.07ha but in the Green Belt Topic Paper the total was 10.71ha. **(RBC should be required to clarify this.)**
 We have reviewed the Employment Land requirement recently and our MP has submitted this information to the Inspectors with a copy to RBC and the real figure, based on an accurate analysis, not a prediction of all the land losses, with an update on the growth and safety buffer gives a requirement of 10.66ha. **(Refer to EL 6.012A) This gives a surplus over requirements of 25.13ha more than enough to remove all the Green belt land both for employment and housing**
- 20) **Page 11; Paragraph 2.7.1. Reasonable Options Conclusions.** *"Wherever a brownfield site was assessed to be suitable, this land has been allocated or, if too small to be allocated, has been included in the Brownfield Land Register."* **This statement by RBC is questionable as to appear on the register the site must have an area of 0.25ha or be able to support at least 5 dwellings.**

21) Page 12. Paragraph 2.7.5. *"The Council considers that it has examined all other reasonable options for meeting its identified need for development as required by Paragraph 137 of the NPPF".* We strongly reject this claim on the grounds that they have disregarded the majority of the alternatives we highlighted in our submission documents. **(EL 2.066h and EL 2.066i.)** Following a full review of all the various sites the number of dwellings has now increased from 2000 in our initial MIQ submission to the Examination Hearing to over 2800 dwellings. **(Refer for supporting evidence to ECNF – HLA 2.2 which will form part of ECNF’s response to Action 8.019.1 in a later Consultation and refer also to Paragraph 12 in our response to Action Point 1.3.)** This reduces the amount of Green Belt land required for Housing and Employment to zero. **Simply put – RBC has not in any way shape or form exhausted all the sources available.** Additionally RBC has reviewed all the various housing lists again, we now have 57 sites with a capacity in excess of 2800 none of which are on Green Belt land. **(Refer to Paragraph 12 in our response to Action Point 1.3.)** This reduces the amount of Green Belt land required for Housing and Employment purposes to zero. **Simply put - RBC has not in any way shape or form exhausted all the sources available.**

22) Page 12; Paragraph 3.1.1. Calverton Test. RBC list the *"five considerations that ought to be addressed to ascertain whether 'exceptional circumstances' exist to justify releasing land from the Green Belt for development."*

Test (i). *"The acuteness/intensity of the objectively assessed need."* There is no acuteness; there is a surplus of housing and employment land. **(Refer to EL 2.066h; 2.066i; ECNF – HLA 2.2 which will form part of ECNF’s response to Action 8.019.1 in a later Consultation; ECNF’s response to Action 8.005.2 in a later Consultation and our response to Action 1.3 paragraph 12.)**

Test (ii). *"The inherent constraints on supply/availability of land prima facie suitable for sustainable development."* There are no constraints on supply or availability of land. **(Refer to EL 2.066h; 2.066i; ECNF – HLA 2.2 which will form part of ECNF’s response to Action 8.019.1 in a later Consultation; ECNF’s response to Action 8.005.2 in a later Consultation and our response to Action 1.3 paragraph 12).**

Test (iii). *"The consequent difficulties in achieving sustainable development without impinging on the Green Belt."* The facts of the case as presented by RBC are inaccurate, they have been made aware of all the alternatives on many occasions but they choose to disregard them to the cost of the Borough’s Green Belt/ Landscape/ Heritage etc.

Test (iv) *"The nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed.)"* RBC’s own Landscape Consultants identified an area that forms part of Site H72 that should not be developed, yet RBC choose to disregard/ overrule their Consultants professional expertise.

Test (v). *"The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable practicable extent."* RBC’s consultants confirmed with respect to the specific part of site H72 that" it was unsuitable for development, because the effects on the landscape would be significant, and would be uncharacteristic of the local landscape character area, 8b Irwell Valley South. Nor could it be effectively mitigated against because of the sites **openness**. Long views west from [Market Street] and eastwards from the far side of the valley would be affected and there would be significant adverse effects on attractive and well used walks in the area."

On page 2 of this document RBC highlighted the Green Belt’s *"main purpose is to preserve "openness" of the land;* their consultants referred to this feature when they advised a part of H72 should not be developed but RBC yet again choose to ignore their own and their consultant’s comments.

23) Page 12 Section 3.2 Acuteness/ Intensity of the objectively assessed need:

Page 13 Paragraphs 3.2.1-3.2.4 Housing need. RBC refer again to the housing need, it is well documented at 212dpa and 3180 for the 15 years of the plan. (Note: 3180 is RBC’s target, not the housing need which is 3150.) We have already highlighted the various alternatives available to meet this need without the use of any Green Belt land. **(Refer to EL 2.066h, the recent**

submission by our MP (EL 6.012A) and our Comments in paragraph 12 of our response to Action 1.3.)

24) **Page 13 Paragraphs 3.2.5-3.2.7 Employment Land Needs.** Despite the original detail submitted under EL 2.066i and the recent update submitted by our MP (EL 6.012A), RBC are still claiming they need 27ha. The real need is 10.66ha, this being an accurate calculation and not a prediction. RBC has identified 35.97ha, hence there is no need to use any Green Belt for employment and the spare capacity which is not on Green Belt land can be used for additional housing in the future.

25) **Page 13 Section 3.3 Constraints on supply / availability of land suitable for sustainable development.**

Page 14 Paragraph 3.3.1. RBC continues with their inaccurate claim that the supply of suitable, available and achievable non-Green Belt land is insufficient to meet development needs for both housing and employment. (Refer to paragraphs 22 and 23 above to confirm the futility of their claim.)

26) **Page 14 Paragraph 3.3.2.** “The spare capacity on existing employment land (5.46ha) is insufficient in itself to meet the employment land requirement of 27ha. This is coupled with the fact that the total amount of existing land is made up of several small, piecemeal areas spread across existing employment sites, which may not be high quality and where there are difficulties in accessing the strategic road network.” The requirement is, as we have demonstrated, 10.66ha, not 5.46ha. The paragraph is poorly expressed, resulting in a misleading impression. We think ‘existing employment land’ should read ‘existing employment sites’. The second sentence of the paragraph is quite confusing. If ‘existing land’ means ‘existing sites’, it is simply wrong. If ‘existing land’ means ‘spare capacity on existing sites’, then:

(i) the fact is RBC cannot say this with any certainty, as the Employment Land Review was not based on a complete list of existing employment sites and did not always assess correctly the remaining developable area for the sites it did consider, and

(ii) it is false to assert that existing sites EE12, EE13, EE19 and EE24 (being sites with spare capacity) have difficulties in accessing the strategic road network.

27) **Page 14 Paragraph 3.4.1: Difficulties in achieving sustainable development without impinging on Green Belt:** RBC does not consider there is enough land available in the urban boundary and the countryside to meet their needs. What a statement to make when 67% of the Borough is countryside, 10% is urban boundary and 23% is Green Belt. They also claim, “*This could be on open space and playing fields, on more isolated countryside on the edges of urban areas or on countryside which may have greater landscape or heritage value than Green Belt.*” **How does RBC have the audacity to make this claim when there is close to three times as much Countryside as Green Belt and highlight the importance of the landscape and heritage values yet still proceed with Site H72?** Paragraph 3.4.1 is just generalised speculation, unsupported by evidence. No actual difficulties are specified. We have identified more than enough suitable sites to meet the objectively assessed housing need.

28) **Page 14 Paragraph 3.5.2: Nature and extent of harm to Green Belt (or those parts of it which would be lost).** H72 “*The Green Belt review concludes that the three parcels which made up the allocations could be released from the Green Belt. It suggested that in Green Belt terms the site performs relatively weakly, partly because the site is contained by the A56 (T) which forms a strong physical and visual barrier.*”

The Green Belt Review sets out criteria for judging the harm that would be caused by the removal of a parcel from the Green Belt; whether such criteria are met is to be established by the answers to some simple questions of fact. We refer to our analysis of the ratings awarded in the Green Belt Review to the three parcels of which site H72 is comprised - please see our observations on RBC’s Action Point 8.6 Response. Our assessment, that the three parcels each make Strong, Medium and Strong contributions in fulfilling the first three purposes respectively of Green Belt as stated in NPPF, Paragraph 134, is squarely based on the obvious answers to the questions that the Review says should be asked. According to Table 4.2 in the Green Belt Review, if, as we submit is the case with all three component parcels of site H72, a parcel makes a Strong contribution to one or more Green Belt

purposes, its release involves a High risk of potential harm.

Save for a short section on an embankment near the bridge over B6527 Blackburn Road the A56 (T) cannot be regarded as a visual barrier, and even that short section is hardly a 'strong visual barrier'.

Additionally, it is not exceptional for a road to run through Green Belt and there is no justification for re-aligning the Green Belt Boundary with the road.

- 29) **Page 15; Paragraph 3.5.4.** RBC have grossly overestimated the need for Employment land, which is actually 10.66ha, and not accurately identified all existing sites. (Refer to **ECNF's response to Action 8.005.2 in a later Consultation for supporting evidence**)
- 30) **Page 15; Paragraphs 3.6.1-3.6.6. Extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced.**
Paragraph 3.6.1 acknowledges the NPPF requirement that a Plan should set out ways in which the impact of removing land from Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land, but RBC's emerging Plan does not set out any such ways at all. RBC still have no specific areas or features identified to compensate in the remaining Green Belt for the removal of a tract with the landscape value of H72. Obviously it is impossible to compensate, as RBC implicitly acknowledge on page 26 of their Green Belt Topic paper. ***"Exactly how this will be implemented is still an area for consideration."***
- 31) **Paragraph 3.6.3** says Policy HS3 sets out site-specific criteria for site H72, including "the need for the development to identify mechanisms to enhance the quality of, and access to, Green Belt in the area between the site and Rawtenstall/Haslingden". The actual Policy wording is that "new residential development will be permitted subject to . . . Identification of mechanisms to enhance the quality of, and access to, Green Belt in the area between the site and Rawtenstall/Haslingden". That is insufficient to comply with Paragraph 138 of the NPPF - it is the Plan that needs to set out the mechanisms in the first place.
- 32) **Paragraph 3.6.3** continues: "The policy also sets out a number of other mechanisms by which any impact of the development on the existing nature and character of the area could be mitigated, including the need to carefully consider landscaping and boundary treatments. The developers are working with the Council through pre-application discussions to demonstrate how this can be achieved." As regards the first sentence: mitigating the impact of the development is damage limitation - in no way does it constitute improving the environmental quality and accessibility of the remaining Green Belt. The second sentence suggests very little progress has been made. We note also the comment made at the Examination by a representative of the developer for the main area "We are looking to provide wide pavements and signposts for local walks".
- 33) **In Paragraphs 3.6.1 to 3.6.6.** RBC are conflating two separate matters. The last of Mr Justice Jay's five considerations in *Calverton* was directed to the question of ameliorating or reducing impact on the purposes of Green Belt, whereas Paragraph 138, NPPF, is concerned with improvements in the remaining Green Belt. Policy HS3 might address that fifth consideration, but no detail is available and we cannot be sure. Even if it does address it, the Plan is not compliant with NPPF. Moreover, there is inherent conflict between Policy HS3 and RBC's declared strategic view (RBC's response to Action Point 8, Paragraph 3.1) of maximising development on sites released from Green Belt.
- 34) **Paragraph 3.6.4** *"The Council are currently identifying potential compensatory sites, and devising a mechanism by which they can be funded and brought forward. This will include provision for securing developer contributions from planning obligations. This work will also include identifying potential opportunities for enhancing these sites and improving access to them."* These details need to be in the Plan. We do not know how achievable, viable and deliverable the compensatory improvements on these 'compensatory sites' will be. In reality viability limits how much funding can be extracted from planning obligations, which may be required for other purposes such as education and affordable housing.
- 35) **Paragraph 3.6.5** *"The Green Belt Review has also identified a number of mitigation measures which could be implemented, particularly for those sites where a greater degree of*

potential harm has been identified if the site were to be developed. This involves avoiding certain parts of the site, retention of existing woodland and landscape features and increased planting to screen and soften the visual impact of development.”

Whether those measures would be implemented is highly uncertain. RBC’s response to Action Point 8.7 (Paragraph 3.1) states

“Furthermore, given the strong protection afforded to Green Belt, a strategic view was taken that, if the land was to be released from the Green Belt, it should provide the maximum amount of development as possible in order to make the release worthwhile.”

There is conflict between that statement of RBC’s avowed ‘strategic view’ and paragraphs 4.6 and 4.7 of the Green Belt Review 2016 (document **EB.022**), which state:

4.6 For those parcels identified as being potentially suitable for release in Green Belt terms, a summary of the potential mitigation measures that could be applied to minimise effects on the wider Green Belt designation (if the sites were to be released) is provided in Table 4.5 below. The suggested mitigation measures take account of landscape considerations as these strongly influence the effect of development on the openness of the Green Belt. Mitigation measures include advice on scale, density, style and type of development; screening; retention of existing tree cover; limiting development within certain areas of the parcel (sub-areas); and defining new boundaries.

4.7 Generic mitigation principles [include]:

Seek to reduce the scale and density of development along the edge of the Green Belt in order to minimise the impact on the openness of neighbouring Green Belt.

Specifically, in relation to each component parcel of site H72, parcels 39, 43 and 44, Table 4.5 suggested as potential mitigation measures

- *Development within the parcel should be restricted to appropriate small scale and low-density housing.*
- *New properties should be a maximum of two storeys to minimise the negative impact on the openness of neighbouring Green Belt land.*

There is nothing in Local Plan Policy HS3 that would guarantee those mitigation measures. On the contrary, the Policy provides for residential development in accordance with an agreed Design Code, which can be expected to conform with RBC’s strategic view of maximising development. Consequently the impact on the openness of neighbouring Green Belt will be maximised, not minimised as suggested by the authors of the Green Belt Review. Accordingly, it is clear that RBC’s strategic view is diametrically opposed to the *Calverton* concept of ameliorating or reducing to the lowest reasonably practicable extent the impacts of the release of site H72 on the purposes of the Green Belt.

- 36) **Page 16 Paragraphs 3.6.6.** *“All of these recommendations can be incorporated into additional site specific planning guidance in the Local Plan.”* If that is the case, the proposed guidance should have been appended to RBC’s response and made available as part of this consultation.
- 37) **Page 16 Paragraph 3.7.4.** We require RBC to demonstrate how they conclude that sites NE1, NE2 and NE4 are considered to have reasonable access to public transport, taking a central point in each site and given that the bus service on B6527 Blackburn Road/ Manchester Road is hourly.
- 38) **Page 16 Paragraphs 4.1-4.4. Edenfield Primary School.** We have highlighted throughout our response to the claims made by RBC in their response to Action 8.12 and reiterate that there is no need for Green Belt to be used for Housing and Employment or Schools.

There needs to be clarity now about the implications of the development of site H72 for primary education provision and whether more Green Belt land will be required. RBC should have ascertained the consequent need for more classrooms before submitting the Plan for examination. All the releases of Green Belt required by such development should be considered in the Plan as a whole. The fact that RBC have made no decision with respect to Schools in Edenfield and Stubbins only highlights again their inability to consider the evidence submitted both before and during the Examination Hearing, they just plough on blindly disregarding all the facts.

39) **Page 17. Paragraph 5.1. Conclusion.** This final statement is simply wrong: *“the five year housing supply with a twenty percent buffer and a sufficient supply of employment land can only be satisfied by the exceptional release of land from the Green Belt in accordance with NPPF and PPG”*. We have shown that there are sufficient suitable sites for housing in Rossendale during the Plan period to avoid recourse to Green Belt. The Housing Land Supply Update Report in October 2019 identified 1634 dwellings as deliverable in the first five years. The 1634 dwellings identified provided a buffer of 54% way over the 20% required. However 135 of these dwellings are on Green Belt, 71 other dwellings have been cancelled due to H29 being refused Planning Approval reducing the 1634 dwellings to 1428. This provides a buffer of 34.7% way over the 20% requirement. How can this fact fit with the statement above?

RBC also refers to Employment Land being a factor - the errors in their calculations have been highlighted before, during and after the Examination Hearing. They have identified 35.97ha of land available; the amount shown to be in Green Belt in Table 5 of Action 8.12 is 12.07ha but in the Green Belt Topic Paper the total was 10.71ha. If the higher figure of 12.07ha is deducted, it still leaves 23.9ha of non-Green Belt land available against an actual requirement of 10.66ha. The statement quoted above flies in the face of the facts.

Troy Hayes, BSc, MSc, MRTPI, AICP, Founder & Managing Director, Troy Planning + Design, assisted by Alan G. Ashworth and Richard W. Lester, on behalf of Edenfield Community Neighbourhood Forum.

1st December 2020

Examination of the Rossendale Local Plan

Action 8.019.6. Potential Residential Development in Town Centres.

Representations by Alan G. Ashworth and Richard W. Lester about RBC's paper dated 29 May 2020

Contents

Page 1 Key Points

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Key Points

- **RBC figures for Bacup (30) and Haslingden (20) are considered to be too low to cover both new builds and conversions.**
- **Rawtenstall has planning applications for more than 50 dwellings with 10 already approved and this is only the beginning.**
- **The four main towns should have a minimum of 50 each for conversions with a further 25 for new builds.**

Examination of the Rossendale Local Plan

Action 8.019.6. Potential Residential Development in Town Centres.

Representations by Alan G. Ashworth and Richard W. Lester about RBC's paper dated 29 May 2020

Representations

1) **Page 1; Paragraph 1.1** states:

“ . . . the potential supply of dwellings . . . within town centres . . . could be through the conversion or change of use of entire sites and buildings, or the conversion of vacant or underutilised space above ground floor premises.”

2) **Page 3; Paragraph 3.2.** states:

*“However an indicative figure of a total of **30 new dwellings for Bacup and 20 for Haslingden** has been suggested by Economic Development, subject to the findings of the more detailed work to be carried out over the coming months.”*

Note these figures are too low to cover both new builds and conversions.

3) **Page 4; Paragraph 3.4. Table 1.** The figures relating to the number of flats appear to be inaccurate; they claim vacant floorspace in Rawtenstall is 2431 sq m which could create either 49 one bed flats or 35 two bed flats. Currently in the Planning system alone there are 52 Flats/Apartments as follows:

Planning Reference	Location	Proposal	Status
2019/0583	47-51 Kay Street	2 * Two Bed Apartments	Approved
2020/0018	Heritage Arcade	42 * Two Bed Apartments	Pending Consideration
2020/0132	1A-1D, Bank Street	2 * One bed Apartments	Approved
2020/0197/9	Queens Hotel	4 * Two Bed Apartments	Approved
2020/0290	97A-97B Bank St.	2 * Apartments	Approved

4) **Page 4; Table 2.** RBC cannot make up their mind over Spinning Point, the decision changes regularly and they have recently written off £1.4m relating to the previous proposal. The Leader of the Council was on record earlier in 2020 as stating there would not be any residential development but the footnote suggests this is no longer the case. [The footnote reads: *“The Report proposes not*

to progress Spinning Point Phase 2 (which includes the 28 dwellings identified) at this point in time; however the Council still envisage some residential use on this site in the future.”]

5) Conclusions: Page 5; Paragraphs 5.1-5.5. It is disappointing that, in the year since their Economic Development Team produced the 2040 Vision documents for Bacup and Haslingden, RBC have not looked more closely at the buildings suggested for residential development and produced realistic assessments of how many dwellings might be created, whether as small sites or in developments of five or more dwellings. Several of the opportunities could be of a significant size, for example, the Heritage Arcade, Rawtenstall with 42 Apartments. These would surely not be classed as small scale developments. This appears to be a further example of RBC “burying” the opportunities available so that they can continue with their Plans to use Green Belt land.

Alan G. Ashworth and Richard W. Lester

On behalf of themselves and Edenfield Community Neighbourhood Forum

1st December 2020

Examination of the Rossendale Local Plan

Action 8.019.7: Housing Land Supply: Empty Homes

Representations by A. G. Ashworth and R .W. Lester about RBC's paper dated 29 May 2020

Contents

Key Point Representations

Key Point

- **RBC proposes a figure of 10 dwellings per annum, 150 over the Plan period and this appears to be reasonable.**

Representations

Having considered RBC's response, we accept that 10 dwellings per annum would be an appropriate allowance.

Alan G. Ashworth and Richard W. Lester
On behalf of themselves and Edenfield Community Neighbourhood Forum
1st December 2020

Sirs,

I am writing on behalf of a group of communities collectively known as "The Friends of The Moorlands Bury and Rochdale". The Conservation Area of Prickshaw and Broadley Fold is part of that group and I am writing in my capacity as Chair of P&BFCA Committee also. In particular we refer to Action 16.2 in the Rossendale Local Plan (2019-2034) relating to wind farm applications. We remind Rossendale BC that our group of communities are within close proximity of the proposed SMWFEL Application site surrounding Scout and Rooley Moors and the upland landscapes generally, surrounded by the townships of Rochdale, Heywood & Middleton, Bury, Edenfield, Ramsbottom, Rawtenstall, Bacup, Whitworth and the many villages within and on the fringes of those townships. You will recall our written and verbal evidence at the Public Inquiry into the SMWFEL Application at the conclusion of which the Secretary of State endorsed the Planning Inspector's recommendation that the consent by Rossendale BC was wrong in Planning Law and was reversed. The Federation of Local Communities is committed to protecting our Upland Moors and we are anxious to form a partnership with Rossendale BC and with Rochdale BC to act in the best interests of the environment and its protection and enhancement.

At this juncture, we propose merely to make our points generally because, to the best of our collective knowledge, there are no current applications for Wind Farm expansion or individual turbines on the designated areas of Scout and Rooley Moors or indeed any other 'onerous' and/or invasive applications. Nevertheless, we feel it prudent to make Rossendale aware of our position and our continuing thoughts and proposals at this point in time.

We comment thus:

1. Decommissioning and 'end of life' costs and rectification. There are a number of reasons why there must be an obligation on any Developer or Applicant to provide adequate facility for a competent and timely decommissioning at the end of life of the wind farm. Construction of the existing 26 turbine wind farm has caused massive and enduring damage to vast swathes of deep peat with nothing but vague promises that the site will eventually be restored. The loss of wildlife, farming facility and peatland is irreversible. The rectification promises will never be fulfilled because of the costs involved, the extent of the damage and the admission from the developer that 'restoration' means leaving the turbine bases where they are and covering the miles of arterial roads with even more displaced peat. Also, corporate business and identity these days invariably means that the owner at the start of the wind farm's life will not be the same person at the end of life. It is therefore essential that there be a properly valued Decommissioning Bond from the outset. This Bond should be valued by an independent professional and held in a secure 'ring-fenced' account outside the reach of the Applicant and/or successors and by RBC.
2. Covid has presented us all with many problems but one saviour to the health and well-being of residents in the surrounding towns and villages has been the availability of the open Common Land on our moorlands. P&BFCA sits on The Pennine Bridleway and the increase in traditional bridleway users from near and far has been very noticeable and significant. We propose that Rossendale LPA must take

due regard of this facility and afford it an enhanced level of protection, working in partnership with other local and national bodies.

3. Linked to the foregoing paragraph is the need to protect our upland peat environment. It is now recognised that peat is a rare and valuable carbon storage asset and must be preserved. RBC have appreciated this by proposing not to allow any development on areas of deep peat but we think that the measure should go beyond the current proposal. It is clear from the Report prepared by Penny Anderson for SMWFEL (which included a detailed peat mapping exercise) that most of the existing turbines are in deep peat and would not be consented today. This must apply to any expansion proposal. We know that RBC have not undertaken a peat mapping exercise themselves so they are not aware of the effect of their policy.
4. The Inspector's views on adverse visual impact were made clear during and after the Public Inquiry. It is very clear that any addition to the existing Wind Farm footprint must not be allowed.
5. Open, honest and timely consultation is essential with major infrastructure proposals of this type and magnitude. In this regard, communities firmly believe that RBC have been found lacking. The recent housing development at Spring Mill, Whitworth is a clear and current example - inadequate consultation, a total ignorance of the views of local communities and an absence of compliance in terms of breaches of planning rules and conditions to the ongoing detriment of nearby residents and visitors. On the same theme, RBC were alone in their consent of the SMWFEL Application and went against the wishes of local elected Members of Parliament, local communities and ignored the very clear message contained within the Written Ministerial Statement of June 2015 which proposed that the views of the communities must be recognised and followed unless over-riden by cases of very special circumstances.

Finally, as a group of communities with a strong commitment to protecting our valuable upland moorland environment we would encourage Rossendale BC to engage positively with local and national bodies and with local residents and farmers, equestrians etc to map out a way forward to formulating plans to preserve and enhance our moorlands for residents and for visitors alike. With that aim in mind, we will make our position clear to elected Members of Parliament and local Councillors.

We would be very grateful if you will acknowledge receipt of this email. In the meantime, thank you and take care.

John Newcombe
P&BFCA
FOMBCC

Dear Sirs,

Re; Schedule Of Actions Matter 16(Environment) Action 16.2 29th
May 2020 .

I write to express my disappointment at what is an extremely poor response to questions raised by the Inspector and members of the local community . Why do I say this is a poor response;

- The document fails to deal with concerns of local people which date back to the Application(s) for the existing Scout Moor Wind Farm . At that time , local people supported by such well qualified academics as David Bellamy raised serious concern about the environmental impact of wind turbine installations ,on our precious peat moorland and the lasting damage to this scarce resource . There is little or no evidence that those concerns were acknowledged,never mind acted upon.
- In this document , Rossendale BC ,demonstrates a failure to learn from experience . Inquiries with both Rochdale and Rossendale Councils demonstrates that , in the case of the Scout Moor installation, there no bond in place that would guarantee the restoration of the sites ,without impact on the public purse . This document merely serves to re-hash the planning platitudes which have so obviously failed in the past.
- It is particularly disappointing that this document will neither address the environmental nor financial aspects of decommissioning.

In my opinion , this document should be scrapped and re-originated to incorporate serious answers to the questions posed by decommissioning ,with real teeth. If that is not a viable option ,then I suggest the following alterations to what exists;

- At 2.1 remove the words"is as close as possible to that which " . What is needed, in the case of any and all, wind turbine Applications(be they single or multiple) is a binding commitment that the land will be returned to the exact situation which prevailed prior to installation . In most cases local people and the "experts" retained by applicants will have detailed images of bases so that no one can be in any doubt as to the adequacy of restoration.
- At 2.3 . This clause is complete nonsense.Wind turbines are major civil engineering undertakings which cannot readily reversed ,unless corners are cut . Turbine bases should not ,and must not, be left in situ because of the lasting damage which massive amounts of concrete do to the natural environment . Again Rossendale,in common with many LPA`s in our Region is failing to learn from recent experience . Go and look at the feet of many local wind turbines and see the damage which "pooling" causes . This lasting damage from the insult of vast amounts of concrete needs to be removed when turbines reach the end of their working lives in order to remove lasting pollution. Is this and other LPA`s incapable of applying the polluter pays principle to wind installations?. The wind farm developers and operators benefit from vast quantities of public money in subsidies and it is therefore completely inappropriate for them not to leave their sites as they found them, before a digger blade was put in the ground . A Section 106 agreement is a document not fit for purpose in this context. How many times has Rossendale and other LPA`s caved in and commuted such provision when a developer comes pleading poverty ? In just the same way LPA`s already know that corporate guarantees do not address this issue . It is a relatively simple matter to restructure corporate finance provisions to circumvent any apparent

guarantees (Witness the situation in relation the existing Scout Moor Wind Farm where ownership and control has changed a number of times since development, rendering guarantees worthless). The best way to insure that LPA`s do not face the potential financial burden of decommissioning is to make developers pay ,upfront, into a ring-fenced decommissioning fund before a spade is turned . This is a simple clear -cut provision ,the value of which can be derived from an extrapolation of current comprehensive decommissioning costs , applying a sector-specific inflation factor . If such a provision were implemented , it would remove the possibility of impact on the public purse.

- At 2.4. Use only the first two sentences of this paragraph. I have suggested above that sites need to be returned to their exact pre-development state-no if`s no but`s no maybe`s. This is a clear and simple measure which all concerned should be able to relate to . Indeed it is the only reassurance which will satisfy local residents and visitors . All other sentences , in this paragraph need to be deleted.
- At 3.1 remove the word "could" and replace with "must" . These provisions should apply all installations be they single or multiple turbine sites.
- At 3.2a . The need for a restoration bond (or legally acceptable equivalent) should be replaced by an upfront restoration payment -removing uncertainty.
- At 3.2d This provision needs substantial modification ,to reflect the following . Each and every element of a wind turbine installation ,irrespective of whether it is above or below ground , needs to be removed.

In essence , this document gives far too much latitude and scope for argument to developers and operators . Rossendale Borough Council should act in the best interests of the residents it purports to serve , and then itself . It should apply the highest environmental standards to both installation and decommissioning of all wind turbines . No LPA should yield on the application of the highest environmental standards and the polluter pays principle.

Rossendale along with other LPA`s in the Region need to learn the lessons of history from the utterly appalling installations which they have visited on local people and the environment . One of the ways in which they can do this is to insist on proper decommissioning which does not burden Council Charge payers.

There have been repeated failures of Rossendale BC and others to adequately take account of the views of all interested parties, be they local residents interest groups or neighbouring Authorities. Nowhere was this made more obvious than in the Planning Inspectors Report into the Extension to Scout Moor Wind Farm . The inspector made crystal clear that the concerns of local people on a number of matters related to landscape and environmental issues , had not been adequately addressed by Planners .

Rossendale BC has a golden opportunity to consult widely with all affected individuals,groups and communities on decommissioning , to insure a satisfactory outcome for all . It can only be hoped that this,time they apply the lessons of experience and do so.

I hope that my concerns will be adequately reflected in the next stage of this process.

Kind Regards,

Nigel Morrell

Norden Area Forum

REDACTED

ROSSENDALE LOCAL PLAN 2019 – 2034

CONSULTATION ON EXAMINATION LIBRARY 8 (FIRST TRANCHE)

CONSULTATION DEADLINE: 01 DECEMBER 2020

RESPONDENT: B&E BOYS LTD (**RESPONDENT REF. 5192¹**)

REPRESENTATION: HASLINGDEN CRICKET CLUB

1. INTRODUCTION

- 1.1 Following the Local Plan Examination in Public Hearings held in September and October 2019, the Inspectors have asked for additional information on the Local Plan and Evidence Base documents. Their request is set out in the Schedule of Actions which has been given the reference EL6.001 by the Council.
- 1.2 The Council has responded to a number of these Actions and has published a series of documents within the Examination Library 8 and is currently inviting comments on these documents **until 01 December 2020**. Representations submitted at this stage will be forwarded to the Inspectors to inform their review of the draft Local Plan.
- 1.3 The Council has advised Hourigan Connolly (via telephone on 24 November 2020) that additional documents will also be available at the beginning of 2021 at which point the Council will undertake a second tranche of consultation on the outstanding matters. This includes a number of Actions (detailed in EL6.001) which have not yet been completed by the Council. The precise details of those outstanding matters are unknown, and therefore we submit this current Statement on behalf of our client's continued interests solely on the basis of the information currently available in the Examination Library 8.
- 1.4 We confirm that the Council has not made any contact with the Respondent B&E Boys Ltd to discuss the subject site since the close of the Hearings in October 2019. Hourigan Connolly reserves the right to submit comments at that second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

¹ Respondent Reference Number as per Hearings held in September & October 2019

2. MATTER 11: HOUSING SITE ALLOCATIONS: HASLINGDEN AND RISING BRIDGE

ACTION 11.3: H52 LAND TO THE REAR OF HASLINGDEN CRICKET CLUB

2.1 Action 11.3 of the Schedule of Actions (EL6.001) required the Council to undertake the following:

“Produce a draft specific policy, in consultation with landowner/developer and Sport England, including: reason for needing a mixed use allocation, proposed enhancements to the existing sports facilities and how this relates to the housing development (if found acceptable, amend Policies Map to show a larger mixed use allocation) – Inspector to confirm view on whether this is acceptable.”

2.2 As previously submitted, we support the principle of the proposed housing allocation (H52) under Strategic Policy HS2.

2.3 In our Hearing Statement, we even suggested the following draft policy:

Haslingden Cricket Club, land off Private Lane

Haslingden Cricket Club is allocated for residential-led mixed-use development including around 30 houses. Development proposals for the site must:

1. *Retain adequate land and facilities for the continued operation of Haslingden Cricket Club including the provision of a pitch, practice net area, and an element of car parking to serve the cricket club.*
2. *Include for the provision of a new, relocated pavilion to serve the cricket club and other local community functions.*
3. *Provide for the relocation of the practice pitch off-site to land at Haslingden High School.*
4. *Provide satisfactory measures to protect both the proposed dwellings and surrounding existing dwellings from the risk of ball strike from the adjacent cricket pitch, where adequate safety margins are not in place.*
5. *Deliver around 30 houses in the western part of the site to the rear of the existing properties on Grasmere Road.*
6. *Provide satisfactory vehicular access to the new residential properties off Private Lane.*

7. *Provide a satisfactory new vehicular access from Clod Lane to serve the cricket ground.*

8. *Provide a safe and convenient pedestrian footpath access to the site, linking it to the footpath network.*

2.4 At the Hearings in September and October 2019 the Council was invited to engage with Hourigan Connolly to discuss the wording of the draft Policy, however, to date the Council has not approached Hourigan Connolly on this matter. Similarly, there is no reference in any of the Council's documents currently contained in Evidence Library 8 (as part of this first tranche consultation) which indicates the Council has undertaken the work required to complete Action 11.3.

2.5 The Council's current position is disappointing and frustrating and demonstrates a level of apathy towards the development of a sustainable site which the Council itself is keen to bring forward as part of the strategy set out in the Local Plan. We regrettably must continue to object to the Local Plan as drafted until such time that the Council demonstrate they have fully considered the matter in hand, and until Action 11.3 has been completed.

2.6 Hourigan Connolly reserves the right to submit comments at the second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

ROSSENDALE LOCAL PLAN 2019 – 2034

CONSULTATION ON EXAMINATION LIBRARY 8 (FIRST TRANCHE)

CONSULTATION DEADLINE: 01 DECEMBER 2020

RESPONDENT: B&E BOYS LTD (**RESPONDENT REF. 5192¹**)

REPRESENTATION: ISLE OF MAN MILL

1. INTRODUCTION

- 1.1 Following the Local Plan Examination in Public Hearings held in September and October 2019, the Inspectors have asked for additional information on the Local Plan and Evidence Base documents. Their request is set out in the Schedule of Actions which has been given the reference EL6.001 by the Council.
- 1.2 The Council has responded to a number of these Actions and has published a series of documents within the Examination Library 8 and is currently inviting comments on these documents **until 01 December 2020**. Representations submitted at this stage will be forwarded to the Inspectors to inform their review of the draft Local Plan.
- 1.3 The Council has advised Hourigan Connolly (via telephone on 24 November 2020) that additional documents will also be available at the beginning of 2021 at which point the Council will undertake a second tranche of consultation on the outstanding matters. This includes a number of Actions (detailed in EL6.001) which have not yet been completed by the Council. The precise details of those outstanding matters are unknown, and therefore we submit this current Statement on behalf of our client's continued interests solely on the basis of the information currently available in the Examination Library 8.
- 1.4 We confirm that the Council has not made any contact with the Respondent B&E Boys Ltd to discuss the subject site since the close of the Hearings in October 2019. Hourigan Connolly reserves the right to submit comments at that second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

¹ Respondent Reference Number as per Hearings held in September & October 2019

2. MATTER 15: HOUSING SITE ALLOCATIONS: HASLINGDEN AND RISING BRIDGE

ACTION 15.5: ISLE OF MAN MILL, WATER

2.1 Action 15.5 of the Schedule of Actions (EL6.001) required the Council to undertake the following:

“Note to clarify that there is a reasonable prospect of 16 dwellings being delivered when envisaged.”

2.2 As previously submitted, within the draft Local Plan, Isle of Man Mill in Water has a proposed allocation for mixed uses under draft Policy EMP2 (allocation reference M3). Our client supports the proposed allocation of this site for mixed uses in principle and supports the prospect of 16no. dwellings being delivered.

2.3 Document EL8.008.1 Approach to Site Allocations and Green Belt Release was produced by the Council to provide further information about omission sites. The Council confirms that ‘omission sites’ are considered to be sites submitted at the Regulation 19 consultation stage of the Local Plan but not proposed to be allocated, or proposed to be allocated for a different use than the one proposed by the promoter of the site.

2.4 EL008.1 confirms at Table 1 (extract below) that the site at Isle of Man Mill has been allocated in the Local Plan for mixed use Policy M1, and not housing as promoted:

Site Name	Land Use Proposed by the Landowner / Promoter	Local Plan Allocation	Regulation 19 Consultation Reference [SD10]	Site Gross Area (Ha)	Map (Appendix A)	Other References
Isle of Man Garage & Mill, Water	Housing	Yes (Mixed-Use - M3)	Reference 5192	1.09	Map 16	SHLAA16397; ELR: EMP21

Figure 2.1: Table 1: List of omitted sites suggested at Regulation 19. Source: Document Reference EL8.008.1

2.5 Our Hearing Statement requested that the Council considered some flexibility be inserted into the draft policy to allow for the total redevelopment of the allocation for residential use subject to the provision of appropriate marketing evidence at the planning application stage.

REPRESENTATION CONCLUSION

2.6 There is no reference in any of the Council’s documents currently contained in Evidence Library 8 (as part of this first tranche consultation) which indicates the Council has undertaken the work required to complete Action 15.5, and indeed there are no documents contained in the Evidence Library which relate to any Matter 15 Actions whatsoever.

2.7 The Council has not approached B&E Boys since the closing of the Hearings in October 2019 to discuss the specific Action that the Inspectors required them to complete.

- 2.8 The Council's current position is disappointing and frustrating and demonstrates a level of apathy towards the development of a sustainable site which the Council itself is keen to bring forward as part of the strategy set out in the Local Plan. We regrettably must continue to object to the Local Plan as drafted until such time that the Council demonstrate they have fully considered the matter in hand, and until Action 15.5 has been completed.
- 2.9 Hourigan Connolly reserves the right to submit comments at the second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

ROSSENDALE LOCAL PLAN 2019 – 2034

CONSULTATION ON EXAMINATION LIBRARY 8 (FIRST TRANCHE)

CONSULTATION DEADLINE: 01 DECEMBER 2020

RESPONDENT: B&E BOYS LTD (**RESPONDENT REF. 5192¹**)

REPRESENTATION: RIVERSIDE BUSINESS PARK, TOWNSEND FOLD –
SITE EE40

1. INTRODUCTION

- 1.1 Following the Local Plan Examination in Public Hearings held in September and October 2019, the Inspectors have asked for additional information on the Local Plan and Evidence Base documents. Their request is set out in the Schedule of Actions which has been given the reference EL6.001 by the Council.
- 1.2 The Council has responded to a number of these Actions and has published a series of documents within the Examination Library 8 and is currently inviting comments on these documents **until 01 December 2020**. Representations submitted at this stage will be forwarded to the Inspectors to inform their review of the draft Local Plan.
- 1.3 The Council has advised Hourigan Connolly (via telephone on 24 November 2020) that additional documents will also be available at the beginning of 2021 at which point the Council will undertake a second tranche of consultation on the outstanding matters. This includes a number of Actions (detailed in EL6.001) which have not yet been completed by the Council. The precise details of those outstanding matters are unknown, and therefore we submit this current Statement on behalf of our client's continued interests solely on the basis of the information currently available in the Examination Library 8.
- 1.4 We confirm that the Council has not made any contact with the Respondent B&E Boys Ltd to discuss the subject site since the close of the Hearings in October 2019. Hourigan Connolly reserves the right to submit comments at that second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other

¹ Respondent Reference Number as per Hearings held in September & October 2019

Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

2. MATTER 8: APPROACH TO SITE ALLOCATIONS AND GREEN BELT RELEASE

ACTION 8.1: OMISSION SITES

2.1 Action 8.1 of the Schedule of Actions (EL6.001) required the Council to undertake the following:

“Produce a list of omission sites which were suggested during the Regulation 19 consultation stage and undertake a short technical assessment and SA (particularly for non-Green Belt sites).”

RIVERSIDE BUSINESS PARK, RAWTENSTALL

2.2 Document EL8.008.1 Approach to Site Allocations and Green Belt Release was produced by the Council to provide further information about omission sites. The Council confirms that ‘omission sites’ are considered to be sites submitted at the Regulation 19 consultation stage of the Local Plan but not proposed to be allocated, or proposed to be allocated for a different use than the one proposed by the promoter of the site.

2.3 EL8.008.1 confirms at Table 1 (extract below) that the site adjacent to Riverside Business Park has not been allocated in the Local Plan:

Site Name	Land Use Proposed by the Landowner / Promoter	Local Plan Allocation	Regulation 19 Consultation Reference [SD10]	Site Gross Area (Ha)	Map (Appendix A)	Other References
Riverside Business Park extension, Townsend Fold, Rawtenstall Other names: Townsend Fold (SHLAA) Site behind K Steels (ELR)	Employment	No	Reference 5192. Appendix 5.	1.94	Map 1	SHLAA16253; ELR: EMP71; Green Belt Parcel 19

Figure 2.1: Table 1: List of omitted sites suggested at Regulation 19. Source: Document Reference EL8.008.1

HERITAGE IMPACT ASSESSMENT

2.4 Paragraph 3.2 of document EL8.008.1 confirms that new Heritage Impact Assessments were carried out on a number of omitted sites; this includes the extension to Riverside Business Park (the subject site) which is adjacent to the Grade II Listed Building Holme Bridge.

2.5 The Heritage Impact Assessment for the subject site can be found at page 2 of Appendix C to that document; it is also contained at Appendix 1 of this Representation for ease.

2.6 In summary however the new Heritage Impact Assessment concludes that

“Possible mitigation measures

Acceptable/unacceptable in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990 & NPPF (with any necessary mitigation measures?) (Conserve and enhance and presumption in favour of sustainable development)

Main concerns are in respects to the additional traffic movement and weight onto the bridge. Structural assessment will need to be undertaken and high level weight restrictions added.”

2.7 This is discussed in further detail at Paragraph 2.20 below.

SA ADDENDUM (2020)

2.8 Document EL8.008.1 also confirmed that the omitted sites not assessed previously in the Sustainability Appraisal (SA), were assessed in the Sustainability Appraisal (SA) Addendum 2020 produced by Lepus Consulting. Riverside Business Park has been included in this SA Addendum 2020 and it explains why the Council continues to not allocate the site for any use.

2.9 The SA Addendum 2020 (Document EL8.001.3) contains the appraisal of the 46 additional reasonable alternative sites (including Riverside Business Park) which the Council were required to consider following the Hearings in October 2019. Appendix B to EL8.001.3 includes an SA impact matrix which provides an indication of the nature and magnitude of impacts pre-mitigation: *‘Assessment narratives follow the impact matrices for each site, within which the findings of the appraisal and the rationale for the recorded impacts are described’.*

2.10 The impact matrices for the 46 additional reasonable alternative sites are presented in Table 7.2, including Riverside Business Park. It is noted that these impacts should be read in conjunction with the assessment text narrative in Appendix B to EL8.001.3, as well as topic specific methodologies and assumptions in Table 2.5. The impact matrix for Riverside Business Park is as follows:

Table 7.2: Impact matrix of the 46 additional reasonable alternative sites

Site Name	1	2	3	4	5	6	7	8	9	10	11	12	13
	Landscape	Cultural Heritage	Biodiversity and Geodiversity	Water and Flooding	Natural Resources	Climate Change Mitigation	Climate Change Adaption	Human Health	Material Assets	Housing	Employment Location	Employment Skills	Transport
Rawtenstall													
Riverside Business Park Extension, Townsend Fold, Rawtenstall	-	-	-	--	-	0	-	-	0	0	++	0	+

Figure 2.2: Extract from Table 7.2 Impact Matrix for Riverside Business Park Source: Document Reference EL8.001.3

2.11 Appendix B (page B57 onwards) details the following about Riverside Business Park, expanding on the details contained in the matrix above (with our added emphasis):

SA Objective 1 – Landscape

Development would be expected to have a **minor negative** impact on the characteristics identified in the published landscape character assessment and impacts on the local landscape.

SA Objective 2 – Cultural Heritage

The site is located adjacent to the Grade II Listed Building ‘Holme Bridge’. The proposed development at the site could potentially have a **minor negative** impact on the Listed Building.

SA Objective 3 – Biodiversity & Geodiversity

Riverside Business Park not referred to in assessment. SA Conclusions unknown.

SA Objective 4 – Water and Flooding

The eastern edge of the site is located within Flood Zones 2 and 3. The proposed development at this site could potentially locate some site end users in areas at risk of fluvial flooding; therefore, a **major negative** impact would be expected (fluvial flooding). Area at risk of surface water flooding, therefore **minor negative** impact on pluvial flood risk.

SA Objective 5 – Natural Resources

Minor negative impact on natural resources as development would result in loss of undeveloped land. Grade 4 Agricultural land, therefore **minor positive** impact as development here would likely prevent loss of BMV land elsewhere. Land partially coincide with Mineral Safeguarding Area; **minor negative** impact would be expected.

SA Objective 6 – Climate Change Mitigation

Negligible contribution (employment use) to Rossendale’s total carbon emissions.

SA Objective 7 – Climate Change Adaptation

Loss of Green Infrastructure, **minor negative** impact.

SA Objective 8 – Human Health

Four **minor negative** and two **minor positive** impacts.

SA Objective 9 – Material Assets

Minor negative impact on household waste generation.

SA Objective 10 – Housing

Negligible impact on the net gain of housing provision.

SA Objective 11 – Employment Location

Employment Floorspace: 'Riverside Business Park extension comprises previously undeveloped land and is proposed for employment development. The proposed development would be expected to result in a net gain in employment floorspace and provide local employment opportunities. Therefore, a **major positive impact** on the local economy would be expected as a result of the proposed development at this site.

SA Objective 12 – Employment Skills

Riverside Business Park not referred to in assessment. SA Conclusions unknown.

SA Objective 13 – Transport

Minor positive impact on access to bus services and opportunities to travel by foot.

- 2.12 Following the above conclusions on the positive and adverse potential impacts of the reasonable alternative sites on the objectives within the SA Framework as prepared by the external consultants, the Council concluded that the Riverside Business Park extension site should remain unallocated for the proposed employment use as submitted by Hourigan Conolly at the Hearings. The Council's reasoning behind this conclusion is set out at Table 8.1 of EL8.001.3 on page 136. Page 136 is contained at Appendix 2 to this Representation.
- 2.13 The key conclusions reached by the Council are that the site '*performs poorly against climate change adaptation and less than average on 5 criteria (SA Addendum 2020)*' and that the explanation of exclusion from the Regulation 18 Local Plan version was that the '*Green Belt parcel not identified for release in the Green Belt Review.*' For the avoidance of doubt, there is no further explanation for exclusion from the Regulation 19 version
- 2.14 This is discussed further below at Paragraph 2.20.

ACTION 8.7: SITE SELECTION EVIDENCE

- 2.15 Action 8.7 of the Schedule of Actions (EL6.001) required the Council to undertake the following:
- "Produce clearer site selection evidence which clarifies why there are differences between SHLAA results and final conclusions on sites and provides clearer reasons for the overall conclusions (relating to rejected options). This should include setting out the assessment process for every potential GB site which was assessed for development*

and how the Council reached the conclusions on suitability and reasons for selection or rejection; within this need to explain why for some small GB site options it was deemed that harm to GB was not outweighed by the need to deliver identified development needs.).”

- 2.16 During the Local Plan hearings, the site selection process was discussed within Matter 8 and the Inspectors requested further information, in particular on those sites assessed in Stage 2 of the Strategic Housing Land Supply (SHLAA) which were not eventually selected as an allocation in the Local Plan. Document EL8.008.7 ‘Site Selection Evidence’ seeks to clarify the reasons why sites were not taken forward for housing allocation or included in the housing land supply.
- 2.17 Paragraph 4.1 of EL8.008.7 explains the different Site Assessment Tables confirming that the tables provide further information on sites which were assessed at stage 2 of the SHLAA but were not allocated in the Pre-submission (Regulation 19) version of the Plan. The document states that, ‘where applicable, findings from additional studies and other considerations are included, including additional assessments undertaken after the Local Plan hearings’.

RIVERSIDE BUSINESS PARK

- 2.18 The site at Riverside Business Park is included in Table 4 (Page 33) of document EL8.008.7 - Sites assessed as ‘Not developable’ in the SHLAA 2018 – as follows:

SHLAA 2018 Ref	Site Name & Address	Green Belt Parcel Ref	Green Belt Review Conclusion	Heritage Impact Assessment Conclusion	Employment Land Review 2017 Ref	Employment Land Review 2017 Conclusion	SFRA 2016 Ref	SFRA 2016 Conclusion	Environmental Network Study 2017	Landscape Study 2015
SHLAA 16253	Townsend Fold, Rawtenstall	Parcel 19	Retain	New Heritage Assessment available in Action 8.1: Main concerns are in respects to the additional traffic movement and weight onto the bridge. Structural assessment will need to be undertaken and high level weight restrictions added.	EMP46 and EMP71	EMP46: Retain for B-Class employment use. EMP71: Do not allocate for employment	SFRA 292	Exception Test	N/A	N/A

SA Site Name	SA Conclusion	Regulation 18 Ref	Reason for not allocating for housing
Three assessments: Land west of Riverside Business Park, Riverside Business Park Extension (different name but same site as above) (E) and Holme Works (E)	<u>Land west of Riverside Business Park (housing assessment):</u> 1 strong adverse impact for climate change adaptation and 1 strong positive impact for housing, 5 minor adverse impacts and 4 minor positive impacts <u>Riverside Business Park Extension, Townsend Fold, Rawtenstall (employment assessment):</u> 1 strong adverse impact for water and flooding, 1 strong positive impact for employment, 6 minor adverse impacts and 1 minor positive impact <u>Holme Works (employment assessment):</u> 1 strong adverse impact for water and 2 strong positive impacts for landscape and employment location, 3 minor positive impacts and 1 minor negative impact	Part of EMP2.50	Partly allocated as EE40 - Riverside Business Park. Remaining part of the site is within a Green Belt parcel not identified for release.

Figure 2.2: Table 4: Sites assessed as ‘not developable’ in the SHLAA 2018

2.19 This is discussed in further detail below.

REPRESENTATION CONCLUSION

2.20 Having set out the details of each of the SA Objectives above (at Paragraph 2.11 above), Hourigan Connolly notes that the SA Addendum 2020 concludes there would be 2 negligible impacts, 10 minor negative impacts, 3 minor positive impacts, 1 major negative and 1 major positive impact. The site was not assessed against two of the criteria for whatever reason (the SA Addendum does not explain this).

2.21 The site has been promoted at every stage of the Plan review process starting with the Call for Sites in March 2016, initially for housing development then subsequently as an extension to the existing business park.

2.22 The Council continue to wrongly assume the site would have direct access from Holme Lane and that the site is constrained by the lack of an appropriate access point – this was assumed in the Employment Land Review (dated 2017), continues to be assumed in the SA Addendum 2020 and the heritage Impact Assessment. It is simply incorrect.

2.23 The Council has failed to properly and seriously consider the contents of our Hearing Statements, and the evidence presented at the Hearings in September and October 2019. or the results of the SA Addendum 2020. The lack of attention to detail paid by the Council at this late stage in the Local Plan process is frustrating and disappointing.

2.24 The Council should not disregard the site for an employment allocation for the reasons we have already explained at length. The site would form a logical extension to the south of Rawtenstall

and in particular to the established employment site at Townsend Fold and would make a valuable and readily deliverable contribution to the supply of employment land in the Plan. There is no need to utilise the Grade II Listed Building (the bridge) for vehicular access to the new area of land, as it has already been shown that a new access can be taken from within the existing business park to which the site adjoins.

- 2.25 Hourigan Connolly reserves the right to submit comments at the second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

Appendix 1

Appendix C –New Heritage Impact Assessments for omitted sites

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Site	Riverside Business Park – EMP71
Description of site	
Heritage assets potentially affected	Grade II – Holme Bridge
Significance	6/205 Holme Bridge - - II 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).
Contribution site makes to significance	
Possible impact of loss of site and development on significance of asset	
Secondary effects e.g. increased traffic movement	Increased traffic of varied weights will have a direct impact on the bridge.
Opportunities for development to enhance or better reveal significance	
Possible mitigation measures	
Design requirements? Form and appearance of development: Prominence, scale and massing, materials, density, number, layout and heights of buildings	
Location of development within the site: Topography, open space, landscaping, protection of key views, visibility	
Acceptable/unacceptable in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990 & NPPF (with any necessary mitigation measures?) (Conserve and enhance and presumption in favour of sustainable development)	Main concerns are in respects to the additional traffic movement and weight onto the bridge. Structural assessment will need to be undertaken and high level weight restrictions added.

Appendix 2

Site Name	Summary of SA findings Regulation 18 Report (or other SA Assessments)	Included in R18 Local Plan version? (Y/N)	Explanation of exclusion from the R18 Local Plan version.	Included in R19 Local Plan version? (Y/N)	Explanation of exclusion from the R19 Local Plan version.	Site References (Allocation or Evidence Base Study Reference)
REJECTED SITES						
Land west of Holcombe Road, Helmshore	Performs poorly against landscape and climate change adaptation and less than average on 2 criteria	N	Adjoins a BHS and Listed Building. Landscape value. Coal mining risk. Cumulative impact with proposed housing allocation in the vicinity.	N	N/A	SHLAA18431 and SHLAA18305
Land west of Lomas Lane, Rawtenstall	Performs poorly against climate change adaptation and less than average on 6 criteria	Y	Intentions of landowners unknown for a large part of the site. Grassland and Woodland Stepping Stone Habitats. An Urban Boundary change is proposed to facilitate development of part of the site for less than five dwellings.	N	N/A	SHLAA16242 and SHLAA16243
Land west of Riverside Business Park, Rawtenstall (H)	Performs poorly against climate change adaptation and less than average on 5 criteria (SA Addendum 2020)	N	Green Belt parcel not identified for release in the Green Belt Review.	N	N/A	SHLAA16253
Land west of Sow Clough, Stacksteads	Performs poorly against biodiversity and climate change adaptation and less than average against 6 criteria	N	Lancashire County Council highways objection and landowner intentions unknown	N	N/A	SHLAA16088
Langwood, Haslingden	Performs less than average on 5 criteria (SA Addendum 2020)	N	Green Belt parcel not recommended for release in the Green Belt Review	N	N/A	SHLAA16313
Laund Bank Barn 2, Rawtenstall	Performs poorly against water and climate change mitigation and less than average on 4 criteria	N	Site partly in a Biological Heritage Site. A quarter of the site is within the Coal Authority high risk development area.	N	N/A	SHLAA16221
Lea Brook, Land off Holland Avenue, Rawtenstall	Performs poorly against biodiversity and less than average on 4 criteria (SA Addendum 2020)	N	The site was considered 'deliverable' in the SHLAA subject to protection of the woodland as well as TPO trees, and subject to the vehicular access being approved by LCC Highways. Following LCC Highways comment on a site in the vicinity, it is considered that the vehicular access might not be appropriate for this larger site and therefore the site was not proposed for allocation. The SA also identified a strong adverse impact on biodiversity.	N	N/A	SHLAA16222

ROSSENDALE LOCAL PLAN 2019 – 2034

CONSULTATION ON EXAMINATION LIBRARY 8 (FIRST TRANCHE)

CONSULTATION DEADLINE: 01 DECEMBER 2020

RESPONDENT: B&E BOYS LTD (**RESPONDENT REF. 5192¹**)

REPRESENTATION: TOLL BAR MILL, STACKSTEADS

1. INTRODUCTION

- 1.1 Following the Local Plan Examination in Public Hearings held in September and October 2019, the Inspectors have asked for additional information on the Local Plan and Evidence Base documents. Their request is set out in the Schedule of Actions which has been given the reference EL6.001 by the Council.
- 1.2 The Council has responded to a number of these Actions and has published a series of documents within the Examination Library 8 and is currently inviting comments on these documents **until 01 December 2020**. Representations submitted at this stage will be forwarded to the Inspectors to inform their review of the draft Local Plan.
- 1.3 The Council has advised Hourigan Connolly (via telephone on 24 November 2020) that additional documents will also be available at the beginning of 2021 at which point the Council will undertake a second tranche of consultation on the outstanding matters. This includes a number of Actions (detailed in EL6.001) which have not yet been completed by the Council. The precise details of those outstanding matters are unknown, and therefore we submit this current Statement on behalf of our client's continued interests solely on the basis of the information currently available in the Examination Library 8.
- 1.4 We confirm that the Council has not made any contact with the Respondent B&E Boys Ltd to discuss the subject site since the close of the Hearings in October 2019. Hourigan Connolly reserves the right to submit comments at that second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

¹ Respondent Reference Number as per Hearings held in September & October 2019

2. MATTER 8: APPROACH TO SITE ALLOCATIONS AND GREEN BELT RELEASE

ACTION 8.1: OMISSION SITES

2.1 Action 8.1 of the Schedule of Actions (EL6.001) required the Council to undertake the following:

“Produce a list of omission sites which were suggested during the Regulation 19 consultation stage and undertake a short technical assessment and SA (particularly for non-Green Belt sites).”

TOLL BAR MILL (BUSINESS PARK), STACKSTEADS

2.2 Document EL8.008.1 Approach to Site Allocations and Green Belt Release was produced by the Council to provide further information about omission sites. The Council confirms that ‘omission sites’ are considered to be sites submitted at the Regulation 19 consultation stage of the Local Plan but not proposed to be allocated, or proposed to be allocated for a different use than the one proposed by the promoter of the site.

2.3 EL8.008.1 confirms at Table 1 (extract below) that the site at Toll Bar Mill continues to be allocated for employment use – Policy EE30 – and not housing as we have previously submitted on behalf of the landowner:

Site Name	Land Use Proposed by the Landowner / Promoter	Local Plan Allocation	Regulation 19 Consultation Reference [SD10]	Site Gross Area (Ha)	Map (Appendix A)	Other References
Toll Bar Business Park, Stacksteads	Housing	Yes (Existing Employment Site – EE30)	Reference 5192. Appendix 5	0.76	Map 13	SHLAA16093; ELR: EMP31

Figure 2.1: Table 1: List of omitted sites suggested at Regulation 19. Source: Document Reference EL8.008.1

HERITAGE IMPACT ASSESSMENT

2.1 Paragraph 3.2 of document EL8.008.1 confirms that new Heritage Impact Assessments were carried out on a number of omitted sites; including the subject site due to the presence of a Grade II Listed Building, Stacksteads Mill. The Assessment for the site can be found at page 15 of Appendix C to that document; it is also contained at Appendix 1 of this Representation for ease.

2.2 In summary however the new Heritage Impact Assessment concludes the following:

“There is an opportunity for the Mill’s significance to be enhanced and revealed. In its current form the complex is closed off and underused and with making the site residential it would allow for focus to be placed on the quality of the Mill, creating details

within the conversion and making use of fixtures and fittings which are extant within the Mill.

Acceptable/unacceptable in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990 & NPPF (with any necessary mitigation measures?) (Conserve and enhance and presumption in favour of sustainable development)

Could be acceptable, subject to full retention of the Mill complex, detailed Buildings Archaeology report being undertaken at an early stage, by a fully qualified and professional Buildings Archaeologist. The retention of all historic fabric, fixtures and fittings. This will require a detailed Heritage statement which the BA Report will feed into.”

2.3 This is discussed in further detail at Paragraph 2.13 below.

SA ADDENDUM (2020)

2.4 Document EL8.008.1 confirmed that the omitted sites not assessed previously in the Sustainability Appraisal (SA), were assessed in the Sustainability Appraisal (SA) Addendum 2020 produced by Lepus Consulting (Document EL8.001.3).

2.5 The subject site at Toll Bar Mill has not been subjected to a further assessment in the SA Addendum (2020) presumably because it was assessed in the original SA, with it simply being referred to in Table 8.1 as a site which has been ‘allocated’ by the Council and an explanation why. The relevant extract from Table 8.1 is below:

Site Name	Summary of SA findings Regulation 18 Report (or other SA Assessments)	Included in R18 Local Plan version? (Y/N)	Explanation of exclusion from the R18 Local Plan version.	Included in R19 Local Plan version? (Y/N)
ALLOCATED SITES				
Toll Bar Business Park, Stacksteads	Performs poorly against employment location and less than average on 2 criteria	Y	N/A	Y

Explanation of exclusion from the R19 Local Plan version.	Site References (Allocation or Evidence Base Study Reference)	Reasons for Selection
N/A	EE030: Toll Bar Business Park	The site is in use for employment (B-class uses) as well as retail and leisure. The Employment Land Review recommends to retain as a mixed-use site. It is proposed to retain the use of the site as existing employment.

Figure 2.2: Extract from Table 8.1 of EL8.001.3: Reasons for selection of the allocated sites (source: Rossendale Borough Council)

2.6 The key conclusions reached by the Council are that the site *'performs poorly against employment location less than average against 2 criteria'* and that the explanation of exclusion from the Regulation 19 Local Plan version was that the *'The site is in use for employment as well as retail and leisure. The ELR recommends to retain as a mixed use site. It is proposed to retain the use of the site as existing employment'*.

2.7 This is discussed below at Paragraph 2.13.

ACTION 8.7: SITE SELECTION EVIDENCE

2.8 Action 8.7 of the Schedule of Actions (EL6.001) required the Council to undertake the following:

"Produce clearer site selection evidence which clarifies why there are differences between SHLAA results and final conclusions on sites and provides clearer reasons for the overall conclusions (relating to rejected options). This should include setting out the assessment process for every potential GB site which was assessed for development and how the Council reached the conclusions on suitability and reasons for selection or rejection; within this need to explain why for some small GB site options it was deemed that harm to GB was not outweighed by the need to deliver identified development needs.)"

2.9 During the Local Plan hearings, the site selection process was discussed under Matter 8 and the Inspectors requested further information, in particular for those sites assessed in Stage 2 of the Strategic Housing Land Supply (SHLAA) which were not eventually selected as an allocation in the Local Plan. Document EL8.008.7 'Site Selection Evidence' seeks to clarify the reasons why sites were not taken forward for housing allocation or included in the housing land supply.

2.10 Paragraph 4.1 of EL8.008.7 explains the different Site Assessment Tables confirming that the tables provide further information on sites which were assessed at stage 2 of the SHLAA but were not allocated in the Pre-submission (Regulation 19) version of the Plan. The document states that, *'where applicable, findings from additional studies and other considerations are included, including additional assessments undertaken after the Local Plan hearings.'*

TOLL BAR BUSINESS PARK

2.11 The site at Toll Bar Business Park is included in Table 8 (Page 49) of document EL8.008.7 – Sites rejected for housing allocation but allocated as employment sites – as follows:

SHLAA Ref	Site Name & Address	SHLAA Conclusion	Green Belt Parcel Ref	Review Conclusion	Heritage Assessment Conclusion	Employment Land Review 2017 Ref	Employment Land Review 2017 Conclusion	SFRA 2016 Ref	SFRA 2016 Conclusion	Environmental Network Study 2017	Landscape Study 2015
SHLAA16093	Toll Bar Business Park,	Deliverable	N/A	N/A	New Heritage Assessment available in Action 8.1: Could be acceptable, subject to full retention of the Mill complex,	EMP31	Retain as mixed-use site (B1 and retail/leisure/residential)	SFRA291	Consider site layout and design	N/A	N/A
	Stacksteads				detailed Buildings Archaeology report being undertaken at an early stage, by a fully qualified and professional Buildings Archaeologist. The retention of all historic fabric, fixtures and fittings. This will require a detailed Heritage statement which the BA Report will feed into.						

SA Site Name	SA Conclusion	Regulation 18 Ref	Comments
Toll Bar Business Park	Housing assessment: 1 strong positive impact for housing, 1 strong negative impact for employment location, 2 minor adverse impacts and 5 minor positive impacts	EMP2.40	The site is in use for employment (B-class uses) as well as retail and leisure. The site is proposed to be retained as existing employment site in the Local Plan: EE30 – Toll Bar Business Park.

Figure 2.2: Table 8: Sites rejected for housing allocation but allocated as employment sites

2.12 This is discussed in further detail below.

REPRESENTATION CONCLUSION

2.13 The subject site is allocation under Policy EE30 as an existing employment use. We would respectfully refer the Inspectors to our Hearings Statement (and those submitted at Regulations 18 and 19 before it), which sets out why the site is not suitable for retention in employment use. In summary:

- The site does not operate on a financially viable basis.

- The proposed allocation for B1, B2 and B8 uses will not secure a viable use or investment in the site going forward.
- The site is not fit for employment purpose and is in the wrong location with regards links to strategic transport links.
- The building desperately needs significant maintenance works including re-roofing the whole building which is estimated to be at least £500k. There is also major works required to the main core of the building as in large parts, the mill is now becoming infested with wet and dry rot to many of the main timber supports. Many of the single storey northern light roofs at the mill have suffered from years of lead thefts and vandalism causing thousands of pounds worth of damage that really now requires serious investment to make the buildings water tight to allow higher grade of tenants to potentially take occupancy. However, the rental uplifts are unachievable given the quality of other more modern buildings in the Borough.
- Toll Bar Business Park is only partly occupied by commercial and industrial operators. The rent received by the tenants is significantly below the current market rent. As the years have passed, demand for upper floor space has dropped significantly, if not completely, other than the likes of boxing / karate clubs, artists, or dance / fitness studios who can only afford nominal rents.
- The Council's Employment Land Review 2017 scores the site poorly against the various employment criteria and gives an overall rating of Poor – refer to Figure 2.2 above.
- The site is no longer a viable employment location and there is no reasonable prospect of either take-up or redevelopment for employment use.

2.14 Even the Council's own SA (2018) concluded that the allocation of the site for employment performs poorly against the employment location and that allocation for housing would result in a strong positive impact, as well as more minor positive impacts than minor negative impacts (also highlighted in Figure 2.2 above).

2.15 Yet the Council insist on relying on the dated Employment Land Review (2017) conclusions, and ignoring the current physical state of the building and its low occupancy rates.

2.16 The Heritage Impact Assessment (contained in Appendix 1), identifies an opportunity for the Mill's significance to be enhanced and revealed:

"In its current form the complex is closed off and underused and with making the site residential it would allow for focus to be placed on the quality of the Mill, creating details within the conversion and making use of fixtures and fittings which are extant within the Mill."

2.17 The opportunity to enhance and reveal the significance of the subject site, as acknowledged by the Heritage Impact Assessment, will simply not be realised if the site continues to be allocated for employment. Our position on this point is categoric, and the reasons why have been submitted at

length in our number previous submissions (and set out in the bullet points above). By continuing to allocate the site for an employment use, the site will not only not deliver to its full employment potential, it will not assist in the delivery of the employment strategic aims of the emerging Local Plan, and it will not secure the long term future of a Grade II Listed Building.

- 2.18 In our view, the Local Plan misses a great opportunity to positively tackle this prime site as a sustainable housing allocation.
- 2.19 We do not believe that the Council has seriously considered the contents of our Hearing Statements or the results of the recent Heritage Impact Assessment. The Council should not therefore disregard the site for a housing allocation.
- 2.20 On the basis of the current consultation material available to us, we submit that the Council has failed to seriously consider the specific contents of our Hearing Statements, and the evidence presented at the Hearings in September and October 2019.
- 2.21 Hourigan Connolly reserves the right to submit comments at the second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

Appendix 1

Appendix C –New Heritage Impact Assessments for omitted sites

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Site	Toll Bar Business Park, Stacksteads SHLAA16093
Description of site	The site is located directly off and immediately next to the mini roundabout between Booth Road and the main A681 Newchurch Road. The site is a former integrated Mill complex which is almost completely intact. There are some modern additions to the south west of the site which have lesser significance, however the rest of the site holds strong significance to the historic mill complex. The site does face the main road, but is also flanked on the east and west by a mix of terraced housing.
Heritage assets potentially affected	Grade II Stacksteads Mill
Significance	<p><i>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 one-half storeys; tall windows of diminishing height, all with straight sills and heads and altered glazing, double loading doors in fifth 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 first 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.</i></p> <p>The Mill was assessed in the 2012 Mill Study undertaken by Oxford Archaeology and was recognised as having high significance. The Mill is one of few remaining examples in the area which increases its significance due to its rarity.</p>
Contribution site makes to significance	The site forms a good example of an intact Mill complex. There have been some additions to the site as noted which are of lesser significance, however the site is a good example of its type and is recognised by being Listed at Grade II. There is a high level of retention of internal fabric, floors plans and also fixtures and fittings.
Possible impact of loss of site and development on significance of asset	Loss of the Mill complex would be entirely unacceptable and would be considered substantially harmful. The buildings represent a good example of an intact Mill complex and it would be required to retain and convert

	<p>the buildings which are extant. There is the exception of the office buildings to the south west attached to the weaving sheds which could be considered to be removed, however this would be expected to be justified. There should be no further losses to the mill complex as it is considered that the buildings and layout lend well to conversion.</p>
<p>Secondary effects e.g. increased traffic movement</p>	<p>If the Mill complex is converted then it will see an increase in traffic to the area. The area already has a high rate of traffic movement and this will likely put increased pressure on the infrastructure. There would also be a need to facilitate parking, which may cause concerns for the historic fabric of the building.</p>
<p>Opportunities for development to enhance or better reveal significance</p>	<p>There is an opportunity for the Mill's significance to be enhanced and revealed. In its current form the complex is closed off and underused and with making the site residential it would allow for focus to be placed on the quality of the Mill, creating details within the conversion and making use of fixtures and fittings which are extant within the Mill.</p>
<p>Possible mitigation measures</p>	
<p>Design requirements? Form and appearance of development: Prominence, scale and massing, materials, density, number, layout and heights of buildings</p>	<p>The Mill in its entirety shall be retained. Prior to any consideration of proposal a thorough and detailed Buildings Archaeological report shall be undertaken. This will be necessary to gain a full understanding of the complex. As discussed all internal fixture, fittings, detailing and associated equipment to the mill shall be retained in situ. There may be some consideration given to certain areas where fixtures can be relocated, but retained. Consideration will need to be given to the layout of proposed residential units, making best use of the space. Any and all works for the repairs to the walls shall be undertaken using lime mortar only. The roofs shall be repaired in a like for like manner. There will be no consideration for the use of artificial materials. Windows shall be made of timber however metal can be considered. This will come down to the details of which care needs to be taken to ensure glazing bars are thin and reduced. The same for the window frames. Internally the use of plasterboard shall be avoided and the walls shall remain exposed. In consideration of thermal efficiency, there shall be no use of Kingspan, Celotex or any other artificial materials. Wood wool board, wood fibre or similar shall be used. This is essential as the use of poor quality modern insulation will cause long term issues and conflict with the historic fabric. There shall be a detailed pre-application prior to submission of any full application.</p>
<p>Location of development within the site: Topography, open space, landscaping,</p>	<p>There will be limited scope for any additional development on the site and it is considered that this would not be sympathetic to the Mill building.</p>

protection of key views, visibility	
Acceptable/unacceptable in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990 & NPPF (with any necessary mitigation measures?) (Conserve and enhance and presumption in favour of sustainable development)	Could be acceptable, subject to full retention of the Mill complex, detailed Buildings Archaeology report being undertaken at an early stage, by a fully qualified and professional Buildings Archaeologist. The retention of all historic fabric, fixtures and fittings. This will require a detailed Heritage statement which the BA Report will feed into.

ROSSENDALE LOCAL PLAN 2019 – 2034

CONSULTATION ON EXAMINATION LIBRARY 8 (FIRST TRANCHE)

CONSULTATION DEADLINE: 01 DECEMBER 2020

RESPONDENT: MR N. TEAGUE AND MR K SKILLIN (**RESPONDENT REF. 5139¹**)

REPRESENTATION: LAND AT ELM STREET, EDENFIELD

1. INTRODUCTION

- 1.1 Following the Local Plan Examination in Public Hearings held in September and October 2019, the Inspectors have asked for additional information on the Local Plan and Evidence Base documents. Their request is set out in the Schedule of Actions which has been given the reference EL6.001 by the Council.
- 1.2 The Council has responded to a number of these Actions and has published a series of documents within the Examination Library 8 and is currently inviting comments on these documents **until 01 December 2020**. Representations submitted at this stage will be forwarded to the Inspectors to inform their review of the draft Local Plan.
- 1.3 The Council has advised Hourigan Connolly (via telephone on 24 November 2020) that additional documents will also be available at the beginning of 2021 at which point the Council will undertake a second tranche of consultation on the outstanding matters. This includes a number of Actions (detailed in EL6.001) which have not yet been completed by the Council. The precise details of those outstanding matters are unknown, and therefore we submit this current Statement on behalf of our client's continued interests solely on the basis of the information currently available in the Examination Library 8.
- 1.4 We confirm that the Council has not made any contact with the Respondent Mr N. Teague to discuss the subject site since the close of the Hearings in October 2019. Hourigan Connolly reserves the right to submit comments at that second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other

¹ Respondent Reference Number as per Hearings held in September & October 2019

Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

2. MATTER 8: APPROACH TO SITE ALLOCATIONS AND GREEN BELT RELEASE

ACTION 8.1: OMISSION SITES

2.1 Action 8.1 of the Schedule of Actions (EL6.001) required the Council to undertake the following:

“Produce a list of omission sites which were suggested during the Regulation 19 consultation stage and undertake a short technical assessment and SA (particularly for non-Green Belt sites).”

LAND AT ELM STREET, EDENFIELD

2.2 Document EL8.008.1 Approach to Site Allocations and Green Belt Release was produced by the Council to provide further information about omission sites. The Council confirms that ‘omission sites’ are considered to be sites submitted at the Regulation 19 consultation stage of the Local Plan but not proposed to be allocated, or proposed to be allocated for a different use than the one proposed by the promoter of the site.

2.3 EL8.008.1 confirms at Table 1 (extract below) that the land at Elm Street has not been allocated in the Local Plan:

Table 1: List of omitted sites suggested at Regulation 19

Site Name	Land Use Proposed by the Landowner / Promoter	Local Plan Allocation	Regulation 19 Consultation Reference [SD10]	Site Gross Area (Ha)	Map (Appendix A)	Other References
Land at Elm Street, Edenfield	Not stated.	No	Reference 5139. Appendix 4	0.58	Map 24	SHLAA16268; ELR: EMP74; Green Belt Parcel 47

Figure 2.1: Table 1: List of omitted sites suggested at Regulation 19. Source: Document Reference EL8.008.1

2.4 For clarification, the table above says that the land use proposed by the landowner is not stated, but we have made it clear in previous submissions that the landowner (Mr N Teague) is promoting the land for allocation for housing in the Local Plan.

HERITAGE IMPACT ASSESSMENT

2.5 Paragraph 3.2 of document EL8.008.1 confirms that new Heritage Impact Assessments were carried out on a number of omitted sites; this includes the subject site. The Assessment for the site can be found at page 26 of Appendix C to that document; it is also contained at Appendix 1 of this Representation for ease.

2.6 In summary however the new Heritage Impact Assessment concludes that there would be ‘No predicted Heritage Impact’, which we are in agreement with.

SA ADDENDUM (2020)

- 2.7 Document EL8.008.1 confirmed that the omitted sites not assessed previously in the Sustainability Appraisal (SA), were assessed in the Sustainability Appraisal (SA) Addendum 2020 produced by Lepus Consulting (Document EL8.001.3).
- 2.8 The subject site at land at Elm Street has not been subjected to a further assessment in the SA Addendum (2020) presumably because it was assessed in the original SA, with it simply being referred to in Table 8.2 as a site which has been 'rejected' by the Council and an explanation why. The relevant extract from Table 8.2 is below:

Site Name	Summary of SA findings Regulation 18 Report (or other SA Assessments)	Included in R18 Local Plan version? (Y/N)	Explanation of exclusion from the R18 Local Plan version.
REJECTED SITES			
Land to the south east of Edenfield	Performs poorly against landscape, biodiversity and climate change adaptation and less than average against 2 criteria	N	Green Belt parcel not recommended for release in the Green Belt Review.

Included in R19 Local Plan version? (Y/N)	Explanation of exclusion from the R19 Local Plan version.	Site References (Allocation or Evidence Base Study Reference)
N	N/A	SHLAA16266, SHLAA16267 and SHLAA16268

Figure 2.2: Extract from Table 8.2 of EL8.001.3: Reasons for rejection of the reasonable alternative sites (source: Rossendale Borough Council)

- 2.9 The key conclusions reached by the Council are that the site '*performs poorly against landscape, biodiversity and climate change adaption and less than average against 2 criteria*' and that the explanation of exclusion from the Regulation 18 Local Plan version was that the '*Green Belt parcel not identified for release in the Green Belt Review*' and there is no further explanation for exclusion from the Regulation 19 version.
- 2.10 This is discussed further below at Paragraph 2.16.

ACTION 8.7: SITE SELECTION EVIDENCE

2.11 Action 8.7 of the Schedule of Actions (EL6.001) required the Council to undertake the following:

“Produce clearer site selection evidence which clarifies why there are differences between SHLAA results and final conclusions on sites and provides clearer reasons for the overall conclusions (relating to rejected options). This should include setting out the assessment process for every potential GB site which was assessed for development and how the Council reached the conclusions on suitability and reasons for selection or rejection; within this need to explain why for some small GB site options it was deemed that harm to GB was not outweighed by the need to deliver identified development needs.)”

2.12 During the Local Plan hearings, the site selection process was discussed under Matter 8 and the Inspectors requested further information, in particular those sites assessed in Stage 2 of the Strategic Housing Land Supply (SHLAA) which were not eventually selected as an allocation in the Local Plan. Document EL8.008.7 ‘Site Selection Evidence’ seeks to clarify the reasons why sites were not taken forward for housing allocation or included in the housing land supply.

2.13 Paragraph 4.1 of EL8.008.7 explains the different Site Assessment Tables confirming that the tables provide further information on sites which were assessed at stage 2 of the SHLAA but were not allocated in the Pre-submission (Regulation 19) version of the Plan. The document states that, *‘where applicable, findings from additional studies and other considerations are included, including additional assessments undertaken after the Local Plan hearings.’*

LAND AT ELM STREET, EDENFIELD

2.14 The subject site at Elm Street is included in Table 2 (Page 19) of document EL8.008.7 - Sites assessed as deliverable in the SHLAA 2018 and reasons for not allocating – as follows:

SHLAA 2018 Ref	Site Name & Address	Green Belt Parcel Ref	Green Belt Review Conclusion	Heritage Impact Assessment Conclusion	Employment Land Review 2017 Ref	Employment Land Review 2017 Conclusion	SFRA 2016 Ref	SFRA 2016 Conclusion
SHLAA16268	Land to the south east of Edenfield	Parcel 47	Retain	New Heritage Assessment in Action 8.1: no predicted heritage impact.	Not assessed	N/A	Not assessed	N/A

Environmental Network Study 2017	Landscape Study 2015	SA Site Name	SA Conclusion	Regulation 18 Ref	Reason for not allocating for housing
N/A	N/A	Part of land to the south east of Edenfield	3 strong adverse impacts for landscape, biodiversity and climate change adaptation, 1 strong positive impact for housing, 4 minor positive impacts and 2 minor negative impacts	N/A	Green Belt parcel not recommended for release in the Green Belt Review.

Figure 2.3: Extract from Table 2: Sites assessed as deliverable in the SHLAA 2018 and reasons for not allocating

2.15 This is discussed in further detail now.

REPRESENTATION CONCLUSION

2.16 The Council's document EL8.008.1 states that most of the omitted sites were subject to technical assessment during the Local Plan process, as they had also been submitted prior to the Regulation 19 stage or had already been identified as a potential site. The site at Elm Street had been included in the SHLAA (2018) assessment and this has been referred to in our previous submissions to the Local Plan process. The relevant page from Appendix E to the SHLAA is contained in Appendix 2 to this Representation for ease of reference.

2.17 Map 24 of document EL8.008.1 indicates the extent of the subject site's boundaries as submitted at the Regulation 18 and 19 consultation stages and in our Hearing Statement. An Extract from Map 24 is show below:



Figure 2.4: Map 24 -Subject site, referred to by the Council as 'land to the south east of Edenfield'.

- 2.18 As noted in the SHLAA assessment and the Green Belt review (2017), the subject site forms part of a small area of a wider parcel of land – referred to as Parcel 47 in the Green Belt Review.
- 2.19 There is nothing in the current consultation Evidence Library 8 which suggests the Council has revisited the merits of allocating the subject site for housing, with the Council continuing to consider the site simply as part of the wider, Parcel 47 land – refer to page 3 of our Hearing Statement (in relation to Matter 2 – Vision and Spatial Strategy).
- 2.20 Given that the Council has established exceptional circumstances for the release of land from the Green Belt elsewhere in the Borough, most notably in several locations in Edenfield, we would respectfully request that the Inspectors give consideration to an additional release here.
- 2.21 The site extends comprises vacant greenfield land currently located within the Green Belt, which would make a sensible rounding off of the settlement in this sustainable location along the line of a former hedgerow which could be reinstated as part of any development proposal to establish a defined and permanent boundary with the Green Belt that is more reflective of the surrounding built form.
- 2.22 The Council has repeatedly not demonstrated that they have considered the merits of the specific subject site, i.e. a smaller part of Parcel 47, and that they continue to overestimate the value of the Green Belt in this particular location. With reference to our previous submissions and in line with the Council's methodology the overall Green Belt assessment for our client's site should be weak.
- 2.23 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.
- 2.24 We would request that the Inspectors continue to focus on the subject site as submitted previously, and discussed above, but alongside this also consider the potential for further additional land in this location to be released from the Green Belt as part of the same allocation for housing.
- 2.25 Since the closure of the Hearings last year, another landowner has expressed an interest in promoting additional land at Elm Street and has a legal agreement in place with our client to promote the land jointly as part of this Representation. For clarification, our previous Representations have been on behalf of Mr N Teague and relate to the area of land illustrated in Figure 2.4 above.
- 2.26 This current Representation is submitted on behalf of Mr N Teague and Mr K Skillin and relates to a slightly larger area of land, as illustrated in Figure 2.5 below.

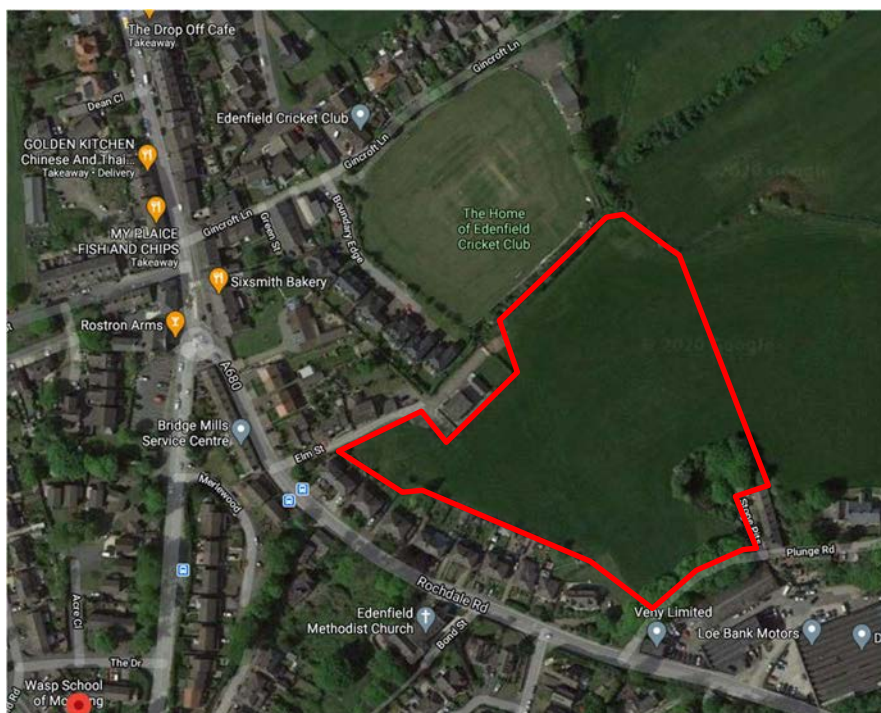


Figure 2.5: Larger area of land subject to this Representation on behalf of Mr N Teague and Mr K Skillin – Approximate boundary shown.

2.27 Our position remains the same for both areas of land, and we submit they share the exact same characteristics and therefore the larger area of land should also be considered for release from the Green Belt for the following reasons:

- The subject site has a strong relationship with the existing urban area and the sense of openness is limited.
- 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 subject site would not go beyond these limits and therefore inclusion of the land within the Urban Area Boundary would not constitute encroachment.
- Sensible rounding off of the settlement in this sustainable location.

2.28 To conclude, the extension of the Urban Area Boundary in this location is entirely appropriate having regard to the site's limited Green Belt function and the fact that it is bounded by the urban area on three sides.

2.29 On the basis of the current consultation material available to us, we submit that the Council has failed to seriously consider the specific contents of our Hearing Statement, and the evidence presented at the Hearings in September and October 2019.

2.30 Hourigan Connolly reserves the right to submit comments at the second tranche consultation stage to not only supplement Representations contained in this Statement, but also in addition to all other Representations submitted at previous stages of the emerging Local Plan in relation to the subject site.

Appendix 1

Appendix C – New Heritage Impact Assessments for omitted sites

Contents

Land at Elm Street, Edenfield – SHLAA16268 26

Site	Land at Elm Street, Edenfield – SHLAA16268
Description of site	
Heritage assets potentially affected	No predicted Heritage Impact
Significance	
Contribution site makes to significance	
Possible impact of loss of site and development on significance of asset	
Secondary effects e.g. increased traffic movement	
Opportunities for development to enhance or better reveal significance	
Possible mitigation measures	
Design requirements? Form and appearance of development: Prominence, scale and massing, materials, density, number, layout and heights of buildings	
Location of development within the site: Topography, open space, landscaping, protection of key views, visibility	
Acceptable/unacceptable in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990 & NPPF (with any necessary mitigation measures?) (Conserve and enhance and presumption in favour of sustainable development)	

Appendix 2

**APPENDIX E – SITE ASSESSMENTS
2018 UPDATE**

GENERAL INFORMATION

Site Ref **SHLAA16268** Most Recent Source **Officer Suggestion** Site Gross Area (ha) **3.52**

Site Name **Land to the south east of Edenfield**

Greenfield versus Brownfield **Greenfield** Designations **None**

Site Location - Urban Area, Countryside or Green Belt **Green Belt adjoining the urban area**

Current Land Use **Field**

Characteristics of the site reducing the development area **Wooded areas (0.2 ha)**

Area available for development **3.5** Net Development Area (ha) **2.62** Density **30 dwellings per hectare**

Yield calculated **79** Yield proposed by applicant Current planning permission

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AVAILABILITY

Land ownership **single ownership**

Comments **Private ownership (1 Land Title)**

Intentions of landowner **landowner willing to sell the site or to deliver residential units in the medium to long term**

Comments **The landowner will consider the opportunity for planning being granted in the future (email received 28.11.2016)**

Legal constraints / ownership issues **no legal or ownership constraints known**

Comments

SUITABILITY

Topography **gradient present but can be mitigated**

Comments

Vehicular access **access requires improvements**

Comments **Potential access from Elm Street or Plunge Road, however both are narrow lanes**

Distance to strategic road network **within 1.5km (approximately 1 mile)**

Comments **800m to M66 junction**

Access by public transport **high frequency bus service (half hourly or more frequent) within 400m (0.24 miles)**

Comments **104m to bus stops on Rochdale road - 842 and 998. 140m to bus stop on Bury Road (via footpath) with several services**

Access to primary school **access within 1.5km (approximately 1 mile)**

Comments	985m to Edenfield Church of England School
Access to secondary school	access within 5km (approximately 3 miles)
Comments	3050m to Haslingden High School Specialist Arts College
Access to GP surgery	no access within 3km (1.8 miles)
Comments	2.8km to nearest GP in Ramsbottom
Access to a local centre or convenience shop	access within 500m (0.31 miles)
Comments	within 150m to Edenfield local shops
Access to a park or play area	access within 300m (0.18 miles)
Comments	adjoins Edenfield cricket ground and is 300m away from Exchange Street recreation ground
Flood risk	less than 50% in flood zone 2 or affected by medium surface water flood risk
Comments	Small areas (less than 10%) at high, medium and low risk of surface water flooding.
Ecological value	not located in or adjacent to a Biological Heritage Site, Local Geodiversity Site or Core Area or Stepping Stone areas
Comments	Woodland corridor on a small portion fo the site
Recreational value	no recreational value
Recreational value comme	
Heritage assets	site does not contain or adjoin a Listed Building and site is not within or adjoins a Conservation Area
Comments	
Landscape value	low landscape impact
Comments	
Land contamination	potential contamination issues or known issues but capable of remediation
Comments	Small area with potential land contamination to the north of the Stonepits Cottages
Mineral sterilisation	not within a Mineral Safeguarding Area or surface coal area
Comments	
Land instability	if no known issues and situated in a low risk development area
401	
Proximity to dangerous structures	not within any HSE consultation zones
Comments	

Bad neighbour **site in mixed-use area (employment and residential area)**

Comments Employment area to the south

Constraints due to utilities **no known utilities infrastructure on site**

Comments

ACHIEVABILITY

Extra costs of development **if some extra costs required**

Comments Vehicular access improvements. Flood risk assessment. Land contamination report.

Market are **high value market area (£190 to £210/sqm)**

Comments

CONCLUSION

Availability summary **Available in medium to long term**

Justification The landowner has an interest in developing the site for housing development in the future but not in the short term.

Suitability summary **Suitable in medium to long term**

Justification The vehicular access is currently not suitable for a large residential development and would need to be improved. The local shops and play area are accessible by foot, while the primary and secondary schools and GP surgery are situated further away and can be accessed by bus. Small parts of the site are at high risk of surface water flooding and since the site is over 1ha, a flood risk assessment is needed. A small part of the site has also some potential land contamination so a land contamination report is recommended. An active employment area is situated to the south of the site but is screened by a wooded area, therefore the amenity of future residents is unlikely to be affected by the businesses' activities.

The site is not currently suitable but can become suitable in the medium to long term provided that the vehicular access is adequate to sustain the traffic of a large residential development.

Viability and achievability summary **Achievable in medium to long term**

Justification Extra costs are associated with the development of the site (e.g. vehicular access improvements), but since the site is within a high value market area, the development is considered viable. No developer has expressed an interest to develop the site, due to the large scale of the development, the delivery is likely to be within the medium to long term.

Conclusion **Developable in the medium to long term (within 6 to 10 years, or after 10 years)**

Justification The site can become available and suitable in the medium term. The development is considered viable and achievable in the medium to long term.

402 Delivery (next 5 years) Delivery (6 to 10 years) Delivery (11 to 15 years)

30th November 2020

From: Ian Francis, **REDACTED**

Dear Sirs,

Reference; Comments and objections relating to Rossendale Borough Council's (RBC) responses to "Local Plan, Schedule of Actions 8.3, 8.4. Identification of Site Density/Optimisation of Density".

I write to you to comment and object strongly to elements of the document as defined above, submitted by the RBC to the Planning Inspectorate (PI), in response to Action questions asked by the PI.

First I wish to put on record the way that commenting on the development plans for site H39 has been confused by the way the RBC is responding to the PI's Schedule of Actions, 8.3 with 8.4 and 10.7 concerning this site.

The RBC responses to 8.3 with 8.4 have been published, but not those for 10.7. The 8.3 + 8.4 response refers in appendix 1 to a map concerning position and access to the site. The RBC have also referred to H39 landscape issues in the table on page 4. This brings more than just housing density into the equation.

As a result of this complication I and other possible objectors are obliged to refer to not just housing density, but also consequences emanating from that due to the map showing additional details concerning the proposed access and the introduction of landscape issues into the 8.3 + 8.4 housing density response. Failure to do so would imply acceptance of the proposed access on the map and no concern about the landscape matters referred to by the RBC in their submission concerning Actions 8.3 + 8.4 .

Of course, comments on the RBC responses to the PI Action Schedule action 8.3 + 8.4 will necessarily now have to be repeated and developed further once the RBC reply to the action 10.7 is published.

The proposed development would comprise of 82 new houses located on the uppermost part on an inclined valley side location in Bacup, referred to in the planning documents as Housing Allocation H39 Land off Cowtoot Lane, Bacup.

A. ACCESS for the suggested build density of 82 houses.

1. The proposed access to the development would be via Gordon Street and then into Blackthorn Lane. However the driver preferred route for motorists and trucks travelling from or to the main Burnley Road would be via Hammerton Street or down Cooper Street.

Vehicles destined for Rochdale or the town centre may prefer to travel along Blackthorn Lane and down Lane Head Lane or along Greensnook Lane.

2. The nature of these roads, with dimensions, will be presented when responses to action 10.7 are published by the RBC. It is clear that these narrow residential streets, never intended for through traffic, are totally inadequate for use by heavy and wide contractors' vehicles, heavy plant, concrete mixer wagons and eventually residents' and the usual commercial vehicles associated with the proposed large 82 house housing estate.

3. As you can see from Google Maps, Street View, they are all totally inadequate to accept the large vehicles and the large increased volume of vehicular traffic for the residents of 82 houses, which based on car ownership on local, recently built estates would bring with them up to 160 additional domestic vehicles plus incidental commercial and visitor traffic too.

The transits by domestic vehicles would be concentrated in “rush hour” and school start and finish times. The roads are already congested with existing residents’ cars on these roads, and the egress onto the Burnley Road at the right angle turn on Hammerton Road with the Cooper Street intersection is already fraught with danger. The increased pressure for traffic to turn out onto the Burnley Road caused by backed up traffic on Hammerton Road and Cooper Street would be a great risk.

4. Note the narrowness of all of the roads which cannot be widened. They are effectively single lane roads, Gordon Street and Cooper Street have extreme inclines which are very dangerous during snow and icy conditions. There is also the aforementioned dangerous blind right angle turn at the bottom of Gordon Street into Hammerton Street.

5. Such a large increase in traffic was never anticipated or planned for when the roads were originally constructed with few people owning cars at that time. There is going to be a definite increased risk of damage to parked vehicles, and accidents with adults and children alike.

6. There is a children’s’ playground to the northern side of Gordon Street and unaccompanied children run across the road to go there. The increased traffic would be a great risk to them.

7. In Cowtoot Lane, which is a road off of Blackthorn Lane, there are the Bacup Thorn Primary School and also the Bacup Nursery School. Parents’ cars are always parked all along Blackthorn Lane and local roads with children traversing the road to go to school for extended periods during arrival and leaving times. Clearly having a large increased volume of office and work bound vehicles driving along the narrow Blackthorn Lane and other nearby narrow residential roads would pose an even greater risk to children and parents alike. Standstill traffic and consequential shortened tempers of some drivers trying to get through are not uncommon.

8. Increased air pollution for the local residents on these roads by Carbon Monoxide, particulates and nitrous oxides are another consideration with the properties often being directly next to the roads with no or insignificant front gardens to allow for atmospheric dispersion and dilution.

9. I submit that the proposed access routes are via narrow and inadequate residential roads with which totally predictable dangers and critical congestion and through passage problems are obvious. The proposed access routes for an estate of 82 houses are not at all suitable or acceptable. They are impractical and very dangerous to both property and people.

I can assure you that many deeply concerned residents of Bacup stand together on these road access and safety matters. There is hereto no reasonable or viable access route for construction traffic and eventually residents to this new proposed development of 82 houses. This highlights and raises significant issues concerning the acceptability, social, safety, resident’s and children’s’ well-being and practical viability of this access plan for such a high density housing estate.

B. Landscape and Skyscape

1. The preservation of historic landscapes and by association, skylscapes, is an essential consideration in the planning approval for estates in terms of their positions, density of build, height and nature, e.g. bungalow or two storey houses and materials used in their construction.

This proposed estate and the density of houses on H39 is puzzling.

The plan is now to avoid building properties at the northern side of the available land and to build on the site on the southern side only, at its highest and most visible part at the top of the valley side.

This part of the historical valley side vista of a green-field site is precious to the Bacup community. Some of it has been used for farming cattle for a century or more and the rest being used for generations by large numbers of Bacup residents and visitors alike for walking, children playing, dog walking, horse riding and general relaxation. It is a haven of beautiful vistas and peace. The placing of such a high density housing estate would destroy that for ever. The high visibility landscape and skyline would be despoiled from all parts of the valley below and opposite, to the North, East and West.

Why has the estate that is proposed now been move to the highest and most visible part of the valley side? **This needs explanation and full justification.**

2. The council stated that originally a low density of building was planned due to the site's "PROMINENT POSITION" and "location adjoining the Countryside". That being the case why has the latest proposal increased the density of houses by a full 20% and concentrated them on the highest, most visible part of the valley side? This needs full justification in light of the way this will destroy the landscape and skyline views from all parts of the valley below and opposite to the north, east and west.

I would appreciate these comments being passed on to the Planning Inspectorate for their consideration.

END.

Dear Forward Planning at Rossendale Borough Council,

Re: Schedule Of Actions - Matter 16 (Environment) - Action 16.2 - 29th May 2020.

I'm a member of Rooley Moor Neighbourhood Forum (RMNF) and I believe the vast majority of our local community is committed to protecting our Upland Moors. Our Forum is anxious to work with Rossendale & Rochdale Borough Councils to act in the best interests of the community and to protect and enhance this environment. To this end RMNF has participated in the Scout Moor Wind Farm Expansion public inquiry, the Rossendale Local Plan hearing and commented on planning applications in Rossendale that affect the Rooley Moor Neighbourhood Area.

With regard to Action 16.2, I recommend:

1. Decommissioning and 'end of life' costs and rectification. There are numerous reasons why there must be an obligation on any Developer or Applicant to provide an adequate facility for competent and timely decommissioning at the end of life of a wind farm.

Construction of the existing wind farm has caused massive long-term damage to vast areas of deep peat. The loss of wildlife, farming and peatland is potentially irreparable, and the current restoration guarantees are totally inadequate in requiring turbine bases to be left in place and covered with displaced peat.

Corporate business inevitably means the owner at the start of a wind farm's life will not be the same at the end of its life. It is therefore essential a properly valued Decommissioning Bond is provided from the outset of any similar development. A Bond should be valued by an independent professional and held in a secure 'ring-fenced' account outside the reach of the Applicant and/or successors. Its sole use should be to put right the damaged caused by the development.

2. The Covid-19 crisis has presented us all with many problems but one saviour to the physical and mental health and well-being of residents in our area, and the surrounding towns and villages, has been the availability of the open Green Belt and Common Land on our moorlands. I believe Rossendale LPA should give due regard to this facility and

provide it an enhanced level of protection, working in partnership with other local authorities and national bodies.

3. We all need to protect our upland peat environment. Peat is recognised as a rare and valuable carbon store that must be preserved.
4. The Inspector's views on adverse visual impact were made clear during and after the Scout Moor Wind Farm Expansion public inquiry. It is very clear any addition to the existing Wind Farm footprint or any cumulative effect must not be allowed.
5. Open, honest and timely consultation is essential with major infrastructure proposals of this type and magnitude. Unfortunately, in this regard the current planning process is totally lacking, it should be incumbent on all LPAs to not only demonstrate they have engaged with communities affected by a planning proposal but that they have provided help and advice and worked to resolve the concerns of those affected. Any LPA should be able to do this without fear of being accused of biasing the planning process and leaving their Council open to prosecution by the developer if an application is rejected.

Finally, I would encourage Rossendale Borough Council to engage positively with local organisations (such as RMNF), residents, commoners, farmers, equestrians, ramblers and other relevant national bodies to agree a way forward to formulating plans that preserve and enhance our moorlands for future generations to enjoy.

Yours faithfully,

Alan Rawsterne.

Dear Forward Planning Team,

Thank you for consulting Manchester Airport on the additional information and documents contained within Examination Library 8. We do not have any comments to make in relation to any of the Action points that are covered. Please do keep us informed of all future stages of consultation on the Rossendale Local Plan.

With many thanks and kind regards,

Natalie

Natalie Belford | Planner



M.A.G, Olympic House, Manchester Airport, Manchester, M90 1QX
(e) planning@manairport.co.uk

www.magairports.com

I wish to record my concerns over this development.
Gordon Street is very steep and narrow. It is also lethal in the winter. The thought of lots more traffic and even worse construction traffic using it as access is, quite frankly, awful.

From Mrs B Mason

REDACTED

Sent from my iPhone

Dr Chris Woods

REDACTED

1/12/2020

To the Rossendale Planning Department

Dear Sir or Madam

Re. Local Plan Examination Library 8

I am a GP and live near Ramsbottom and would like to comment on the first tranche of documents available in the Local Plan Examination Library 8. I have already made submissions to the Draft Local Plan during the various consultation processes.

EL8.008.2 Action 8.2 - Update on Flood Risk

There has been a considerable amount of flooding in the Rossendale Area over the years and I have been particularly concerned about the impact of the construction of wind turbines on the moorland. A 100 ft. wind turbine requires a foundation of 225 cubic metres of concrete and 32 tonnes of steel reinforcing. This together with the required tracking will significantly impact on peat and blanket bog, affecting water retention and run off and is likely to increase the chance of flooding.

Any construction on peat will lead to a loss of peat and the carbon capture by the peat so increasing global warming. With respect to the blanket bog and peat it is imperative that development on peat or blanket bog is avoided. This is in line with Natural England's guidelines in A Strategy for the Restoration of Blanket Bog in England. Peat and blanket bog are of the utmost importance for carbon capture and to prevent Global Warming.

EL8.016.1 Action 16.1 - Green Infrastructure and Biodiversity Net Gain

As a GP, I wish to promote good health and wellbeing in the population. It is good to see that Rossendale recognises the need to promote health and wellbeing throughout the Local Plan. I believe it is important to preserve the natural environment of Rossendale. The South Pennines Wind Energy Landscape Study 2014 by Julie Martin and Associates says *there are extensive views from elevated locations in all directions. The open and broadly level plateau tops provide uninterrupted visibility over long distances, with wide horizons, big skies and a strong sense of relative isolation and remoteness.* I believe any development and in particular wind turbine development on the Rossendale Moorland would destroy the sense of happiness and wellbeing that is provided by these essential green spaces

and impact adversely on health. The Local Plan states at ENV1 k *Providing landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, providing open space, appropriate boundary treatments and enhancing the public realm*; I believe that this requirement can only be met if there is no building or in particular any wind turbine development on the Rossendale Moorland.

EL8.016.2 Action 16.2 - Wind Turbine De-commissioning

It is of the utmost importance that any application to construct a wind turbine must pay close attention to de-commissioning. I agree with ideas put forward in this consultation on the Local Plan but feel they are nowhere near strong enough. The idea of a bond is a good one, but this should be more in the way of a direct payment to the Local Authority that cannot be used for any other purpose. This payment would be made if the application is approved. Wind farm developers can go bankrupt and they can pass on ownership. This makes it more difficult and almost impossible to collect the necessary money for decommissioning at that time. The money needed for decommissioning then passes to the Local Authority and then onto us as taxpayers.

I do not agree that the concrete bases of the turbines should be left in place. I have already argued above that the huge amount of concrete put into the moorland almost certainly increases the flood risk. It is also likely to further damage and pollute the natural environment. All concrete should be removed at decommissioning and this should be included in the application costs.

It is quite clear from recent Government statements that the future of wind power lies in Off-Shore wind turbines not On-Shore.

I thank you for allowing me to make comments on the Local Plan and hope that you will take them into consideration.

Yours sincerely

Chris Woods

Dr C.J. Woods MBChB MRCP

Attn Rossendale Borough Council Forward Planning Team

Re; Schedule Of Actions Matter 16(Environment) Action 16.2 29th May 2020 .

I did attend the Local Plan Examination in Public Hearings held in September and October 2019 and hence became aware that the Inspector was not entirely satisfied by the proposed conditions with respect to any further Wind Farm or Single Wind Turbine development which Rossendale BC sought to detail to mandatory apply in the draft Local Plan.

From the feedback which is now disclosed to the public for consultation as an amended Draft using the Inspector's advice to RBC, which is seemingly retained privately by RBC, I am glad that RBC now feels the need to include the provision of a 'bond' as part and parcel of any conditions lodged for any planning application for such erections to cover the necessary de-commissioning when they become obsolete – or when the Council imposes a life time guaranteed for such . The latter condition is by far the most preferable as 'water tight' and non negotiable once legally laid down.

However in my view the wording of this document is far too opaque to have any real teeth in law . The phrase ' where appropriate' section 3.2a, is particularly loose. Without such strength I feel RBC would struggle to enforce, and also possibly would not have funds to do so anyway against a hard nosed commercial sector with huge incentive to avoid great cost. Hence I feel it imperative this draft is sharpened up to protect both the public purse and the public themselves from a landscape of rotting turbines as has happened in America. Clawing back in this particular instance would seem unsustainable, especially in the light of turbines/windfarms changing ownership or their owners going into apparent bankruptcy. We need to protect both ourselves and the generations that follow us from such desecration of the beautiful moorland landscape for all future time.

Arguments advanced that it is relatively easy to de commission and restore the landscape seem to me based on little evidence. Where are the precedents to prove this ease ? We now know peat can never be 'grown again' since it takes centuries to establish such as the rich deposits now ruined. This strong point was made by an authority on peat De. Alan Heyworth in his professional expert advice to the Scout Moor development Planning Application. Leaving the massive concrete bases to fester and compromise the moorland unique system of drainage and natural growth is also dubious and before accepting this as reasonable RBC needs to prove zero damage, before excluding removal as a cost item de commissioning. The fact that RBC poses the alternative of 'repowering' to decommissioning, the former requiring removal of the bases altogether, seems to counter any problem that such practice is insurmountable on a financial level.

I believe that RBC need to:-

1. Take on board the impossibility to 'restore the landscape to its original form' given the unique properties of peat not to regenerate
2. Build in much stronger financial bond security such that whatever happens to ownership or bankruptcy RBC can deploy the bond to remove the turbines and their bases and the surrounding service roads and 'make good' .

Since neither of the above 2 demands are in fact physically practical by far the preferred option must be to draw the line on further on shore wind farm or singleton turbine development and build in embargos such as to now to comply with the current moratorium by HMG for such on shore development and simply refuse to allow any such planning applications to be accepted.

Yours faithfully

Dr. Falmai Binns - Member of Firnds of the Moorland for Rossendale Rochdale and Bury

.....
Dr. Falmai Binns
REDACTED
.....

I am writing to express my concerns and objections to the land off Cowtoot Lane Bacup, site designation H39 being used for housing.

The proposed site includes the field locally known as the Top Meadow which provides valuable open space for the community. Living in the area for over 60 years this field, at times used as a football pitch, provided an area where local children could safely play with easy access from the Greensnook Lane and Blackthorn Lane areas, without needing to cross the town to either the Maden Recreation ground or Bacup park. With the increased housing developments on Greensnook Lane and Windermere Avenue it is more important than ever that this is retained, formally designated as an area for recreation, so children have a safe area to play which simply isn't catered for in the existing plans. The small playground on Gordon Street does not provide space for such activities as ball games.

Access to the proposed site isn't suitable with Cooper Street and Gordon Street not able to take an increase in construction or residential traffic without posing an increased risk to local residents. Both streets are extremely hazardous in winter weather, Cooper Street because of its steepness and Gordon Street because of the blind 90 degree bend at the bottom. Even in fine weather this can be dangerous, there is very limited off street parking for residents and we have witnessed numerous near misses and accidents.

Young, unaccompanied children use the playground on Gordon Street, coming from Blackthorn Lane and surrounding areas, including Thorn Nursery.. An increase in traffic on the surrounding streets will pose a considerable increase in risk of accidents and even possible fatalities.

I hope the council will be able to take these considerations into account. Green space is being lost all around the Blackthorn & Greensnook areas, places where I and then my children used to enjoy playing on with increasing numbers of children forced to play on the roads despite ever increasing traffic and parked cars. The land provided space for walking a dog or just getting into green space and fresh air and as such must be preserved.

Yours sincerely,
Nigel Dawson
REDACTED



Virus-free. www.avg.com

Dear Sir/Madam,

In relation to the above, I would like to draw your attention to the fact that the owners of the portion of the proposed allocation closest to Todmorden Road (that which is not subject to the current application) are in the process of preparing a planning application for residential development. I am now instructed by the owners and would be grateful if you could direct correspondence to me and my client, who is copied in on this email.

We have received positive pre-application feedback (attached) from the planning manager and fully support the proposed allocation of the site, which is now the subject of significant developer interest.

I anticipate lodging the application with the Council in the early part of January 2021 and, subject to planning permission being granted, can confirm that it is likely that houses would start to be delivered in the first 5 years of the Plan period.

I would be grateful if you could acknowledge this email and we reserve the right to make further Representations at the next consultation stage.

Kind Regards,

Daniel Connolly BA(Hons) DipTP MRTPI

Executive Director

Hourigan Connolly

A: WeWork, 1 St. Peter's Square, Manchester, M2 3DE

REDACTED

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Dear Sir/Madam

I find the whole thing confusing.

Where is the overall local map for the emerging local plan? There is a map for the current local plan which does not include current proposals. Reading through all of the documentation takes an incredible amount of time and the level of understanding required is very high. You just create extremely complex documents and the layman has no chance of understanding these proposals.

It is no wonder that the first-time people actually learn about a proposed development is when it appears on the planning portal which local people will access after seeing the notices on lampposts.

I object to the use of greenbelt compensation measures and biodiversity net gain. How do you make land lost to development and habitats destroyed, magically appear in the adjoining field? Species loss is a massive concern we cannot just keep building, building, building.

.

The UK has lost an area the size of Cornwall to development in the last 30 years.

The industrial area at Holmeswood Park should not take place and the housing development near the Holden Arms should be stopped.

In Rossendale we lack transport infrastructure to support an increasing population travelling by car. Rawtenstall is gridlocked at many times in the day.

Rossendale has declared a climate emergency, increasing the population and hence the number of cars is totally contradictory to this.

Regards

John McGuinness

"We do not inherit the Earth from our ancestors, we borrow it from our children"

Dear Nathaele,

Thank you for your time earlier and for clarifying the inspector has not requested anything additional in respect of H6 (5 self build properties detailed within the new 2019-2034 local plan).

Fyi, I have formerly made a representation and did attend the hearing in late 2019, however, I did not speak. Daryl Nugent of LVRA (Limey Valley Residents Association) did make a representation in respect of other developments in the locality, notably;- H5 & H7. H6 was incorporated as a part of LVRA's representation.

I have tried contacting Tony Blackburn (Rossendale BC's Programme Officer) on three occasions by phone without success over the last 6-9 month's to enquire if there had been any development in respect of H6.

The inspector wanted clarity as to whether the properties would be self build and **if the site known as H6 could be accessed safely**. In my view it cannot for the below reasons and should never have formed a part of the local plan in the first place.

My wife and I live with our 8 year old girl on the opposite side of this site. We have visibility. The opposite side of the road or any new residents would have zero visibility. We are mindful of the dangers this section of road poses. Former Neighbours have had cars written off. People have been taken ill, lost limbs and been killed on this section of road. In adverse weather conditions the problems are exacerbated as cars migrate from higher and lower ground to the main road. Having made a FOI request of Lancashire County Council I can categorically say not all incidents are recorded. In an e mail I received from LCC on 03/05/19 LCC have confirmed they do not hold data prior to 01/01/13.

In summary the issues are;-

1. Entry and exit would be on a blind bend of the A682.
2. Despite this being designated a 40 mph section of road. Out of hours vehicles travel in excess of these speeds. Quite often in excess of 60+ mph. The road proceeds into open country from this point.
3. There is no parking provision for the residents as it is (please find enclosed evidence of excessive parking).
4. Skips are quite often sited on the road (as one of our neighbours is a builder).
5. There have been a catalogue of accidents to date. Please find evidence (both historic and current) of accidents to support this claim.
6. United Utilities regularly attend for water supply purposes and to attend blockages to remove visceral (fatbergs if you will) arising from a local abattoir located further up the road.

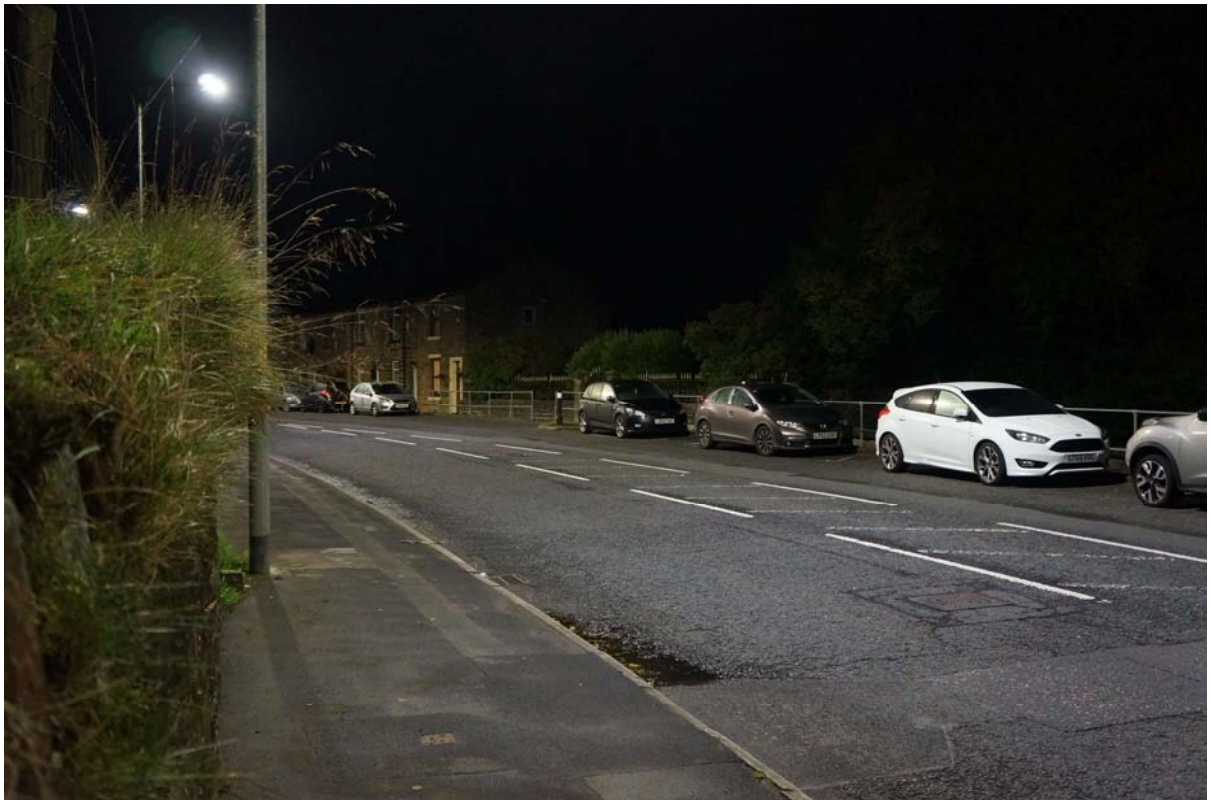
Could you please confirm receipt and confirm this e mail has been forwarded to the inspectorate as I do not believe these concerns have been given the gravity required.

Should you require any further information please do not hesitate to contact the undersigned.

Thank you in advance for your assistance.

Kind regards

Max Derbyshire









Masc

①

You asked me to provide a list of road accidents which have taken place in area around where you live. I have only limited memory of some but will give you as much information as possible:-

<u>DATE</u>	<u>PLACE</u>	<u>DETAIL OF INJURIES</u>
BEFORE 1960	DUNNOCKSHAW	ELDERLY LADY KNOCKED DOWN KILLED INSTANTLY
Nov. 1961	OPPOSITE BOUNDARY GARAGE	MY SISTER KNOCKED DOWN KILLED INSTANTLY
BEFORE 1960 1958	JUST BURNLEY SIDE OF WHAT IS NOW A GYM (OLD OAK MILL)	YOUNG LAD - JOHN H KNOCKED DOWN HURT MODERATELY
AS ABOVE	AS ABOVE	MY BROTHER KNOCKED OFF HIS BICYCLE HURT MODERATELY
AFTER 1965	RAWTENSTALL SIDE OF COMMERCIAL ST	YOUNG GIRL KNOCKED DOWN AND KILLED (MUMS NAME WAS redacted)

/CONT.

DATE

UNSURE (BUT FIRST
NIGHT OF NEW PUB
OPENING ON TRIAFALGARST
(THE HOP))

②

PLACE

BETWEEN BOUNDARY
GARAGE AND
SWINSHAW LANE
VEHICLE EN ROUTE
BURNLEY TO R/STALL
WENT THRO' WALL ON
BURNLEY DIRECTION
SIDE AND HIT END
OF TERRACED HOUSES

DETAILS OF
INJURIES

~~2 YOUNG~~ 2 YOUNG
LEADS KILLED
ONE OR TWO VERY
BADLY INJURED
(LOSS OF LIMBS)
NAME OF REDACTED

PLANS FOR 5 HOUSES

OPPOSITE PROVIDENCE CHAPEL GRAVEYARD

This does affect you. This development is either opposite where you live or adjacent to your home.

There is a proposal in the current Rossendale Borough plan for 5 self build houses on the bottom of the field fronting Burnley road to the South of 1293 Burnley road

There have been 5 major crashes on this section of road over the last two years, and this proposal is on the worst section of road for viewing oncoming traffic. Vehicles joining Burnley road on this bend from the new proposed development will only add to the problem.

The accidents we know of happened on the following dates and locations

Accident 1 28/06/2017 Outside 1354 Burnley Road 4 vehicles involved

Accident 2 15/05/2018 Outside 1356 Burnley Road 3 vehicles involved

Accident 3 01/12/2018 Outside 1378 Burnley Road 2 vehicles involved

Accident 4 Date unknown early 2019 Outside 1277 Burnley Road

There was another accident in 2019 about 50 metres to the South of 1277 Burnley Road.



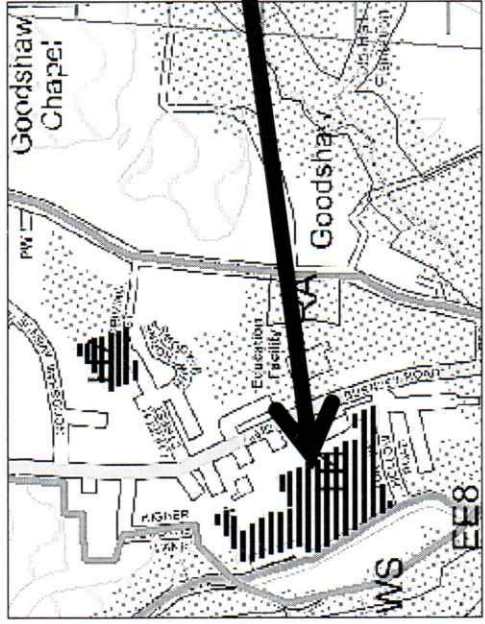
What has now emerged:

**124 houses @
Swinshaw Hall**



**105 houses @
Top Club and
land at rear**

**7 houses @
Goodshawfold
Road**



**30 houses @
Turton Hollow,
Goodshaw**

Limey Leader

Interim Issue

RESIDENTS: THIS IS ESSENTIAL READING!

1 December 2020
Delivered by email

Ms Anne Stora
Rossendale Borough Council
The Business Centre
Futures Park
Bacup
Rossendale
OL13 0BB

Dear Anne

**EMERGING ROSSENDALE LOCAL PLAN – RESPONSE TO CONSULTATION PERIOD ON LOCAL PLAN
EXAMINATION LIBRARY 8: ITEMS ARISING FROM ACTION LIST DOCUMENT EL6.001**

We write on behalf of our client Peel L&P (“Peel”) in respect of the ongoing Examination in Public (EiP) of the emerging Rossendale Local Plan.

Rossendale Borough Council (RBC) is currently undertaking a consultation exercise in respect of a number of additional Local Plan evidence base documents published within Examination Library 8. These documents have been prepared by the RBC in response to the Schedule of Actions (EL6.001) published by the examination Inspectors following the close of the hearing sessions, which were held between 24 September 2019 and 10 October 2019. This letter sets out Peel’s comments on those documents.

The Council and the examination Inspectors will be aware that Peel is promoting the release and allocation of the following sites for residential development:

- Land at Kirkhill Avenue and Moorland Rise, Haslingden (SHLAA ref 16395/Green Belt Parcel 13)
- Land at Burnley Road, Edenfield (SHLAA ref 16258/Green Belt Parcel 38)
- Haslam Farm, Rawtenstall (SHLAA ref 16249/Green Belt Parcel 25)
- Land at Blackburn Road, Edenfield (Draft allocation H72/SHLAA ref 16256/Green Belt Parcel 39)

This letter firstly provides general comments on the documents published within Examination Library 8, including their scope and context with respect to the discussions at the EiP hearing sessions. It then goes on to consider and provide comments on specific documents in turn.

1 New York Street
Manchester
M1 4HD

GENERAL

Over a year has elapsed since the initial hearing sessions in respect of the draft Local Plan for the Borough. The disruptions and challenges experienced during that period – including the economic downturn which has occurred as a result of the Covid-19 pandemic – means that it is more important now than ever that a sound Plan which can facilitate sustainable growth is adopted as soon as possible. This has been made clear by the Government's Chief Planner, who has commented that:

*"It's important that we try not to lose momentum and that we have strong plans which can facilitate our recovery from the impacts of the pandemic; and importantly that address our communities housing needs and the economic challenges that lie ahead."*¹

Peel therefore welcomes the progress made by RBC to assemble additional evidence which seeks to address the Schedule of Actions (EL6.001) published by the examination Inspectors. It is an important step towards the adoption of the Plan.

However, Peel considers that RBC's additional evidence which comprises Examination Library 8 documents does little to address the Schedule of Actions (EL6.001), and does not resolve the soundness concerns identified by Peel and other parties which were discussed during the EiP hearing sessions. A number of overarching points are made in this respect.

MATTERS NOT ADDRESSED

Firstly, it is evident that RBC has sought to prepare new evidence which justifies the content of the draft Local Plan, rather than reconsidering the key objectives and policies within the Local Plan and making appropriate modifications to address the concerns which have been raised. In this regard, some of the most important matters raised during discussions at the Hearing sessions are not picked up in the Schedule of Actions (EL6.001) and are therefore not addressed or resolved by RBC's additional evidence. These matters include the following:

- Matter 1: A more coherent vision for the plan to be drafted;
- Matter 3: To amend Policy EMP1 to clarify that the Local Plan sets a requirement for 27 ha of employment over the plan period 2019 -2034;
- Matter 3: To amend the housing requirement figure to recognise a minimum of 236 dwellings per annum are required to ensure housing delivery aligns with the Local Plan's economic planning strategy (see below);
- Matter 7: Update the Infrastructure Plan in line with a higher housing requirement figure (once agreed) and produce a note outlining what measures the Rossendale Borough Council would put in place to ensure the Infrastructure Plan is delivered; and
- Matter 16: Correct Policies Map to delineate Scout Moor Windfarm as High Moorland Plateau

Peel requests clarification from RBC in respect of these matters, including how and when they will be resolved.

¹ Planning Newsletter No.3 of 2020: Message from Chief Planner, Ministry of Housing, Communities & Local Government (1 October 2020)

INCOMPLETE EVIDENCE

Secondly, it is evident that the evidence which comprises Examination Library 8 is only partial and is therefore incomplete. In particular, some of the documents refer to and rely on other evidence which is yet to be published. For example, the Local Plan Economic Viability Assessment (LPEVA) (EB019) is relied upon by RBC to justify various aspects of the draft Plan, such as the proposed housing standards. However, the examining Inspectors have requested an update to the LPEVA in respect of various matters (Action 20.2). This has not yet been provided. The viability evidence relied upon by RBC to justify the housing standards and other policies in the draft Plan is not robust, such that those policies cannot themselves be considered sound.

It is also evident that RBC intends to publish further evidence in response to the Schedule of Actions and undertake a further consultation at that stage. For example, document EL8.016.1 relating to Green Infrastructure and Biodiversity Net Gain notes that the viability implications of the proposed biodiversity net gain requirement will be considered separately on a forthcoming note on viability, which has not yet been published. Publishing evidence base documents in stages and in isolation from each other prevents a meaningful consideration of all the evidence and the soundness of the Plan in the round. This limits the degree to which the current consultation can be considered meaningful, in respect of which there are clear statutory requirements (i.e. consultation can only be considered meaningful and robust where respondents are given access to all necessary and relevant evidence). In this context Peel reserves the right to provide further comments in due course, when the full range of evidence intended to be provided by RBC has been published.

THE HOUSING REQUIREMENT

Thirdly, the key unresolved issue in respect of the draft Local Plan concerns the scale of residential development which is to be planned for. The draft Local Plan proposes a requirement of 212 dwellings per annum (dpa). However, RBC conceded during the EiP hearing sessions – in response to evidence presented by Peel and other parties – that the requirement is deficient, and in particular is not aligned with the scale of economic growth which is planned for. RBC’s representatives stated that an increase in the requirement to a minimum of 236 dpa would be appropriate. This is acknowledged in the Inspector’s letter to Peel dated 4 September 2020 which confirms as follows in respect of the housing requirement:

“this was the subject of extensive discussion at the hearing session, and the Council did suggest at one point that a higher housing figure would be appropriate.”

However, this is not acknowledged by any of the additional evidence published by RBC as part of Examination Library 8. For example, the SA Addendum (EL8.001.3) and Exceptional Circumstances for Green Belt Release (EL8.008.12) remain based on a requirement figure of 212 dpa. Peel remains of the view that this requirement is unsound and requests clarification from the examination Inspector’s about how this matter is to be resolved.

THE PLAN PERIOD

Fourthly, Peel is mindful of the requirement in the NPPF that Local Plans should cover a plan period lasting for “...a minimum 15 year period from adoption...” (paragraph 22). Given that over a year has elapsed since the EiP hearing sessions and that various matters remain unresolved, it is likely that the Local Plan will not be adopted until 2021/22 (i.e. after 31 March 2021). As such, the Local Plan period will need to extend up to 2036/37 such that it covers a period of at least 15 years and is consistent with the requirement of the NPPF in this regard. This will require a further three years to be added to the plan period, which is currently proposed to expire in 2033/34, with consequent implications for the scale of development which is planned for.

Peel reiterates its support for the progression and adoption of the Local Plan. However, it is evident that the additional evidence which comprises Examination Library 8 fails to address a number of significant issues which relate to the soundness of the Local Plan. Peel is keen to work with RBC to resolve these issues such that Plan can

be found sound and adopted expeditiously. It is, however, clear that further EiP hearing sessions will be required to resolve the outstanding matters, including in particular those relating to the housing requirement, and to enable thorough examination of the additional evidence made available by RBC. In this context, Peel respectfully requests clarity from the examination Inspectors about the next steps for the EiP.

EL8.001.2 ACTION 1.2 ASSESSMENT OF REASONABLE ALTERNATIVES

This document provides a summary of how the table of reasonable alternatives was formed over a number of years and drawing from evidence base documents such as the Strategic Housing Land Availability Assessment (2017) and Housing Topic Paper (2019). The document outlines the assessment process that was undertaken to arrive at 'Preferred options' and concluded that a further 46 sites identified in the Green Belt Review and through the Regulation 19 Local Plan consultation will be assessed as part of the Sustainability Appraisal Addendum (June 2020) (EL8.001.3 ACTION 1.3).

Peel supports the inclusion of further site assessments and considers it necessary to ensure the Local Plan is evidenced and sound. Our review of the Sustainability Appraisal Addendum and the additional site assessments is provided below.

EL8.001.3 ACTION 1.3 SUSTAINABILITY APPRAISAL ADDENDUM (JUNE 2020)

The SA Addendum tests various potential housing requirement figures. However, it states that the impact of all options on the SA objectives 11 (employment location) and 12 (employment skills) are uncertain given that location of housing delivery is unknown, such that it does not test the options against those objectives. This approach is fundamentally flawed. The overall level of housing provided has a clear relationship with the economy in terms of, inter alia, supporting employment growth, irrespective to the precise location of the homes to be provided. Failure to consider the degree to which the different housing requirement options will support and are aligned with the economic objectives and policies of the Plan is therefore a fundamental flaw. It is also inconsistent with the NPPF, which makes clear that the social (i.e. housing) and economic (i.e. employment) roles of sustainability are interdependent and must be pursued in mutually supportive ways (paragraph 11).

Housing Option E (3,180 dwellings) is that which equates to the selected housing requirement figure of 212 dpa when distributed over a 15 year plan period. As set out above, RBC acknowledged during the EiP hearing sessions that Option E is deficient, in that it is not aligned with – and will therefore not be effective at supporting – the economic objectives of the Plan in terms of the scale of job growth and employment floorspace which is planned for. RBC stated that an increase in the requirement figure to 236 dpa would be appropriate, equating to 3,540 dwellings over a 15 year plan period. This level of provision is not tested by the SA Addendum, such that it does not assess the 'true' scale of housing provision which is required. This is a notable omission which must be corrected in order for the SA to be considered sound. It is nevertheless considered that the delivery of 3,540 dwellings – only slightly above Option E and still significantly below the next largest option (Option D: 5,000 dwellings) – it is not considered that it would perform significantly different that Option E against the SA objectives.

Moreover, all of the housing requirement options tested by the SA Addendum reflect the 15 year plan period proposed by the draft Local Plan (2019 to 2034). As noted above, it is evident that the plan period will need to run until at least 2037 in order to be consistent with the requirement of the NPPF that Plans cover a period of at least 15 years from adoption. The plan period will therefore need to be extended to cover a period of at least 18 years (2019 to 2037), with consequent implications for the housing requirement options.

Finally, it is noted that the SA Addendum identifies that the Haslam Farm site promoted by Peel is considered "suitable", but is not allocated because "...the estimated yield is too small to advocate exceptional circumstances..." However, it is of a commensurate size – and is indeed larger – than many other sites proposed to be allocated by the Local Plan. The demonstration of "exceptional circumstances" has little to no relationship with the yield resulting from a particular site; it is principally an overarching judgement about the scale of need for development

in the Borough and the degree to which that can be accommodated without a review of Green Belt boundaries. RBC has proved that such circumstances do exist. Particular sites cannot be ruled out simply because they have a relatively low yield. This is particularly the case in Rossendale given the argument advanced by RBC that the supply of suitable development land in the Borough – and particularly larger sites – is very limited. The SA Addendum and the justification for the omission of this Site is flawed and unsound in this respect.

EL8.004.2 ACTION 4.2 HOUSING STANDARDS

The Planning Practice Guidance (PPG) identifies the evidence required to introduce a policy regarding local housing standards, including in respect of viability. The PPG specifically states that:

“...the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted...” (Reference ID: 56-020-20150327)

Document EL8.004.2 states that the “Optional Standards” and Nationally Described Space Standards (NDSS) are accommodated within and justified by the Local Plan Economic Viability Assessment (LPEVA) (EB019). However, Turley has previously provided evidence which highlights that the LPEVA has adopted a mix which includes an excessive proportion of one and two bed properties, for the purpose of keeping the sqft per acre at a level which is favourable for the assessment. However, this mix does not align with the range and type of housing typically delivered within the Borough, such that it skews the output of the assessment. This matter has not been addressed in the latest evidence published by RBC, such that Turley remains of the view that the LPEVA does not justify the proposed housing standards in conflict with the requirement of the PPG.

It is noted that the examination Inspectors have requested an update to the LPEVA (Action 20.2) in order to cover ten bulleted issues and six further points of clarification. The revised viability assessment will form a core piece of evidence, but has not been published. In the absence of this updated LPEVA, it is considered that the evidence relied upon by RBC to justify the housing standards is not robust, such that the standards themselves cannot be considered sound. Peel reserves the right to provide further comments in respect of this matter when the revised LPEVA has been provided.

EL8.008.1 ACTION 8.1 APPROACH TO SITE ALLOCATIONS AND GREEN BELT RELEASE (OMISSION SITES)

This document seeks to clarify the reasons for omitting sites and in some circumstances provides more technical evidence to retrospectively justify the decision.

The document provides Heritage Impact Assessments for a number of omitted sites and includes sites being promoted by Peel; Haslam Farm (southern parcel) and the Moorland Rise site. The assessment at Appendix C of the document confirms that there would be “no predicted heritage impact” as a result of residential development at either site. We agree with RBC’s assessment of the two sites in this respect.

As referenced elsewhere within this letter, we consider it necessary for the emerging Local Plan to identify more sites for residential development to meet their identified requirement. Peel has consistently demonstrated the deliverability of these sites and the technical documents submitted with the Hearing Statements (Matters 9 and 11) confirm the sites are available and suitable for development. The evidence provided within document EL8.008.1 further indicates that the land is suitable in a number of respects. The sites being promoted by Peel can therefore offer a meaningful contribution to meeting Rossendale Borough Council’s increased housing requirement.

EL8.008.5 ACTION 8.5 SENSITIVITY TESTING

This document includes a Rossendale Green Belt Study (dated January 2020) prepared by LUC to address the decision to remove Green Belt purpose 4 (NPPF paragraph 134) from the site assessments. For ease of reference, purpose 4 seeks to preserve the setting and special character of historic towns.

The Rossendale Green Belt Study confirms that if both sites proposed for release from the Green Belt, and parcels not proposed for release had been assessed against Green Belt purpose 4, the results would not have differed. It is understood for example, where sites were assessed as having a strong contribution to purpose 4 in the Green Belt Review (2016), these sites also contributed strongly to other Green Belt purposes.

It is frustrating to see this document edited and cropped so Chapter 3 onwards cannot be read, particularly as this Chapter relates to draft residential allocations H71, H72 and H73. There is a reference to refer to Actions 14.2, 14.3iii, 14.3iv and 14.4 but these actions have not yet been published. It is unclear why the document has not been published in full as it prevents meaningful consultation at this stage. Peel therefore reserves the right to comment further on this document when the remaining chapters are published.

EL8.008.6 ACTION 8.6 EVIDNCE FOR GREEN BELT PARCELS RECOMMENDED FOR RELEASE

This document seeks to clarify what examination and assessment of Green Belt sites took place prior to the Local Plan examination and refers readers to new information in the form of a new SHLAA Assessment for example, assessment within the Sustainability Appraisal Addendum or other evidence prepared following the close of the Hearing sessions.

Certain sites listed within Table 1 however refer to Action 14.1 (Parcel 33), Action 14.3 (Parcel 39, 43 and 44) and Action 13.2 (Parcel 69) which are not available and are yet to be published by RBC. Whilst Peel recognises there has been additional evidence prepared for some of the sites, we cannot meaningfully comment on the conclusions drawn in relation to this Action until the documents referred to are published and available for review.

EL8.008.7 ACTION 8.7 SITE SELECTION EVIDENCE

This document seeks to provide further evidence in relation to the site selection process and to provide the reason for not allocating sites for housing. We address the conclusions of the document in relation to each site being promoted by Peel in turn below:

- **Land at Moorland Rise, Haslingden** – Table 2 within this document references access, design as a result of the electricity wayleave, and impacts on landscape as reasons for not allocating the site for housing.

Technical documents submitted during the Local Plan preparation process and attached to our Matter 11 Hearing Statement demonstrate that the residential development of this site can be achieved. The technical work includes a Development Framework which includes an illustrative masterplan, a Transport Report and a Landscape Appraisal. The submission material referenced demonstrates that the site is suitable and residential development is achievable.

- **Land at Burnley Road, Edenfield** – Table 2 references the findings of the Green Belt Review (2016), impact on Tree Preservation Orders and surface water flood risk as reasons for not allocating the site for housing.

Technical documents submitted during the Local Plan preparation process and attached to our Matter 14 Hearing Statement demonstrate that the residential development of this site can be achieved. The technical work includes a Development Framework which includes an illustrative masterplan showing the retention of existing mature trees and a Flood Risk Assessment. The submission material referenced demonstrates that the site is suitable and residential development is achievable.

- **Halsam Farm, Rawtenstall** – Table 2 references the findings of the Green Belt Review (2016) as the reason for not allocating the site for housing. Whilst the conclusions of the Green Belt Review are not for dispute, there are exceptional circumstances which require the removal of further sites from the Green Belt. To avoid repetition, please refer to our comments provided previously in our Hearing Statements and the comments above in relation to the annual housing requirement figure and the SA Addendum.

EL8.008.10 ACTION 8.10 COMPENSATORY MEASURES FOR GREEN BELT RELEASE

Document EL8.008.10 identifies potential compensatory measures for site H27 Land West of Market Street in Edenfield, in which Peel has a land interest. Peel considers that the measures proposed are appropriate and achievable, and can be accommodated within the masterplan for the site.

EL8.008.12 ACTION 8.12 EXCEPTIONAL CIRCUMSTANCES FOR GREEN BELT RELEASE

This document is useful in that it outlines the various considerations taken into account when RBC concluded that Green Belt release was needed (i.e. around housing and employment requirements) and the examination of reasonable alternatives such as the suitability and availability of brownfield land and optimising density. While the methodology is broadly acceptable, the basis on which RBC has calculated the level of Green Belt release required is flawed.

As referenced earlier, discussions at the Matter 3 EiP hearing session have been unresolved thus far. There is still significant uncertainty over the housing and employment land requirement, not least because RBC conceded that a higher housing requirement is required (see above). While this document recognises the pitfalls with proceeding with a low housing requirement figure (paragraph 3.2.2 -3.2.4), it fails to reach a conclusion on how RBC proposes to deal with the “pressure” of needing to provide enough land to meet identified needs.

Paragraph 3.2.2 states:

“Therefore, the Council must find enough housing land to deliver a minimum of 212dpa. Whilst this is lower than the previous Core Strategy requirement of 247dpa, historic data on housing completions shows that, since 2011, the authority has only once been able to exceed this annual target (in 2013/14). The remaining years have generally produced fewer than 200 dwellings with the average overall number of completions being just over 170 dpa.”

When this is considered in tandem with our Hearing Statements in relation to affordable housing provision, viability and our review of sites within the housing land supply trajectory, it is clear that the minimum housing requirement figure is insufficient and will not enable RBC to achieve its strategic aims, objectives and other policies in the Plan including in respect of economic growth. Peel does not agree that annual delivery rates are a reason to constrain future housing growth; lower rates of delivery can be attributed to the failure of RBC to establish a supply of land (RBC abandoned the ‘allocations plan’ being prepared pursuant to the 2011 Core Strategy, such that it has been many years since RBC had an adopted Development Plan which identified land allocations for residential development (the 2006 UDP)).

Section 4 of this document relates to the possible need for an extension to Edenfield Primary School as a result of the proposed housing allocations in Edenfield. Peel appreciates there are other residential allocations in Edenfield than allocation H72 which Peel has an interest in but it would in the first instance direct RBC and the Inspectors to the work commissioned by the promoters of all parcels of H72 in relation to education requirements. The document submitted with the Hearing Statements is clear that there is sufficient existing school capacity to accommodate the development of allocation H72.

Peel does, however, support the inclusion of reference to a possible need for the extension of the Edenfield

Primary School and clarification that *“if any development were considered necessary in future, this would constitute “very special circumstances” and would be dealt with under the provisions of paragraph 144 of NPPF”* (paragraph 4.3).

Reference is again made to further information being available in the response to Action 14.3. As this document is not available for comment Peel is not in a position to meaningfully comment on this section. Peel therefore reserves the right to comment further on this matter when the response to Action 14.3 is made available.

EL8.016.1 ACTION 16.1 GREEN INFRASTRUCTURE AND BIODIVERSITY NET GAIN

Document EL8.016.1 proposes a main modification to ‘capture’ a requirement for all development to achieve a 20% biodiversity net gain within Policy ENV1. Peel strongly objects to this proposed modification and considers that it is not justified as follows:

- RBC acknowledges that its proposed requirement exceeds the 10% net gain to be introduced by Government. It has not, however, explained why an uplift to 20% is appropriate in Rossendale. Peel accepts and agrees that efforts should be made to conserve and enhance biodiversity, but a 20% net gain is excessive, onerous and not justified by RBC.
- RBC has presented no viability evidence to demonstrate that a 20% net gain requirement is realistic and achievable without undermining development viability. The Government has acknowledged that even a 10% net gain requirement could raise concerns about the impact on development viability. An increase to a 20% requirement will add very significant further cost which is unlikely to be achievable, particularly given the other policy requirements of the emerging Plan (e.g. in terms of housing standards (see below)). The failure to provide any viability evidence in this respect means that the proposed modification to Policy ENV1 is unjustified and prevents meaningful consideration – and therefore consultation – in respect of this matter.

Peel therefore considers that the proposed modification to Policy ENV1 is unsound and should be deleted. RBC has acknowledged that it could reduce the biodiversity requirement to 10% (paragraph 4.2); Peel agrees that this is appropriate given its consistency with the proposed mandatory requirement to be introduced by Government nationally. However, there is no need for the Local Plan to duplicate this requirement given that it will be enshrined within legislation.

EL8.016.2 ACTION 16.2 WIND TURBINE DE-COMMISSIONING

The Schedule of Actions identified a requirement to “include further detail on de-commissioning of wind turbines, setting out what a de-commissioning scheme would be expected to contain”. Document EL8.016.2 is advocating an approach that would encompass the implementation of a planning permission to erect wind turbines as well as their potential decommissioning. Peel considers that this combined approach has resulted in some confusion about the issue, as demonstrated by the contradictory requirements about when to provide information about decommissioning, and the dual role of the ‘suitably qualified person’. Further detailed comments in this respect are provided at Appendix 1.

Peel considers that it is sensible that RBC recognises that decommissioning of a wind farm is not a given. It is increasingly common for onshore wind generating stations to have a lifespan of up to 50 years. This is because onshore wind is one of the cheapest forms of renewable electricity generation and it is far from clear what can replace them as the country continues to diverge from fossil-fuel based generating technologies. In essence, onshore wind turbines are likely to remain in situ for the foreseeable future to meet the predicted rise in demand for renewable electricity.

EL8.019.7 ACTION 19.7 HOUSING LAND SUPPLY – EMPTY HOMES

Peel concurs with RBC's view expressed in document EL8.019.7 that the issue of empty homes is complicated and that no allowance should be made within the housing land supply for bringing empty homes back into use given that:

- Its provision is difficult to quantify with any certainty and fluctuates significantly year on year;
- RBC does not have any active programmes or actions to address the issue of empty homes; and
- RBC's housing officers accept that the number of empty homes is unlikely to change to any significant degree in the near future.

CONCLUSION

Peel trusts that the comments provided in this letter are useful to RBC and the examining Inspectors. It reiterates that it is keen to support RBC's progress of the Local Plan such that it can be adopted as soon as possible. However, the additional evidence published within Examination Library EL8 addresses only some of the matters and soundness concerns raised during the EiP hearing sessions, and the most significant issue – the scale of the housing requirement – has been ignored entirely. Peel therefore has ongoing concerns about the soundness of the Local Plan. Further discussion in respect of these and other matters is likely to be required via further hearing sessions, when the full range of evidence proposed by RBC has been published. Peel encourages RBC to make swift progress in this respect given the significant delay which has already elapsed since the initial hearing sessions in autumn 2019.

Peel would be happy to discuss the content of this representation with RBC. If this would be useful, please do not hesitate to contact either myself or my colleague Nick Graham.

Yours sincerely

Jenny Fryer **Senior**

Planner

REDACTED

APPENDIX 1: SPECIFIC COMMENTS ON DOCUMENT EL8.016.2 WIND TURBINE DE-COMMISSIONING

The document states as follows:

"If the option is taken to decommission, then a mechanism should be in place to ensure that the turbines and associated structures are removed. A reinstatement plan should be submitted giving proposals of how developers would intend to restore the ground to its former condition." (paragraph 2.4)

Peel considers that it is possible that a wind turbine may have been erected on poor-quality ground, e.g. a degraded peat bog. In such cases it makes little sense to compel a developer to restore the site to its former low standard. It would be better if reference to "former condition" were removed and the requirement simply be expressed as a need to "restore the ground". This will provide flexibility to encompass the potential for improvements to soil / ground conditions to have been achieved as part of the development.

RBC intends to require that *"Reinstatement details must be submitted with any development proposals."*

(paragraph 3.2). However, at the point of submission of a planning application, at best it would only be possible to provide a general outline of potential routes toward achieving site restoration as part of decommissioning. This is because decommissioning will be a minimum of 25 years or more away following implementation of any permission and during that period it is highly likely that best practice and legislation will have advanced, rendering the originally submitted details obsolete. A better expression would be for an *“outline of reinstatement details and methods to be submitted as part of any planning application”*.

The document states that:

“No development should take place unless the developer has appointed a full time independent and suitably qualified person to oversee the commissioning and subsequent decommissioning of the development (in consultation with Natural England and the Environment Agency). The developer should entirely fund the employment and necessary expenses of this person who should be appointed for the period of implementation until 12 months after commissioning of the development and for the period of decommissioning.” (paragraph 3.2(b))

Peel considers that there are several issues with the approach as outline:

- The matter at hand is decommissioning, not implementation. It is therefore unclear why an “independent and suitability qualified person” is needed at the implementation stage.
- The role of the “independent and suitability qualified person” is not specified. It is typical for wind farm developers to have to retain an Ecological Clerk of Works (ECoW) as well as an Archaeological Clerk of Works (ACoW). In addition, and predominantly in Scotland, there is often a requirement for a Planning Monitoring Officer (PMO). Any condition worded as originally suggested is therefore imprecise and unclear.
- Ensuring compliance with the terms of a planning condition is a regulatory function of RBC. It is unclear how the “independent and suitably qualified person” would interact with RBC’s officers in relation to this function (see comment (ii) earlier).

The Council appears to propose a requirement for a Planning Management Officer (PMO). If that is indeed the intend, then the wording should be adjusted to read as follows: “(1) No development shall commence unless and until the terms of appointment by the developer of an independent and suitable qualified environmental consultant as Planning Monitoring Officer (PMO) have been submitted to and approved in writing by the Planning Authority. The terms of appointment shall: (a) Require the PMO to monitor compliance with the terms of the planning permission; (b) Require the PMO to submit a monthly report to the Planning Authority summarising works undertaken on site; and (c) Require the PMO to report to the Planning Authority any incidences of non-compliance with the terms of the planning permission and conditions attached thereto at the earliest practical opportunity. The PMO shall be appointed on the approved terms throughout the period from commencement of development to completion of post construction restoration works.”

The document also states that:

“Prior to the decommissioning of the development, a written scheme for the decommissioning of the wind farm and restoration of the site should be submitted to and approved in writing by the planning authority.” (paragraph 3.2(c))

This requirement is contrary to the requirement of 3.2 which stipulated that *“reinstatement details must be submitted with any development proposals”*. As stated earlier, it is only possible at best to provide *outline* details for reinstatement at the point of application submission. Peel therefore prefers the approach advocated by 3.2(c) and would advocate that RBC adopts this approach rather than requiring a developer to do both.

I am sending this e-mail in response to 84

2 storey houses being proposed on land above Cowtoot Lane, Bacup.

Top Meadow, where The Sentinel stands, has for decades been public land with a right-of-way. It was used as playing fields for Blackthorn Secondary School, then maintained by the council as a football pitch for the children in the surrounding areas.

It is a long time since the council looked after it, but it has been in constant use by dog walkers, ramblers, picnicking families, cyclists and horse riders for many years and the fact this ancient right-of-way is proposed to be obliterated is indefensible.

1. Where are any new families with 2.5 children supposed to school them?

2. Where are the new residents supposed to go for their inevitable medical needs?

3. How can our roads cope with the extra traffic?

We do not have good infrastructure as it is now, without adding to our areas burden.

I STRONGLY OBJECT to this H39 84 houses off Cowtoot Lane proposal.

HEATHER METCALF

REDACTED

[Sent from Yahoo Mail on Android](#)

REPRESENTATIONS ON ADDITIONAL EVIDENCE (EL8)

ROSSENDALE LOCAL PLAN EXAMINATION

TAYLOR WIMPEY (UK) LTD

1st December 2020

(KW/GL/MAN.0299/R005v2)

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1. INTRODUCTION

- 1.1 Pegasus Group have been instructed on behalf of Taylor Wimpey (UK) Ltd (Taylor Wimpey) to prepare representations on the additional evidence published in support of the Rossendale Local Plan Examination (EiP), in respect of their land interests in the Borough. This relates to the following sites which are both allocated in the submitted plan:
- Land west of Market Street, Edenfield (within Housing Allocation H72); and
 - Grane Village, Helmshore (within Housing Allocation H74).
- 1.2 Since the closure of the Hearing Sessions, the Council has prepared a series of additional items arising from Action List Document EL6.001. These documents are contained in Examination Library 8, with a 4 week consultation running from 6th November until the 1st December 2020.
- 1.3 Accordingly, we provide comments on the relevant documents in this report, which should be read alongside our earlier representations and Hearing Statements.

2. ACTION 8.12- EXCEPTIONAL CIRCUMSTANCES FOR GREEN BELT RELEASE (EL8.008.12)

- 2.1 We commend the Council on preparing this document which clearly sets out the Exceptional Circumstances which exist for Green Belt release in the Borough. The paper sets out at section 2 how the Council has satisfied the requirements of paragraph 137 of the NPPF, which requires local planning authorities to demonstrate that they have examined fully all other reasonable options for meeting their identified need for development.
- 2.2 Critically, the Council also set out a comprehensive case for Exceptional Circumstances at section 3 of the report, in line with Paragraph 136 of the NPPF. The Exceptional Circumstances for Green Belt release are clearly articulated in the report and align with our previous representations **regarding there being insufficient urban and brownfield land capacity to meet the Borough's housing requirements alone.**
- 2.3 Paragraph 3.6 of the report refers to the requirement of Paragraph 138 of the NPPF to provide compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. We have already provided a detailed response to the Council on this matter in relation to Action 8.10, as we explain shortly.
- 2.4 Of final note, Section 4 of the report discusses the Edenfield Primary School Expansion, which is **relevant to Taylor Wimpey's Edenfield Allocation (H72).** As the Council and Inspector will be aware, **it is both Lancashire County Council's (LCC) and Taylor Wimpey's preference to deal with this matter, if required, through expansion of existing school facilities, with evidence provided by Taylor Wimpey indicating that there is no need for a new primary school to be provided on land within the Edenfield allocation.** Paragraph 4.3 of the exceptional circumstances report notes if development **for primary school expansion is considered necessary in the future, this would constitute 'very special circumstances' under the provisions of paragraph 144 of the NPPF.** This further points towards a preference by all parties for school expansion as opposed to provision of a new primary school on the H72 Edenfield allocation. Paragraph 4.4 later confirms that further information on the various school options are also to be provided as part of the response to action 14.3.
- 2.5 Given that the updated evidence on school options has yet to be published in relation to action 14.3, we reserve the right to comment on this matter further at a later date. Additional evidence regarding the need for primary school expansion is important in determining how this matter is to be dealt with in Green Belt terms, as well as subsequent wording in Policy HS3 Edenfield. Indeed, it is a matter which needs to be clarified by LCC in order to help ensure prompt delivery of the strategically important H72 Edenfield Allocation as soon as possible in the Plan Period, in order to **ensure the Borough's housing needs can be effectively met.**

3. ACTION 8.10- COMPENSATORY MEASURES FOR GREEN BELT RELEASE (EL8.008.10)

- 3.1 Pegasus Group has no further comments to make on this matter, having previously submitted comments on this as contained in Appendix 1 of **Council's EL8.008.10** report.

4. ACTION 8.5- SENSITIVITY TESTING (EL8.008.5)

4.1 This additional evidence has been prepared in response to Action 8.5, which relates to the Rossendale Green Belt Review and particularly whether the removal of an assessment of Purpose **4 of the Green Belt** (“to preserve the setting and special character of historic towns”) makes a difference to the conclusions reached for each Green Belt parcel.

4.2 The Note contains the updated January 2020 LUC report entitled: ‘Rossendale Green Belt Study Local Plan Examination: Green Belt Action’. Paragraph 1.2 of the report notes how LUC were asked to provide the following information in relation to the following Green Belt Matters:

1. *Sensitivity check of the NPPF Green Belt Purpose 4: To preserve the setting and special character of historic towns. The purpose of this is to check whether the outcome of the Green Belt assessment would be different, if it was assumed there are no historic towns within Rossendale or neighbouring areas.*
2. *Assessment of potential harm to the Green Belt of releasing for development Allocation H71 - Land east of Market Street, Edenfield.*
3. *Assessment of potential harm to the Green Belt of releasing for development Allocation H72 - Land west of Market Street, Edenfield, in particular the cumulative harm of the three Green Belt parcels that make up H72 (these were assessed separately in the Green Belt Study (2016)).*
4. *Assessment of potential harm to the Green Belt of extending Edenfield Church of England Primary School.*
5. *Assessment of the potential harm to the Green Belt of releasing for development Allocation H73 - Edenwood Mill, Edenfield.*

4.3 Paragraph 1.3 of the Report then confirms that the assessments of harm to the Green Belt of the proposed allocations H71, H72, Edenfield School Extension and H73 are set out in Chapter 3 of the LUC Report. However, Chapter 3 of the report has yet to be published, and simply refers to ‘see actions 14.2, 14.3iii, 14.3iv, 14.4’. As this information is yet to be published and relates to **Taylor Wimpey’s land interests at Edenfield (H72)**, we reserve the right to comment on this matter further once the findings of the assessment have been published.

5. ACTION 19.6- POTENTIAL RESIDENTIAL DEVELOPMENT IN TOWN CENTRES (EL8.019.6)

5.1 This Document explores in further detail if any Town Centre housing stock/opportunities may exist, following arguments at the Hearing Sessions that such dwellings should be included within the overall housing supply table. This source of land supply is in line with paragraph 121(a) of the NPPF, which notes how local planning authorities should support proposals which use retail and employment land for homes in areas of high housing demand.

5.2 Key conclusions of the report are summarised as follows:

- As there is currently little evidence available to demonstrate the suitability, availability and achievability of the potential town centre opportunities identified in the Vision Documents, it is not considered possible to add a specific number of dwellings to the housing land supply based on these.
- Alternatively, it could be possible to estimate a potential number of dwellings which could be created through reusing vacant space. However, much more detailed work would need to be done to identify which vacant units could be suitable, if these are deliverable, and the type of homes that could be provided. It is also difficult to predict which occupied businesses may change use, particularly as retail is able to change to residential without the need for planning permission. Many of these opportunities are likely to be small scale and will, in any case, be accounted for as part of the small sites allowance.
- The Council do not currently consider it appropriate to include either of the above potential sources in the housing land supply (which would be akin to a windfall allowance).
- If an allowance were to be made for town centre sites, based on the indicative figures suggested in Table 1, this could amount to a between 9-12 dwellings per annum (131-183 dwellings over 15 years) which could also take account of other opportunities not already identified. Care would need to be taken to ensure that this allowance would not involve double counting those already accounted for as part of the small sites allowance.

5.3 It is also pertinent that one of the effects of the COVID19 pandemic has been a shift in demand away from urban apartment style development towards more traditional suburban/ rural housing with gardens, reflecting the fact that people are spending more time at homes and want more access to outside space and recreation opportunities.

5.4 **Given Rossendale's Town Centres would not have been considered primary locations** for apartment development even before the pandemic, this is likely to lead to low demand for Town Centre in the coming years.

5.5 **We agree with the Council's approach to not include additional town centre dwellings within the Council's land supply, because there is simply no evidence to justify this as part of the Council's land supply. This further demonstrates the Council's case for exceptional circumstances for Green Belt release, as there is simply insufficient brownfield land and urban capacity to meet the Council's**

housing land supply requirements on its own. There is clearly a need for Green Belt release, in **order to complement brownfield land and sites within the urban areas to achieve the Borough's** emerging housing requirements.

- 5.6 Finally, this additional work also demonstrates how the Council have duly and thoroughly considered the requirements of paragraph 137 of the NPPF. Paragraph 137 requires the Council to demonstrate that they have made as much use as possible of suitable brownfield sites and underutilised land before it can be concluded that exceptional circumstances exist to justify changes to Green Belt boundaries.

6. ACTION 19.7- HOUSING LAND SUPPLY- EMPTY HOMES (EL8.019.7)

6.1 This document explores in further detail Empty Homes across the Borough, following arguments at the Hearing Sessions that such dwellings **could be included within the Council's housing supply.**

6.2 The main conclusions of the document are as follows:

- To a large extent the number of empty dwellings is very much linked to housing market demand and wider economic factors. Whilst the emerging Local Plan has wider aspirations to improve the local economy and the attractiveness of the housing offer, many of the **contributory factors to empty homes can be outside the local authority's control.** Therefore, it is difficult to accurately predict how many long-term empty homes will be reoccupied on a consistent basis.
- A certain vacancy rate is generally accepted as being normal to allow the market to function or 'churn'. **It would be inappropriate** to rely predominantly on the refilling of vacant stock above this to meet the housing requirement.
- Currently, the Local Plan does not rely on additional new housing capacity from this source as there would need to be robust evidence that the supply of empty homes brought back into use would occur consistently and with certainty over the plan period. Instead, additional housing capacity made available through bringing empty homes back into use could provide further flexibility in meeting the housing requirement, without the need to identify a specific allowance.
- If the Inspector is minded to recommend an allowance, however, a figure of around 10 dwellings per annum (or 150 over the entire plan period 2019-34) would be considered reasonable, given that many of the properties may only have been vacant for a relatively short time.

6.3 **We agree with the Council's approach to not specifically allow for empty homes within the identified housing land supply.** Whilst, as pointed out, such dwellings can provide a contribution towards housing supply as part as normal market churn, evidence is too scant and insufficiently robust to warrant a specific allowance within the land supply calculations. Rather, empty homes coming back into re-use should be viewed as helpful components which provide additional flexibility to deliver above the identified housing requirement, as opposed to a crucial component required to deliver the **Local Plan's** minimum housing requirement.

6.4 To reiterate our earlier comments made in Section 4 of this Report, this further justifies the **Council's case for exceptional circumstances to release land from the Green Belt.**

7. ACTIONS 8.3 AND 8.4- DENSITY (EL8.008.3)

- 7.1 This Note has been prepared to provide clarification on how the density of sites was identified and to provide additional evidence to show how the Council optimised density on sites.
- 7.2 Paragraph 2.2 of the note explains how the capacity identified on the proposed allocations either relates to the number of dwellings granted through a planning permission (where applicable) or is an estimate based on an appropriate density for the site in question. In arriving at these densities, Officers have taken into account locational and sustainability factors, including local character and specific knowledge of the site. However, the capacities identified do not preclude densities being increased on sites, subject to a detailed planning proposal being submitted.
- 7.3 After this exercise, as explained at paragraph 2.8, a standard density was applied (based on net developable area). This was usually 30 dwellings per hectare, unless a higher density was felt to be more appropriate due to specific site characteristics, such as a location within the town centre. Paragraph 2.9 later states that there is an average density on brownfield sites of approximately 100 dwellings per hectare. Paragraph 2.10 then notes how the Council had other reasons for amending site yields from the standard average density figure, including if the landowner or site promoter had produced an indicative site layout.
- 7.4 Upon review of the Note, Taylor Wimpey agree with the approach that the Council has taken to calculating density figures, which is fairly standard practice. The use of an average density of 30 dph is fairly standard for an average greenfield housing development. An average brownfield density of 100 dph could be considered high for in Rossendale, given the fact it is not considered a primary location for apartment development, and may be even less so now in the post COVID world, (see section 5 on Residential Development in Town Centres); however it is pertinent that there is evidence provided to support densities on the 23 brownfield sites, and this includes one site with an estimated density of 550 dph which skews the overall average figure.
- 7.5 **One aspect which hasn't been fully evidenced is the impact that the proposed 20% biodiversity net gain policy (and the resultant need for additional non-developable land) will have on site densities and we address this in more detail in section 10.**
- 7.6 The Council have clearly been aware of the requirements of Section 11 of the NPPF, with paragraph 123 noting how town centre and other accessible locations should see a significant uplift in the average density of residential development. The Council note how they have considered higher densities within town centres, therefore have taken an appropriate approach to considering densities across a variety of locations in the Borough.
- 7.7 The Council expand on this matter further, discussing density optimisation at paragraphs 3.1-3.5 of the Note. The Council specially mention paragraph 122 of the NPPF and, how mindful of paragraph 122, they have maximised density where it is appropriate to do so. Paragraph 3.3 does note that this has not always been possible because in some instances this would have an adverse

impact on the character of the area. This is especially the case in Rossendale, where, aside from the traditional terraced areas around the centres and within the urbanised valley bottoms, much of the area is rural and not typically characterised by high density development, which again reflects our comments about it not being a strong market location for apartments/ town centre residential development.

- 7.8 **The Council's approach and work on density matters also satisfies paragraph 137 of the NPPF. This** outlines how before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the Council must examine fully all other reasonable options for meeting its identified need for development. This includes paragraph b), optimising the density of development, including promoting an uplift in minimum density standards in town and city centres and other locations well served by public transport. The Council have demonstrated that they have optimised the density of development as much as possible, however, there simply remains to be insufficient **brownfield/urban capacity land to meet the Borough's housing requirements alone. Therefore,** exceptional circumstances exist for Green Belt release.

8. ACTION 1.3- SA ADDENDUM 2020 (EL8.001.3)

8.1 The SA Addendum assesses the following matters following the request of the Planning Inspector:

- Reasonable alternative housing numbers.
- Reasonable alternative employment land figures.
- Appraisal of 46 additional sites (assessment of reasonable alternatives/omission sites).
- Four additional policies where reasonable alternatives could be considered.

8.2 This additional work follows the requirement for a Local Plan to assess reasonable alternatives when establishing the growth strategy that it is to be adopted in a Local Plan. Namely, paragraph 35 of the PPG notes how Local Plans are examined to assess whether they have been prepared in accordance with the legal and procedural requirements and whether they are sound. Plans are **'sound if they are:**

a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

8.3 In short, in order for a plan to be justified, reasonable alternatives must be tested and taken into account when establishing the chosen growth strategy and strategic policies of the Local Plan.

8.4 The SA Addendum has provided an objective assessment of the reasonable alternatives that have been tested, with its role not to provide planning judgement or conclusions in terms of which is the best overall strategy for the Council to adopt. At this point we do not have any detailed comments to make on the findings of the SA Addendum, albeit reserve the right to do so at a later date should the Council provide further details on how they are looking to interpret and use the findings of the SA Addendum when choosing the growth strategy for the Plan.

8.5 The publication of the SA Addendum, which assesses reasonable alternatives to the growth strategy currently being pursued by the Local Plan, demonstrates that the Council have satisfied the

requirement of NPPF paragraph 35b), that the plan is justified and therefore can be found sound in this regard.

9. ACTION 4.2- HOUSING STANDARDS (EL8.004.2)

- 9.1 This document has been prepared following the Inspectors request for further evidence to justify the introduction of optional space standards and the nationally described space standards.
- 9.2 The PPG is clear that the introduction of such standards is optional, and that clear justification must be provided in relation to need, viability and timing. Dealing firstly with the accessibility and wheelchair standards, the PPG¹ identifies the type of evidence required to introduce such a policy. It states that it will be for local authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:
- The likely future need for housing for older and disabled people (including wheelchair user dwellings).
 - Size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
 - The accessibility and adaptability of existing housing stock.
 - How needs vary across different housing tenures.
 - The overall impact on viability.
- 9.3 We note that this Housing Standards document reiterates much of what is covered in the SHMA and continues to provide some information in relation to the ageing population and the need for homes for older people. It highlights that there is an increasingly ageing population and that there are higher proportions of people with long term health problems or disabilities within the social rented sector.
- 9.4 Whilst the above information is provided, we reiterate the concerns of the HBF that the document provides very limited information in relation to the size, location, type and quality of dwellings needed in the Borough. This makes it unclear as to whether the homes provided as part of the requirements of Policy HS8 should be of a particular type or size, or whether they would actually be appropriate for those that need them.
- 9.5 Furthermore, the document highlights that the suitability and location of older peoples housing can be an issue for example developments located on steep roads or within flood risk areas. However, it does not suggest how this could be addressed through the policy or whether homes in these areas would still be expected to meet the requirements of the policy. We request that further

¹ Paragraph: 007 Reference ID: 56-007-20150327

clarification is provided on this matter and highlight that further information will be needed in order to justify the introduction of the optional housing standards.

9.6 Turning to viability matters, paragraph 4.25 of the document notes how the results of the viability testing showed that the requirements to achieve M4(2) generally have a relatively limited impact on viability with a cost of around £2 per sqm Paragraph 4.26 later notes that further viability work is being carried out (which is yet to be published). Whilst the Council are of the view that the introduction of the accessibility standards would generally have a relatively limited impact on viability, it is important to highlight that the viability assessment indicated that large areas of the Borough are already deemed to be un-viable, a point that was raised by the Inspector at the EiP. They are clearly viability issues in the Borough and the cumulative impact of these policies will only make development less viable and stifle housing delivery. We therefore reiterate our previous concerns that the viability of introducing these standards need to be assessed further, and we reserve the right to comment on this at a later date once the updated viability work has been published.

9.7 The PPG also provides guidance in relation to the introduction of internal space standard, which are also optional. The PPG states² that where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- *Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- *Viability – the impact of adopting the space standard should be considered as part of a **plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply.** Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- *Timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.*

9.8 We again echo the concerns raised by the HBF, who note that the document now sees the Council consider three schemes, with a total of 51 dwellings, to provide the necessary evidence to support the need for the Space Standards. This is not a satisfactory sample size to establish the need for the Space Standards to be introduced in Rossendale. We politely request that further evidence is provided by the Council to demonstrate a robust case of need, and it is incumbent on the Council to provide this justification.

² Paragraph: 020 Reference ID: 56-020-20150327

- 9.9 We also have concerns regarding viability, as sometimes the introduction of such standards can increase affordability issues and reduce customer choice. Furthermore, we also reiterate that the Viability Assessment confirms that a number of areas in Rossendale have viability issues, therefore the introduction of the technical space standards above and beyond other policies could lead to further viability issues and negative consequences in terms of housing delivery.
- 9.10 On a final note, paragraph 5.10 of the Housing Standard document states that the intent to introduce the technical standards has been in the public domain for over 2 and a half years and by **the time of adoption, this will be over 3 years. The Council's** preference is therefore to adopt and implement the policy alongside the other policies within the Local Plan, with transition period. We disagree with this, as until the Plan has been adopted, there is no certainty that the policy will be taken forward and therefore Developers will often not factor this into viability and costing considerations until this point. We therefore suggest that if the Council are to proceed with introducing these standards, that a transition period should be included.
- 9.11 To conclude, Taylor Wimpey remain of the view that there is insufficient justification to introduce the optional technical standards and that a needs case has not been demonstrated. Coupled with viability concerns, we remain of the view that the optional technical standards should not be introduced in Rossendale and should be removed from the Local Plan, unless additional justification can be provided to demonstrate otherwise.

10. ACTION 16.1- GREEN INFRASTRUCTURE AND BIODIVERSITY NET GAIN (EL8.016.1)
- 10.1 At the outset, we would reiterate that Taylor Wimpey are supportive of the concept of Biodiversity Net Gain (BNG) and recognise its importance in protecting the natural environment.
- 10.2 **That said, we have significant concerns regarding the Council's target of 20%** net gain from development proposals in Rossendale, particularly in terms of the viability implications; but also in terms of the wider policy justification and rationale presented.
- 10.3 The 20% is put forward on the basis of exceeding the 10% requirement set out nationally in the Draft Environment Bill (January 2020) and broadly supported through a DEFRA consultation in 2019; although the Council do also acknowledge that target may need to be amended, in line with current advice and practice.
- 10.4 In terms of current advice and practice, it is pertinent that the Environment Bill has yet to receive **Royal Assent or pass through it's legal challenge period, which was due earlier this year; so it is still some way from adoption and can therefore only be given limited weight at the current time.**
- 10.5 Therefore the only extant guidance in respect of biodiversity net gain is from the 2019 NPPF (Paras 170d & 175(d) which just requires a gain to be demonstrated, without specifying a number/percentage for the gain.
- 10.6 It is also worth noting that the current DEFRA metric tool used to calculate BNG percentages is also yet to be adopted and is still in draft/ beta format with outstanding objections.
- 10.7 Therefore, there is no statutory requirement to provide anything more than a net gain at the current time.
- 10.8 In terms of viability, Paragraph 1.1 of the document confirms that these viability implications of BNG will be discussed within the note on Action 20.2 (Viability), however this work has yet to be published. Therefore, whilst we provide general comments below we reserve the right to comment in greater detail once the viability implications of BNG have been fully assessed.
- 10.9 **Whilst the Council's** aspiration to **exceed the Government's** draft BNG target is commendable, it is not considered to be appropriate within Rossendale in practical terms. In particular, it would pose additional financial constraints on Developers in an area where there are already significant viability issues, as demonstrated in the Viability Assessment. Therefore, a 20% BNG figure could pose viability issues in instances where sites cannot achieve this on site and therefore have to make off-site financial contributions for compensatory measures elsewhere.
- 10.10 We also have concerns about which sites have been identified for off-site BNG compensation measures, should a development not be able to achieve BNG on site. Paragraph 3.5 of the Paper notes how off-**site measures can sometimes be secured from 'habitat banks', which comprises areas of enhanced or created habitats which generate biodiversity unit 'credits'. It is later stated that**

discussions with local wildlife organisations, such as the Lancashire Wildlife Trust, can also help to identify appropriate solutions. Finally, it is noted that the Lancashire Ecological Network maps identify Core Areas and Stepping Stone Habitats which are ecologically important habitats where off-site contributions could be directed to. Whilst this is helpful information regarding potential sources of off-site compensatory schemes, it falls short of identifying which sites and schemes would actually be used when assessing and applying the BNG policy. We therefore request that further clarification is provided on this, in order to ensure that any BNG off-site contributions will meet the relevant CIL Tests in terms of being justified, will be delivered in the local area etc.

- 10.11 Finally it is worth highlighting the inter-relationship between this elevated BNG requirement (and the resultant need for additional non-developable land) and the impact this will have on site densities, **as this doesn't appear to have been properly taken account of in the density and capacity analysis in EL8.008.3** (beyond a passing reference para 2.5, albeit it seemed this related to existing areas of biodiversity on sites). The impact of any proposed BNG requirement will need to be fully reflected in the density and capacity calculations of the plan before it can be considered robust, as otherwise it could lead to significant under delivery.
- 10.12 To conclude, whilst we are unable to comment fully until the viability evidence is published, it is our strong view that there is currently no justification to require an elevated level of BNG above that prescribed in national policy/ legislation, which is currently the NPPF requirement to simply show a net gain.

11. ACTION 18.1- PARKING STANDARDS (EL8.018.1)

- 11.1 Paragraph 106 of the NPPF confirms that maximum parking standards for development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of locations well served by public transport.
- 11.2 **Given the NPPF’s clear stance on maximum parking standards, we therefore welcome the proposals** outlined at paragraph 2 of the Parking Standards document, which states a desire to draft a specific policy which neither relies on maximum or minimum parking standards but takes an evidenced based approach to parking requirements on a case by case basis.
- 11.3 The PPG³ notes how maximum parking standards can lead to poor quality development and congested streets, and that local planning authorities should seek to ensure parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable. The updated evidence paper reflects this sentiment, advocating a more nuanced approach to parking standards which in line with Manual for Streets.
- 11.4 Paragraph 9 of the report notes the following:
- "It is suggested, for all development that parking requirements should be evidence based (on that proposed) and ideally agreed at the highway pre-application advice stage. Non-core residential developments should have traditional fixed requirements as currently exists with each district and core to be considered on a case-by-case basis. However, those current residential maximums should now be considered as minimums as a base line position and adjusted accordingly through evidence. This is considered a flexible approach best managing highway safety, parking demand and network operation. The level of parking to have full regard on the location of the development, other parking provision locally, its proximity to local services and transport opportunities, mitigation measures aimed at addressing and promoting the availability of sustainable transport options as well as future opportunities as per the local plan or highway master plans."*
- 11.5 Taylor Wimpey fully support this change in approach, having raised concerns with the previous proposals to utilise maximum parking standards. We are supportive of an evidence-based, site by site approach to parking provision requirements.

³ Paragraph 42-008-20140306

12. CONCLUSIONS

- 12.1 To conclude, Taylor Wimpey continue to be supportive of the Rossendale Local Plan as a whole. Whilst we have some outstanding and ongoing concerns regarding some of the detailed policies, we are supportive of the overall strategy and consider it a sound plan overall. It is also clear that the Council have addressed a number of concerns that were raised at the Local Plan Examination in order to move the plan forward towards adoption.
- 12.2 It is important to reiterate that **Taylor Wimpey's land interests at Edenfield (Housing Allocation H72)** and Grane Village, Helmshore (within Housing Allocation H74) are the two largest sites in the Local Plan. It is therefore imperative that these strategic sites deliver as quickly as possible in order to help achieve the overall development targets of the Local Plan.
- 12.3 It is therefore important that the Local Plan is adopted as soon as possible to help facilitate this, and Taylor Wimpey are happy to continue positively and proactively working with the Council achieve this aim.

Rossendale Local Plan Examination: Consultation
on Examination Library 8 (First Tranche)
Consultation Statement

Hollins Strategic Land
December 2020

1 Introduction

- 1.1 This Consultation Statement (CS) is written in response to the Rossendale Borough Council (RBC) consultation on the 'Examination Library 8 First Tranche' (8FT), in the context of the 'H13 Extension'.
- 1.2 Hollins Strategic Land (HSL) was granted outline planning permission (no. 2018/0554) for up to 80 dwellings on land west of Burnley Road, Loveclough (part of Allocation H13) in May 2019¹. Following delays caused by COVID, Hollins Homes (HH) (sister company to HSL) submitted an application (no. 2020/0378) for Reserved Matters (RM) approval in August 2020. It is anticipated that RM approval will be achieved in December 2020, with the application being recommended for approval at the 08/12/20 Planning Committee meeting². HH intends to start on site in March 2021 and to deliver housing at some 30 dwellings per annum (dpa) in a high value and strong housing market area³. The site should be completed in 2023/24.
- 1.3 During the Local Plan (LP) examination, HSL promoted an extension to site H13⁴ via the Matter 9 Statement⁵. HSL has sought to maintain dialogue with the Local Planning Authority (LPA) in order to demonstrate the suitability, availability and achievability of the H13 Extension. Additionally, landscape⁶ and highways⁷ statements have been submitted to the LPA in support of the H13 Extension. HSL anticipates that the additional c. 35 dwellings would be delivered by HH as part of the wider development by 2024/25, or by another housebuilder alongside the HH development in 2022/23, 2023/24 or 2024/25.
- 1.4 The CS provides comments on the following 8FT documents, in the context of the H13 Extension:
- 1.3: Sustainability Appraisal Addendum;

¹ Appendix 1: Location Plan

² Appendix 2: Committee Report

³ The LPA is aware that HSL is currently interested in further potential housing sites in the Loveclough area given it is the type of high value and strong housing market area that is sought after by housebuilders and in short supply in RBC

⁴ Appendix 3: H13 Extension Plan

⁵ Appendix 4: Matter 9 Statement

⁶ Appendix 5: Landscape Statement

⁷ Appendix 6: Highways Statement

- 8.1: Approach to Site Allocations and Green Belt Release;
- 8.2: Update on Flood Risk Topic Paper; and,
- 8.12: Exceptional Circumstances for Green Belt Release.

2 1.3: Sustainability Appraisal Addendum

Section 5: Spatial Options

- 2.1 Section 5 of the Sustainability Appraisal Addendum (SAA) sets out the four spatial options considered by RBC, with Option B providing minimum intervention while maximising growth and market viability. With regard housing, it allows greater expansion at Loveclough/Goodshaw, recognising it as a high value and strong housing market area.
- 2.2 It is anticipated that this housing market area will continue to grow in strength as more people might be inclined to move further from Manchester and closer to the countryside that Rossendale has to offer, given the ability to work from home that has arisen from the COVID pandemic. RBC must recognise this as an economic/social opportunity in its LP.
- 2.3 RBC has suffered from a lack of deliverable housing land for a number of years. Despite this, major housebuilders have been reluctant to take advantage of the tilted balance and this is because RBC has never truly appealed. However, HSL received interest from a number of housebuilders prior to gaining permission on its site in Loveclough simply because it is a pocket of the Borough that has a strong market and high values. HH is keen to commence on site as quickly as possible, targeting March 2021. Furthermore, Taylor Wimpey is currently developing a site further south along Burnley Road.
- 2.4 Despite this increasing interest in the higher value parts of the Borough, the LP currently allocates land for significant housing development in lower value housing market areas of the Borough, such as Bacup. A number of these sites do not have developer backing. Refocussing growth to the higher value areas would increase the likelihood of much needed housing delivery and there would be greater certainty that it would be provided early in the plan period.
- 2.5 Furthermore, there are opportunities to allow greater expansion at Loveclough/Goodshaw, such as the H13 extension (and other land parcels HSL is discussing with the LPA), which could significantly reduce the loss of Green Belt land at Edenfield. RBC has identified Edenfield as a housing market area that is strong enough to deliver during the LP period. Land at Loveclough/Goodshaw would be as likely to deliver housing and would not require Green Belt release.

Section 5.3: Option B

2.6 This section assesses Option B against the SA objectives.

SA Objective 1: Landscape

2.7 The SAA states that “*the proposed development under Spatial Option B, in particular the proposed development at Edenfield, would be likely to result in adverse impacts on the landscape of the Borough*” (para. 5.3.4). It is evident that RBC considers development at Loveclough/Goodshaw would have a lesser impact on the landscape than the release of Green Belt at Edenfield.

2.8 While the current LP sought to prevent further housing west of Burnley Road, it has been demonstrated via the H13 allocation that there are parcels of land that would be suitable for housing. Indeed, the H13 Extension represents another such parcel, as demonstrated in the Landscape Statement at Appendix 5 of this CS.

2.9 RBC must reassess the potential for further housing in Loveclough/Goodshaw given it is a high value housing area that is attractive to housebuilders and it offers an appropriate alternative to Green Belt release or other allocations in weaker housing areas.

SA Objective 3: Biodiversity and geodiversity

2.10 The SAA states that where development is proposed on previously undeveloped land, it would be likely to result in the loss of important natural habitats, lead to habitat fragmentation and a net reduction in the quantity and quality of priority habitats and natural vegetation (see para. 5.3.8). This appears an unreasonable assumption without detailed assessments of potential sites, particularly given the emerging requirement for biodiversity net gain.

2.11 The HH scheme at H13 will enhance biodiversity.

SA Objective 4: Water and Flooding

2.12 The SAA makes another unreasonable assumption in this section, stating that development on greenfield land would likely exacerbate flooding in surrounding areas. Any development would need to ensure that it does not increase the risk of flooding elsewhere.

2.13 The HH scheme at H13 will not exacerbate flooding.

SA Objective 8: Human Health

- 2.14 This section makes no reference to the hospital north of the Borough in Burnley, which is only some 11km from Loveclough.
- 2.15 The SAA focusses on Edenfield in its assessment of air quality, stating that residents would be in close proximity to AQMAs. This would not be a concern for expansion at Loveclough/Goodshaw.

SA Objective 13: Transport

- 2.16 The SAA states that new residents would be directed towards rural areas of the borough with poor access to local services via sustainable transport options. Loveclough was deemed to be a sustainable location for a number of housing allocations in the LP, including H13. There is a regular X43 service that runs along Burnley Road between Burnley and Manchester via Rawtenstall, providing a viable alternative to private transport.

Section 7: Reasonable Alternative Site Assessments

- 2.17 The H13 Extension is considered as a reasonable alternative site and its assessment is provided at Appendix 8.

SA Objective 1: Landscape

- 2.18 The Assessment of landscape character is reasonably high level. A focussed landscape assessment of the H13 extension is provided at Appendix 5 of this CS.

SA Objective 2: Cultural Heritage

- 2.19 The assessment states that the H13 Extension could have a minor negative impact on the setting of nearby Listed Buildings and Conservation Area. However, it should be noted that the LPA is satisfied with the HH scheme for the H13 site. The H13 Extension is more removed from the CA and Listed Buildings.

Section 8: Reasons for Selection and Rejection

- 2.20 This section includes the H13 Extension as a rejected site but only because it was not considered due to HSL not promoting it before the LP examination.

Summary

- 2.21 The SAA sets out expansion in Loveclough/Goodshaw as an option for the LP. HSL has demonstrated that an approach that is more focussed on this area would:

- be attractive to housebuilders, unlike allocations in lower value areas;
- potentially reduce Green Belt release; and
- deliver housing early in the plan period.

2.22 Furthermore, the SAA makes some unreasonable statements regarding biodiversity loss and flooding.

2.23 The SAA must also provide a more focussed assessment of the reasonable alternative sites. It has been demonstrated that such an assessment would result in a more favourable conclusion being reached for the H13 extension and it is likely this would be the case for other sites. This is important given the LPA intends to release Green Belt as a last resort.

3 8.1: Approach to Site Allocations and Green Belt Release

- 3.1 The 'Approach to Site Allocations and Green Belt Release' (ASAGBR) lists omission sites suggested at Regulation 19, as requested by the Inspectors. It also confirms that the H13 Extension was suggested via the HSL Hearing Statement and provides a SHLAA Assessment at Appendix B (SHLAA19439).

SHLAA19439 Assessment

- 3.2 These comments are intended to assist the LPA.

Intentions of landowner

- 3.3 As stated in the introduction to this CS, HSL anticipates that the additional c. 35 dwellings would be delivered by HH as part of the wider development by 2024/25, or by another housebuilder alongside the HH development in 2022/23, 2023/24 or 2024/25.

Vehicular access

- 3.4 The SHLAA assessment will have been done without the benefit of the Highways Note at Appendix 6 of this CS which demonstrates that the access approved under application 2018/0554 can serve the H13 Extension, as can the road layout proposed in the RM application.

Access to a park or play area

- 3.5 The SHLAA Assessment should also note the existing play area and sports facilities at Loveclough Park on the opposite side of Burnley Road to the referenced Playing Field.

- 3.6 The HH scheme will also provide on-site public open space.

Landscape value

- 3.7 The SHLAA assessment will have been undertaken without the benefit of the Landscape Note at Appendix 5 of this CS which further demonstrates the low landscape impact.

Bad neighbour

- 3.8 The SHLAA Assessment notes the outline permission but has been done in advance of the RM approval, which HSL and the LPA anticipates will be granted at the 08/12/20 Committee Meeting.

Suitability Summary

- 3.9 The SHLAA assessment states that *“the site is likely to have ecological value due to the presence of a pond, therefore an ecological impact assessment would be required”*. It should be noted that ecology was considered at outline stage for application 2018/0554 and at RM stage. The proposals will secure a net gain.
- 3.10 Furthermore, the outline PP required a Great Crested Newt (GCN) survey be undertaken of the pond on the H13 Extension. The survey was undertaken by HH and found no evidence of GCN⁸.
- 3.11 The SHLAA assessment states that advice should be sought from LCC regarding the possible sterilisation of mineral resource. It should be noted that the Coal Authority (CA) was consulted for the HSL outline application and the HH RM application. Mining surveys were undertaken (can be made available upon request). No objections were raised by the CA.
- 3.12 As stated in the SHLAA Assessment, the site is in a high market value area and no extra costs have been identified by HSL. The site can deliver in the next 5 years.

Heritage Impact Assessment

- 3.13 This concludes that development of the H13 Extension would be acceptable subject to high design quality being achieved. This is of course achievable, as shown in the HH RM application. The Committee Report (see Appendix 2) confirms that the proposals are of high design quality, using appropriate construction materials and landscaping.

Summary

- 3.14 The SHLAA Assessment is positive, confirming that the site could deliver in the initial 5-year period. This CS has demonstrated that an even more positive assessment can be provided if the additional information set out above is taken into account.
- 3.15 The H13 Extension should be allocated for housing in the emerging LP.

⁸ Appendix 7: GCN survey

4 8.2: Update on Flood Risk Topic Paper

4.1 The Update on Flood Risk Topic Paper (UFRTP) concludes as follows:

The Council aimed to steer development away from areas at high risk of flooding. However, due to topography and the settlements' characteristics of the Borough, it has not been possible to completely avoid areas at higher risk of flooding. In order to meet the development needs of the Borough, especially regarding housing provision, the Exception Test has been triggered and passed for a small number of sites.

4.2 It is not considered that sufficient evidence has been provided to demonstrate that the Exception Test has been passed for all of the sites referred to in the UFRTP.

4.3 Furthermore, HSL has demonstrated that the H13 Extension provides a more suitable and sustainable alternative to the provision of housing in areas at higher risk of flooding.

5 8.12: Exceptional Circumstances for Green Belt Release

- 5.1 The 'Exceptional Circumstances for Green Belt Release' (ECGBR) concludes that the housing land requirement "*can only be satisfied by the exceptional release of land from the Green Belt in accordance with the NPPF and the PPG*" (para. 5.1). However, as stated in Section 2 of this CS, there are opportunities to allow greater expansion at Loveclough/Goodshaw, such as the H13 extension (and other land parcels HSL is discussing with the LPA), which could significantly reduce the loss of Green Belt land at Edenfield. As such, exceptional circumstances cannot be demonstrated for all of the Green Belt release proposed in the emerging LP.

Examination of all other reasonable options

Sites within the countryside

- 5.2 The ECGBR states that RBC considered all opportunities for development in the countryside adjoining the urban boundary and when taken together with sites in the urban boundary, there was an overall shortfall of land which "*led, as a last resort, to the consideration of sites within the Green Belt*" (para. 2.2.14).
- 5.3 The ongoing LP examination and significant additional evidence base being prepared, provides RBC with the opportunity to realise opportunities for housing in the open countryside which were not presented by landowners/developers before the submission of the LP. Unless these opportunities, such as the H13 Extension, are fully considered, RBC cannot state that the proposed Green Belt release is a last resort in accordance with the NPPF/PPG.

Exceptional Circumstances

Housing need

- 5.4 This section of the ECGBR confirms that RBC has only once been able to exceed its annual target since 2011, with an average of only 170 dwelling per annum (dpa) against a requirement for a minimum of 212 dpa. It also states that "*the SHMA recommendations further demonstrate the intensity of the need for housing delivery*" (para. 3.2.3). As acknowledged by RBC, the Council "*is under a great deal of pressure to provide enough land to meet identified needs*" (para. 3.2.4). RBC has had a significant and serious shortage of housing land for a number of years and the emerging LP must address this.
- 5.5 However, the serious shortage is not sufficient to demonstrate exceptional circumstances should other options be available to RBC, such as the H13 Extension and further growth in Loveclough/Goodshaw. As previously stated, this is a high value market area which is presently surrounded by open countryside as opposed to Green Belt and would attract housebuilders early in the plan period.

Constraints on supply / availability of land suitable for sustainable development

- 5.6 Section 3.3 of the ECGBR states that RBC has struggled to find alternatives to Green Belt release partly due to “*constraints on viability due to low land value*” (para. 3.3.1). The expansion of Loveclough/Goodshaw would be a viable alternative due to high land values and market attractiveness.

Extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced

- 5.7 The ECGBR states that the Council will require compensatory measures for Green Belt release and is “*currently identifying potential compensatory sites, and devising a mechanism by which they can be funded and brought forward*” (para. 3.6.4). These measures must be fully set out in the emerging LP and will need to be consulted on.
- 5.8 Of course, such measures would be significantly reduced should expansion take place at Loveclough/Goodshaw.

Summary

- 5.9 While RBC states that the housing requirement can only be met by the exceptional release of land from the Green Belt, the emerging LP does not accord with the NPPF/PPG in this regard. There are other options available to RBC which would prevent the ‘last resort’ release of Green Belt. These options must be fully explored as part of the ongoing LP examination and evidence base production.

6 Conclusions

6.1 This CS has demonstrated that:

- Both Hollins Strategic Land and Hollins Homes are keen to deliver housing in Rossendale, including 80 dwellings at H13 and a further c.35 at the H13 Extension;
- The SAA sets out expansion in Loveclough/Goodshaw as an option for the LP and an approach that is more focussed on this area would:
 - be attractive to housebuilders, unlike allocations in lower value areas;
 - potentially reduce Green Belt release; and
 - deliver housing early in the plan period.
- The SAA must also provide a more focussed assessment of the reasonable alternative sites as it would result in a more favourable conclusion being reached for the H13 extension and it is likely this would be the case for other sites.
- The SHLAA Assessment of the H13 Extension is positive, confirming that the site could deliver in the initial 5-year period but could be even more positive if the additional information set out is taken into account.
- Insufficient evidence has been provided to demonstrate that the Exception Test has been passed for all of the sites referred to in the UFRTP.
- The H13 Extension provides a more suitable and sustainable alternative to the provision of housing in areas at higher risk of flooding.
- While RBC states that the housing requirement can only be met by the exceptional release of land from the Green Belt, the emerging LP does not accord with the NPPF/PPG in this regard.
- There are other options available to RBC which would prevent the 'last resort' release of Green Belt.
- These options must be fully explored as part of the ongoing LP examination and evidence base production.

6.2 The H13 Extension should be allocated for housing in the emerging LP and further growth in Loveclough/Goodshaw should be fully explored given it would likely deliver housing early in the plan period.

Appendix 1

Location Plan

Burnley Road, Loveclough



0 10 20 30 40 50 60 70 80 100m

Ref: Location Plan 01

Map scale 1:2500

Appendix 2
Committee Report

Application Number:	2020/0378	Application Type:	Reserved Matters
Proposal:	Application for approval of reserved matters (appearance, landscaping, layout and scale) for 80 dwellings, pursuant to outline approval 2018/0554.	Location:	Land On The South Side Of Commercial Street Loveclough
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	23/11/2020
Applicant(s):	Hollins Homes	Determination Expiry Date:	11/12/2020
Agent:	Matthew Symons		

Contact Officer:	James Dalglish	Telephone:	01706 238643
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	<input checked="" type="checkbox"/> (Major Application)
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	<input checked="" type="checkbox"/>
Other (please state):	

HUMAN RIGHTS

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, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That the reserved matters are approved subject to the conditions set out in this report.

APPLICATION DETAILS

2. SITE

The application site (of approximately 3.2 hectares) lies on the west side of Burnley Road, sloping down from the road. It is bordered on its northern boundary by Commercial Street and the terraced residential properties constructed along it. A row of trees covered by a TPO runs along the north western edge of the site adjacent to Commercial Street.

To the west of the site lies Loveclough Park, a relatively modern residential development – separated from the application site by a public footpath. On the site's south side there is a playing pitch.

A row of terraced dwellings runs along the eastern side of the site adjacent to Burnley Road, and Loveclough Social Club is located slightly further north (accessed off Commercial Street).

The site itself is predominantly open fields bound by stone walling and agricultural fencing, and is considered to be a greenfield site.

The site lies in an area designated as countryside, and is located approximately 80m south of the Loveclough Fold Conservation Area, where there are two Grade II Listed Buildings (Barn South of Loveclough Farm and 11 & 12 CPA Club).

The site is also around 270m north of another Conservation Area (the Goodshawfold Conservation Area) where there are two further Grade II Listed Buildings (the Spewing Duck Well and Barn North East of Goodshawfold Farm).

3. RELEVANT PLANNING HISTORY

2018/0554 - Outline Application: Erection of up to 80 dwellings and associated works with all matters reserved except for access (Approved).

4. PROPOSAL

Following the approval of outline planning permission (ref: 2018/0554) for the development of 80 no. dwellings on the site, the applicant now seeks approval of the reserved matters of appearance, landscaping, layout and scale in relation to that scheme.

Appearance

The proposed dwellings would be constructed of a mix of natural coursed stone and render, all with natural slate roofs (as secured by condition on the outline approval). A materials plan has been submitted showing that plots which would be built exclusively from natural coursed stone, and the plots which would feature render on some elevations.

The dwellings would be of relatively traditional design, with simple fenestration. All dwellings would feature pitched roof designs, some with additional projecting bays, canopies, dormers and fine detailing. Some of the dwellings would feature chimneys.

Layout

The dwellings would be arranged around an internal estate access road (with several cul-de-sacs) which would enter the site at the previously approved access point off Burnley Road (A682).

The dwellings would be in the form of detached, semi-detached and terraced / mews properties. Each dwelling would have an enclosed private garden area, and would feature driveways and parking to the front or side. Some of the dwellings would be provided with garages.

24 (30%) of the proposed dwellings are shown on the plans to be affordable housing units, in line with the requirements of condition 22 on the outline approval. The affordable units are predominantly mews and semi-detached house types, in various locations throughout the site.

Scale

Condition 6 on the outline approval required the new dwellings to be predominantly no greater than two storeys in height.

Of the 80 dwellings proposed, 17 would have 2.5 storeys, 2 would be single storey bungalows and the remaining 61 would have 2 storeys.

Landscaping

A detailed scheme of hard and soft landscaping has been submitted.

In terms of hard landscaping the following are proposed:

- Tarmac / bituminous surface to main access roads and main footways
- Tar and chip finish to secondary roads and secondary footways
- Granite setts to threshold areas
- Driveways surfaced with Tobermore Hydropave Tegula permeable paving (colours predominantly Cedar and Bracken, with some contrasting colours on parking bays 17-22)
- Natural stone flag paving to dwelling paths, patios and entrances

The majority of existing trees within and bordering the site are to be retained, with a small number to be removed.

In terms of soft landscaping and planting the following are proposed:

- Planting of a large number of larger native trees across the site as part of the development (including lime, sycamore, birch, beech, etc.)
- Planting of native hedging across areas of the site (hawthorn, etc.)
- Planting of smaller flowering trees in areas of the site (flowering cherry, etc.), fronting the majority of the houses
- Creation of informal areas of open space, featuring tree and shrub planting and wildflower meadows
- Grass / turfed front and rear gardens

In terms of boundary treatments, the following are proposed:

- Stone walling around some perimeter and more visible parts of the site.
- 0.45m high timber knee-rail fencing separating plots from the street and public areas.
- 1.8m plot division and screen fencing between house / garden plots

5. POLICY CONTEXT

National

National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 5 Delivering a Sufficient Supply of Homes
- Section 6 Building a Strong, Competitive Economy
- Section 8 Promoting Healthy and Safe Communities
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy DPD

- AVP 4 Rawtenstall, Crawshawbooth, Goodshaw and Loveclough
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale's Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 4 Affordable and Supported Housing
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 10 Provision for Employment
- Policy 16 Preserving and Enhancing the Built Environment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low and Zero Carbon Sources of Energy
- Policy 22 Planning Contributions
- Policy 23 Promoting High Quality Design & Spaces

Other Material Planning Considerations

National Planning Practice Guidance

Alterations and Extensions to Residential Properties SPD

Open Space and Play Equipment Contributions SPD

National Design Guide

RBC emerging Local Plan

6. CONSULTATION RESPONSES

Consultee	Response
RBC Economic Development	No comments received on Reserved Matters
LCC Public Rights of Way	No comments received on Reserved Matters
RBC Forward Planning	No comments received on Reserved Matters
RBC Operations	No comments received on Reserved Matters
LCC Lead Local Flood Authority	No comments received on Reserved Matters
Environment Agency	No comments received on Reserved Matters
Cadent	No comments received on Reserved Matters
Police	No comments received on Reserved Matters
Fire Brigade	Advice provided
Limey Valley Residents Association	Requested amendments to facing materials
LCC Highways	No objection
LCC Planning Contributions / Education	No objection
RBC Environmental Health	No comments received on Reserved Matters
RBC Strategic Housing	Advice provided on affordable housing
RBC Tree Officer	No objection
United Utilities	No objection subject to conditions
Ecology	No objection subject to conditions
Land Contamination Consultant	No objection

Consultee	Response
Coal Authority	No objection

7. REPRESENTATIONS

To accord with the General Development Procedure Order site notices were posted and 111 neighbour letters were sent out. A notice was also published in the Rossendale Free Press.

Eight objections have been received, raising the following points in summary:

- Overdevelopment
- Harm to visual amenity / countryside
- Harm to neighbour amenity
- Access / highway safety issues
- Harm to wildlife / biodiversity
- Flood risk issues / drainage issues
- Pressure on local services / infrastructure
- Boundary issues
- Far too many new houses being built in the Borough
- Disturbance
- Pollution

8. ASSESSMENT

Principle

The acceptability of the proposed development of up to 80 no. dwellings on the site has already been established by outline planning approval 2018/0554.

Visual Amenity / Heritage Impact / Countryside Impact

Policy 1 of the Core Strategy seeks to ensure that new developments complement and enhance the surrounding area through the use of inclusive design and locally distinctive materials. Policy 23 of the Core Strategy requires that new developments respect and respond to local context, distinctiveness and character.

Paragraph 127 of the Framework states that planning decisions should ensure that developments:

“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

As initially submitted, officers considered that the proposed scheme utilised considerably too much render on the elevations of the dwellings, and that substantially more natural stone should be incorporated in accordance with the condition attached to the outline consent. Following discussions between the case officer and the applicant, revised plans have been received which incorporate substantially more natural stone on to the elevations of dwellings throughout the site. As now proposed, the majority of the dwellings would have natural stone elevations exclusively, with a smaller number of dwellings incorporating elements of render. It is considered that this is acceptable in terms of the scheme's appearance, and that it now accords with the requirements of the conditions on the original outline approval.

The proposed plans (as amended) show that the dwellings will be of a high standard of design, and that measures such as the use of natural materials (particularly along the more prominent areas within the site) and sensitive boundary treatments have been incorporated into the scheme to secure a high quality appearance to the scheme.

The proposed facing materials (as amended) are considered acceptable and the scale and massing of the proposed units would not be excessive in the context of the site.

The Council's Tree Officer has no objection to the proposed scheme, and considers that the proposed scheme of landscaping is appropriate.

It is considered that the scheme will not cause undue harm to the setting of the nearby Listed Buildings or Conservation Area, and the retention of existing trees T27-T34 at the north western corner of the site will assist in this regard, providing an important visual buffer for the development.

The scheme is considered acceptable in terms of visual amenity / heritage impact / countryside impact.

Neighbour / Residential Amenity

Objectors' comments are noted, and given the levels difference between the proposed dwellings on plots 61-65 and the existing dwellings (and their gardens) at 6-16 Loveclough Park, there was initially concern by officers that the originally proposed layout and boundary treatments would result in a potentially overbearing and overlooking impact to existing dwellings on Loveclough Park (nos. 6-16).

Following discussions between officers and the applicant however, amended plans have been received which show the retention of the existing trees on the boundary in question, the planting of new native trees along the boundary (to fill any gaps in existing tree cover) and the re-

configuration of house types along that boundary to maximise separation distances between single storey elements of the existing and proposed dwellings.

The amended plans show that there would now be only very limited sight lines between the conservatories / single storey extensions to the rear of properties on Loveclough Park and the rear elevations of the proposed dwellings above. It is considered that the layout and house types now proposed, combined with the retention of existing trees and planting of new trees along the boundary in question will prevent any unacceptable overlooking or overbearing impacts of the development on the existing dwellings. It is considered necessary to include a condition requiring the implementation of the new tree planting (of semi-mature specimens) prior to occupation of the plots in question, and the retention of the trees thereafter. It is also likely that the Council will consider serving a Tree Preservation Order on the trees in question in due course, once the new trees are planted along the boundary.

Given the siting, orientation and massing of the proposed dwellings elsewhere on the site, it is not considered that the scheme will result in an unacceptable loss of privacy, daylight or outlook for the occupiers of any other nearby residential properties.

A condition limiting the hours of work on site has already been included on the outline approval.

The required amount of affordable housing units (relating to condition 22 on the outline approval) has been provided as part of the proposed development. The units are to be tenure-blind to promote community cohesion. Full details of the tenure, maintenance, phasing and eligibility criteria in relation to the affordable units has already been secured by condition 22 on the outline approval, and must be submitted for approval prior to the commencement of development.

The scheme is considered acceptable in terms of neighbour amenity.

Access, Parking and Highway Safety

The Local Highway Authority has raised no objection to the scheme as now proposed.

The outline approval already includes conditions requested by the Local Highway Authority which would continue to apply to the current scheme if approved.

Having regard to the above, the scheme is considered acceptable in terms of access, parking and highway safety.

Land Contamination

The Council's land contamination consultant is satisfied that the submitted information demonstrates that no remedial measures are necessary on site, and that Condition 16 pursuant to the outline approval (2018/0554) can be discharged.

Ecology

The Council's ecology consultant has no objection to the submitted scheme, subject to conditions intended to prevent harm to any biodiversity assets on site, and to increase the development's biodiversity potential.

The Council's ecologist has requested conditions requiring the following:

- Protection of Tree 1 as identified in the submitted ecological report, unless a bat survey has been carried out.
- No works to trees during bird nesting season
- Submission of a method statement for the protection of watercourses on site
- Submission and implementation of a biodiversity enhancement plan for the development

Subject to the above conditions, the officers are satisfied that the scheme is compliant with para 170 of the Framework.

Landscaping

The Council's Tree Officer has no objection to the submitted plans, and it is considered that the proposed scheme of landscaping will provide a suitable balance of open space, informal amenity areas and planting throughout the development. The proposed scheme will avoid a dominance of built development when viewed from within the site, and incorporates suitable swathes of open space alongside the watercourse through the site.

It is considered appropriate to include a condition requiring the submission of a biodiversity enhancement plan (as mentioned in the section of the report above) which would also require further details of planting throughout the site, and the management / maintenance of the planting and open spaces.

Subject to the above, the scheme is considered acceptable in terms of landscaping.

9. SUMMARY REASON FOR APPROVAL

The proposed scheme is acceptable in terms of visual amenity, heritage impact, neighbour / residential amenity, ecology and highway safety. Accordingly, the scheme is considered to accord with the National Planning Policy Framework and Policies AVP4, 1, 8, 9, 16, 17, 18, 19, 23 and 24 of the Council's Core Strategy DPD.

10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in strict accordance with the following unless otherwise required by the conditions below:
 - Application form
 - Site Layout (01 P10)
 - Site Sections (19111_11_P6)
 - Materials Layout (05 Rev. P5)

- Drainage Feasibility DRG1 (19151/01/1 C)
- Drainage Feasibility DRG2 (19151/01/2 C)
- Feasibility Levels Proposals DRG1 (19151/02/1 I)
- Feasibility Levels Proposals DRG2 (19151/02/2 I)
- Arboricultural Report and Impact Assessment (AWA3368.B)
- Ecological Letter of Support (ERAP 2018-283C)
- Boundary Treatment Layout (06 P6)
- Boundary Treatment Details (07 A)
- Bungalow – Floor Plans and Elevations (HT_01A)
- 2B4P Mews 3 Block – Floor Plans (HT_02A)
- 2B4P Mews 3 Block – Elevations (HT_03A)
- 2B4P Mews 4 Block – Floor Plans (HT_04A)
- 2B4P Mews 4 Block – Elevations (HT_05A)
- 2B4P and 3B5P Mews – Floor Plans (HT_06A)
- 2B4P and 3B5P Mews – Elevations (HT_07A)
- Elgar – Natural Stone / Render (HT_08A)
- Elgar – Natural Stone (HT_09A)
- Austen – Floor Plans and Elevations (HT_10A)
- Brunel – Floor Plans and Elevations (HT_11A)
- 3B6P Natural Stone / Render (HT_12A)
- 3B6P Natural Stone / Render (HT_13A)
- 3B6P Natural Stone (HT_14A)
- Nelson Natural Stone / Render (HT_15A)
- Nelson Natural Stone (HT_16A)
- Livingstone Floor Plans (HT_17A)
- Livingstone Natural Stone / Render (HT_18A)
- Livingstone Natural Stone – Elevations (HT_19A)
- Shakespeare Natural Stone / Render (HT_20A)
- Shakespeare Natural Stone (HT_21A)
- Dickens Plot 07 – Floor Plans (HT_22A)
- Dickens Natural Stone Plot 07 – Elevations (HT_23A)
- Dickens Natural Stone Plot 76 – Floor Plans and Elevations (HT_24A)
- 4B8P Floor Plans (HT_25A)
- 4B8P Natural Stone / Render (HT_26A)
- Nightingale Floor Plans (HT_27A)
- Nightingale Natural Stone / Render (HT_28A)
- Nightingale Natural Stone (HT_29A)
- Wordsworth Natural Stone (HT_30A)
- Bronte Floor Plans (HT_31A)
- Bronte Natural Stone / Render (HT_32A)
- Bronte Natural Stone (HT_33A)
- Churchill Floor Plans (HT_34A)
- Churchill Natural Stone (HT_35A)
- Cromwell Natural Stone (HT_36A)
- Wellington Floor Plans (HT_37A)
- Wellington Natural Stone (HT_38A)
- Garage Details Render (HT_39A)
- Garage Details Stone (HT_40A)
- Road Adoption Plan (10 P3)
- Hard Landscape Plan 1 of 2 (N0702(90)001B)
- Hard Landscape Plan 2 of 2 (N0702(90)002B)
- Soft Landscape Plan 1 of 2 (N0702(96)001B)
- Soft Landscape Plan 2 of 2 (N0702(96)002B)

Reason: For the avoidance of doubt.

3. None of the dwellings on plots 61-65 shall be occupied until the new trees proposed to be planted on their western boundaries have been planted. The new trees shall be semi-mature specimens, and shall be planted in accordance with the most up to date British Standard methodology. Any of the trees which fail, die, become damaged or diseased within the lifetime of the development shall be replaced by similar semi-mature specimens of the same species in the next available planting season.

Reason: In the interests of visual and neighbour amenity.

4. The existing trees on the western boundaries of plots 62-65 shall be retained for the lifetime of the development and shall not at any time be felled or removed. If the trees at any time become damaged, diseased or die, they shall be replaced in the next available planting season by semi-mature specimens of the same species, planted in accordance with the most up to date relevant British Standard methodology.

Reason: In the interests of visual and neighbour amenity.

5. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Feasibility Plans (Ref No. 19151/01/1 Rev C and Ref No. 19151/01/2 Rev C). For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

6. The removal of Tree 1 (Ash) as shown on Figure 8.2 of the Ecological Survey and Assessment has the potential to cause harm to bats and shall not in any circumstances occur unless further bat information is provided to and agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting bats.

7. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting nesting birds.

8. Prior to any earthworks, site clearance or machinery on site a method statement to protect the ditches/watercourses from accidental spillages, dust and debris shall be supplied to and agreed in writing by the Local Planning Authority. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: To protect biodiversity and prevent pollution.

9. Prior to any development taking place a biodiversity enhancement plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall include:

- details of the organisation responsible for managing the landscaped areas;
- details of the habitats to be created along the ditches and western boundaries;
- the location and area of the habitats to be created along the ditches and western boundaries;
- the proposed species composition and planting densities;
- the target condition of the habitats to be created along the ditches and western boundaries;
- details of the landscaping along the Commercial St boundary;
- detail of the garden planting schedule;
- management regimes for all habitats created outside domestic gardens;
- details of bird box provision within the housing development;
- timetable for implementation
- 5 year monitoring and maintenance schedule

The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of protecting and enhancing biodiversity.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Class F) or any subsequent re-enactment thereof no hard surfacing shall be constructed over the front gardens, and no stone boundary walls within front gardens shall be removed, as shown on the approved plans.

Reason: To protect the visual amenities of the development.

11. The garages hereby approved shall be kept freely available for the parking of cars and shall not be converted or altered to form an additional room within the dwelling without the submission and grant of a planning permission for that purpose by the Local Planning Authority.

Reason: To ensure adequate off street parking is maintained.

INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. Whilst there is only a low risk of great crested newts being present, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.

Appendix 3

H13 Extension



Appendix 4
Matter 9 Statement

Rossendale Local Plan Examination – Matters, Issues and Questions

Matter 9 Statement

Hollins Strategic Land

August 2019

1 Matter 9 – Housing site allocations: Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

Are the proposed housing allocations justified, effective, developable / deliverable and in line with national policy?

- 1.1 HSL has undertaken an appraisal of the Local Plan housing allocations to assess deliverability/developability. This is set out in full in the Matter 19 Statement, but the extracts relevant to Matter 9 can be reproduced below for ease of reference.

Allocation	Total Dwellings	Projected delivery	Notes
H1: Greenbridge Mill, Lambert Haworth	64	1-5 years	<p>The Site Assessment Overview Document states that the Mill has become vacant but is also still in existing employment use. If the site is not vacant it is unlikely that most of the site can be delivered within 5 years.</p> <p>There is currently no application submitted but completions are forecast for 2021. There is no clear evidence to suggest the site can come forward in that time frame.</p>
H4: Turton Hollow, Goodshaw	30	1-5 years	<p>The site has significant level changes and tree coverage.</p> <p>The Site Assessment Overview Document states that 70% of the site is available now. The site has multiple landowners and therefore the Council will need to clarify if the land available now includes the land required for the access.</p>
H5: Swinshaw Hall, Loveclough	47	1-5 years	<p>The site is not developer backed and does not have an application submitted but completions are meant to begin in 2021. There is no clear evidence to suggest the site can come forward in that time frame.</p> <p>HSL has written to the landowner to ask if there would be interest in working together to promote the site. no response has been received.</p>

H7: Land adjacent to Laburnum cottages	10	1-5 years	The Council will need to investigate whether there is a ransom on Church Street which would prevent access into the site.
H8: Oak Mount Garden, Rawtenstall	9	1-5 years	Level changes and tree coverage are significant. The Council will need to prove that the site is viable. An access from Haslingden Road appears difficult to achieve.
H14: Hall Carr Farm, Yarraville Street	26	1-5 years	There have been two previous applications on the site yet it has not come forward, which suggests delivery issues.
H15: Willow Avenue off Lime Tree Grove	10	11-15 years	The site has significant tree coverage and level changes. The Council needs to evidence that the site is viable.
H18: Carr Barn and Carr Farm	25	6-10 years	The Site Assessment Overview Document states that access is the principle issue which requires a resolution before any development can take place. There is no clear evidence that an access can be achieved so the site should not be allocated.
H19: Land off Lower Clowes Road, New Hall Hey	7	6-10 years	There was a planning permission granted in 2002 for 7 units but the site was never delivered, which implies the site may have deliverability issues.

H13 – Loveclough Working Mens Club and land at rear and extension

- 1.2 In May 2018, following a review of the Council's evidence base and numerous visits to the Borough, HSL contacted the Council to promote land west of Burnley Road, Loveclough for housing¹. The site represented a logical and sustainable extension to Loveclough. Furthermore, it is located in a high value area (as confirmed in the

¹ Appendix 1: Email to LPA and location plan

Council's evidence base) enhancing its attractiveness to housebuilders; this was key to HSL given Rossendale's historic struggles to appeal to national housebuilders.

- 1.3 Following a positive meeting with the Council's planning department, during which HSL was keen to highlight the deliverability of the site, the land off Burnley Road was allocated as part of H13 in the Draft Publication version of the Local Plan.
- 1.4 In November 2018, HSL submitted an application (no. 2018/0554) for outline planning permission for up to 80 dwellings (all matters reserved other than access)². The application was recommended for approval at Committee in February 2019 subject to 106 and conditions; Members followed the recommendation and the application was approved by the Council in May 2019³.
- 1.5 Even before gaining planning permission, the site attracted interest from a number of housebuilders, as was referenced at page 9 of the Committee Report⁴. It is now anticipated that an application for Reserved Matters approval will be submitted by Hollins Homes (the sister company to HSL) later this year, possibly as soon as late October/early November. Hollins Homes hopes to have secured Reserved Matters approval by March and will then discharge conditions, aiming to make a start on site in 2020. The site is expected to be completed by 2023, based on a delivery rate of 30 dwellings per annum (dpa).

Question i) Should the capacity of the site be increased to 105 dwellings as suggested by the landowner?

- 1.6 HSL submitted representations on the Draft Publication Local Plan, stating that the capacity of the site should be increased from 95 to 105 dwellings. This was based on H13 being split into 3 separate parcels:
 - Parcel A – HSL site – 80 dwellings;
 - Parcel B – land between HSL site and Working Mens Club - 15 dwellings; and,
 - Parcel C – Working Mens Club – 10 dwellings.
- 1.7 Parcel A now has permission. Parcel B has two consents; one for 2No. dwellings and one for 1No. dwelling. The site has recently been cleared suggesting that one of these two consents will be implemented. This has the potential to limit the capacity of Parcel B to 1 or 2 dwellings. Parcel C has a consent for 10 dwellings; the application was submitted in 2011 and the permission has been implemented but work has not started

² Appendix 2: Concept Plan

³ Appendix 3: Decision Notice

⁴ Appendix 4: Committee Report

on the construction of any of the dwellings. The development must allow for a new access to the Club from Burnley Road, which would require significant engineering works. It is now considered unlikely that Allocation H13 could deliver 95 dwellings, let alone 105. It is more realistic to rely on the site to provide 81 – 82 dwellings during the plan period.

1.8 However, HSL has very recently secured an interest in land to the immediate west of Parcel A. The extension site has capacity for c. 35 dwellings and will form a logical infill between the approved scheme and the existing development off Loveclough Park and Penny Lodge Lane.

1.9 As illustrated below, the H13 extension would provide development no further south than the extent of the:

- impending Hollins Homes scheme;
- existing development off Penny Lodge Lane; or,
- the trees within the adjoining Loveclough playing field.



- 1.10 The development would make use of the wood and existing pond as a natural barrier to the countryside to the south. It would be viewed in the context of built development from the north, east, south and west.



View towards H13 from PROW to north west, with Penny Lodge Lane/Loveclough Park in the foreground

- 1.11 The H13 extension could increase the capacity of the allocation to c. 117 - 127 dwellings. As demonstrated by Parcel A, the extension would be attractive to the market (Hollins Homes would welcome the opportunity to build additional dwellings in this location) and can deliver housing in the five-year period.
- 1.12 Initial landscape, heritage, highways and ecology work has already been undertaken to confirm capacity and deliverability. Survey work will be done this Autumn, expanding upon that done for application 2018/0554. This can be provided to the Examination Inspectors/LPA if it would be of assistance.
- 1.13 It is therefore suggested that allocation H13 includes the extension site to boost capacity and housing deliverability. The site is in a high value market area and has developer support which is not the case for a number of allocated sites.

Appendix 1

Matthew Symons

From: Matthew Symons
Sent: 29 May 2018 13:28
To: Anne Storah
Cc: adriansmith@rossendalebc.gov.uk; Josh Ramsay
Subject: RE: Land at Loveclough
Attachments: Concept Plan.pdf; Love Clough Red Edge NW.docx

Hi Anne,

Thanks for chatting things through with me earlier. As promised, I have attached the location plan and am also able to provide the Concept/Context Plan.

As I mentioned, we have looked at the Council's evidence base for the emerging Local Plan and the latest draft eLP. We have also driven around Rossendale to see what sort of sites are currently allocated, including Green Belt release. This work led us to the land west of Burnley Road/south of Commercial Street. We see the site as one that represents a logical and sustainable extension to Loveclough.

There is existing development to the north west, north and east of the site, and an existing recreation area with landscaped buffer to the south. Our landscape consultant has visited the site with us and, given the level of containment and topography, she is also of the opinion that it is a logical housing site. As with the evidence base, she also thinks that it would be less sensitive than the proposed allocation to the east. As you will know, there is also a recreation area to the east of Burnley Road and there is a frequent bus service with stops near to Commercial Street, providing locational sustainability.

Furthermore, the site is in a strong market area, as shown by the evidence base as well as the housing mix and success of the development to the north west (off Loveclough Park). We have confidence in the site being deliverable within the 5-year period and providing the desired executive-style housing, as well affordables.

The Concept Plan shows that we are looking at linking into and extending the existing POS, while also providing a connection to the PROW, thereby enhancing the local green infrastructure network. We would then provide c. 80 dwellings (market and affordable), accessed off Burnley Road, which would have the potential to link in to the existing and approved development.

As I mentioned, I'd welcome the opportunity to have a quick chat with you about the site and the emerging Local Plan in general, and I live in Ramsbottom so it's easy for me to come up to your offices. If you are willing to meet, please do suggest some times/dates that suit.

I'll hopefully be on paternity leave for 2 weeks from 06/06, so if we can meet on 04/06 (morning) or 05/06 (any time), that would be great. Otherwise, I could meet from 21/06 onwards.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Anne Storah <AnneStorah@rossendalebc.gov.uk>
Sent: Tuesday, May 29, 2018 11:40 AM
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Adrian Smith <AdrianSmith@rossendalebc.gov.uk>
Subject: RE: Land at Loveclough

Hi Matthew,

Thanks for contacting us about land in Loveclough.

Can you please send me the details of the site as soon as possible – is it a site that we proposed for allocation last summer? We can then decide if and when we need a meeting as we are currently busy finalising the Reg 19 Draft to go out to consult in August / September.

Kind regards,

Anne

Anne Storah
Principal Planner (Forward Planning)
Rossendale Borough Council

Direct dial: 01706 252418

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Facebook: [Rossendale Borough Council](https://www.facebook.com/RossendaleBoroughCouncil)

Visit Rossendale: <http://www.visitrossendale.com/>

Local Plan: www.rossendale.gov.uk/localplan



From: Forward Planning
Sent: 29 May 2018 11:25
To: Adrian Smith; Anne Storah
Subject: FW: Land at Loveclough

From: Matthew Symons [<mailto:matthew.symons@hsland.co.uk>]
Sent: 25 May 2018 16:48
To: Forward Planning
Subject: Land at Loveclough

Hello,

We have been monitoring the emerging Local Plan and have reviewed the evidence base. This has resulted in us having an interest in land in Loveclough, which we consider represents a sustainable development option and an alternative to more sensitive sites in the settlement and indeed, Green Belt release elsewhere in the Borough.

We are also confident that it would be deliverable and would contribute immediately to the 5-year housing land supply in a positive manner.

I would welcome the opportunity to meet with you to discuss the site and the emerging Local Plan in general. Would you be willing to meet? If so, please do suggest some times / dates.

I am unable to send you details of the site as yet, but should be able to do that fairly soon, and could certainly give you the information when we meet.

Thanks and regards,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

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Telephone 01706 217777

Burnley Road, Loveclough



0 10 20 30 40 50 60 70 80 100m

Ref: Location Plan 01

Map scale 1:2500

Appendix 2



Key



Existing Trees



Attenuation Pond



Watercourse



Access Road



Wild Flower Meadow



Post & Rail Fence



Secondary / Private Road



Street Trees



Amenity Green Space



Housing (terraced, detached, semi-detached, apartments)



Existing & Proposed Footpaths



Existing Wall to be Retained

Drawing Number
INF_N0520(08)001

Loveclough

Illustrative Concept Plan

Appendix 3

Rossendale Borough Council

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning Act 1990

Applicant Name: Hollins Strategic Land
Notice Recipient: Miss Lydia Harper
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

Part 1 – Particulars of Application:

Date Received: 19th November 2018

Application Number: 2018/0554

Proposed Works: Outline Application: Erection of up to 80 dwellings and associated works with all matters reserved except for access.

Location: Land On The South Side Of Commercial Street Loveclough

Following consideration of the application in respect of the proposal outlined above, it was resolved to **GRANT PLANNING PERMISSION** for the following reasons:-

SUMMARY REASON FOR APPROVAL

Although the scheme would result in a significant degree of harm to the open and rural character of the countryside in this location, it would provide a substantial benefit in terms of a contribution towards recognised housing need in a relatively sustainable location. Subject to appropriate mitigation (which can be secured by planning conditions and a Section 106 Agreement) it is considered that the development would not unacceptably detract from visual amenity and neighbour amenity or highway safety. It is considered that the development is in accordance with the National Planning Policy Framework and Policies 1, 8, 9, 17, 18, 21, 22, 23 and 24 of the adopted Core Strategy DPD.

CONDITIONS:

1. An application for approval of the reserved matters (namely the layout, scale, appearance and landscaping of the development) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The outline planning permission hereby approved relates to the erection of up to eighty residential units which shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:

- Application form received on 19th November 2018.
- Site Location Plan (drawing number LOCATION PLAN 01) received on 19th November 2018.
- Access Arrangements (drawing number SK21875-001) received on 19th November 2018.

- Proposed Off-Site Improvement Works (drawing number SK21875-002) received on 2nd January 2019.
- Arboricultural Report (ref: AWA2327) received on 19th November 2018.
- Flood Risk Assessment and Drainage Management Strategy (ref: HYD343_BURNLEY.ROAD_FRA&DMS) received on 19th November 2018.

Reason: To ensure the development complies with the approved plans and submitted details.

3. As part of any reserved matters application where layout is applied for, the applicant shall submit for the approval of the Local Planning Authority the results (in the form of a report) of a scheme of intrusive site investigation which is adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity. The report Version Number shall include a scheme of proposals (and a timetable) for any necessary remedial works to adequately mitigate identified risks. The development shall thereafter be implemented in accordance with the approved details.

Reason: To safeguard against hazards associated with coal mining legacy issues.

4. Either prior to the commencement of the development or as part of the first reserved matters application full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on the submitted plans) shall be submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the above there shall be 1.8m boundary treatments between the rear gardens of each individual dwelling, and natural stone walling and native hedgerow planting shall be used around the perimeter of the site where necessary.

No dwelling shall be occupied until all fences, walls and other boundary treatments shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences, walls and other boundary treatments shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: The required details are not provided as part of this outline application and are required at an early stage in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents."

5. Either prior to the commencement of the development or as part of the first reserved matters application full details of the following (including samples) shall be submitted to the Local Planning Authority for its approval. No development shall take place until such approval has been given in writing by the Local Planning Authority:

- a) All external facing and roofing materials to the proposed dwellings
- b) All hard ground surfacing materials.

The dwellings shall be constructed predominantly of natural coursed stone, and shall have exclusively natural slate roofs.

The development thereafter shall be constructed utilising the approved materials.

Reason: The application is in outline only and is not accompanied by detailed plans, and to ensure that the development is appropriate in terms of visual amenity and to ensure that it responds to the local context of the site.

6. Notwithstanding the details shown on the submitted plans the new dwellings shall predominantly be no greater than two storeys in height.

Reason: To ensure that the development is appropriate in terms of visual amenity and to protect neighbour amenity."

7. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: In the interests of neighbour amenity.

8. No development shall take place until a scheme for the construction of the site access and the off-site highway works has been submitted to and approved in writing by the Local Planning Authority and the necessary agreement entered into with the Highway Authority. No part of the development shall be occupied until all of the works have been carried out in accordance with the approved details.

Reason: In the interests of highway safety.

9. No development shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a legal agreement has been entered into the Local Highway Authority or a private management and Maintenance Company has been established.

Reason: In order to ensure proper management and maintenance of the streets within the development.

10. Within each phase of development, the new estate road/access which serves the site up to the junction with Burnley Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place on each phase of the development.

Reason: In the interests of highway safety."

11. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 10m into the site shall be appropriately paved in tarmacadam, concrete, or block paviments.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

12. The new access between the site and Burnley Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

13. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period. Precise details of the wheel washing facilities shall be agreed with the Local Planning Authority, prior to construction commencing.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

14. No development shall take place until tree protection fencing has been erected to BS 5837 (2012) as detailed in the submitted Arboricultural Report (ref: AWA2327) and as shown on the tree constraints plan.

Reason: To protect trees to be retained on site.

15. As part of the first reserved matters application, further information (in the form of a report compiled by a qualified ecologist) shall be submitted in relation to measures to minimise the risks to any amphibians present in the pond to the west of the site. The submitted report shall be informed through either or both of the following:

- a) Further field survey work such as eDNA or traditional survey;
- b) A detailed reasonable avoidance measures method statement

Reason: In the interests of protecting biodiversity."

16. Prior to the commencement of development a Phase 2 Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment.

Should unacceptable risks be identified the applicant shall also submit a contaminated land remediation strategy for the approval of the Local Planning Authority prior to commencement of development. No development shall take place until the submitted scheme is approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination, and preventing pollution.

17. Pursuant to condition 16 and prior to first occupation of any of the dwellings within each phase of development, a verification report, which validates that all remedial works undertaken within that phase were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination, and preventing pollution."

18. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

a) Information about the lifetime of the development:

- Design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances') - discharge rates and volumes (both pre and post development).
- Temporary storage facilities.
- The methods employed to delay and control surface water discharged from the site.
- The measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.

- Details of floor levels in AOD - mitigation measures essential if various proposed plots are to remain within surface water flooding areas (FRA 7/11/18 Rev1 - Figure 4) - expected flood depths/mitigation measure details required.
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate (which has been calculated at 32l/s litres per second total for entire development site - as per FRA 7/11/18 Rev1). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Flood water exceedance routes, both on and off site.
- d) A timetable for implementation, including phasing as applicable.
- e) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
- f) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or substantial completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained, and to ensure that there is no flood risk on or off the site resulting from the proposed development

19. Prior to first occupation of any of the dwellings within each phase of development, the sustainable drainage scheme for that phase shall be completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained, and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system."

Officers consider that the above amendments are appropriate, and will enable adequate scope for flexibility in terms of design at reserved matters stage (whilst retaining full control of design / materials / boundary treatments), and flexibility in the implementation of the development (which may be delivered in phases).

In order to ensure that any phasing of development is suitable, Officers deem it is appropriate to include a further condition as follows:

20. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The submitted details, as a minimum, shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company.
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
- On-going inspections relating to performance and asset condition assessments.

- Operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

21. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

22. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future policy that replaces it. The affordable housing shall remain as such in perpetuity.

The scheme shall include:

i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of 30% of the dwellings in each phase;

ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

iii) the arrangements for the transfer of the affordable housing to an affordable housing provider, or for the management of the affordable housing if no registered provider is involved;

iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order to secure the necessary provision of affordable housing on the site.

23. Development shall not begin until a phasing programme for the whole of the proposal site and for the highways works referred to, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved phasing programme.

Reason: To define the permission and in the interests of the proper development of the site."

INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. The grant of planning permission will require the applicant to enter into a Legal Agreement with the County Council as Highway Authority. The applicant should be advised to contact Lancashire County Council, Highway Development Control email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided.
3. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
4. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

5. The submitted Phase 1 site investigation report specifically recommends that gas monitoring should be undertaken on site (section 7.3.2). A scheme of ground gas monitoring will be required to be carried out on site, with the results to be submitted as part of an application for the approval of details reserved by conditions 3 and 16. Gas monitoring shall be carried out in accordance with the relevant up-to-date guidance. The applicant is advised to contact Martin Plant (the Council's land contamination and remediation consultant) for clarification on the specific requirements at the earliest opportunity on 0161 686 5847.

Date: 17.05.2019

Signed: Mike Atherton

Development Control
First Floor
The Business Centre
Futures Park
Bacup
OL13 0BB

Mike Atherton
Planning Manager

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

**GUIDANCE NOTES FOR APPLICANTS
WHERE AN APPLICATION HAS BEEN APPROVED**

1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 12 weeks of the date of this notice. With regard to granted applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk. The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

It may be that planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment; but you, as the landowner, claim that the land is no longer fit for reasonably beneficial use in its existing state and you cannot make it fit for such use by carrying out the permitted development. If so, you may serve a purchase notice on Rossendale Borough Council requiring the Council to buy your interest in the land. You can do this under the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.

You may claim compensation against the Local Planning Authority if the Secretary of State has refused or granted permission subject to conditions, either on appeal or when the application was referred to her or him.

Compensation is payable in the circumstances set out in:

(a) Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990; or (b) Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings.

2. ADDITIONAL NOTES ON LISTED BUILDING CONSENT

1 If you wish to modify the development referred to in your application or to vary it in any way, you must make another application.

2 This notice refers only to the grant of listed building consent and does not entitle you to assume that the City Council has granted its consent for all purposes:

- (a) If you have applied for planning permission under Section 57(1) of the Town and Country Planning Act 1990, we will send you a separate notice of decision;
 - (b) We will send you a separate notice about plans you have submitted under the Building Regulations 2000;
 - (c) If the development for which listed building consent has been granted includes putting up a building for which you have to submit plans under the Building Regulations 2000, you should not do any work connected with erecting that building until you have satisfied yourself that you have complied with Section 219 of the Highways Act 1980 or that they do not apply to this building.
- 3 Even if you have gained listed building consent, you must comply with any restrictive covenants that affect the land referred to in the application.

3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk).

IMPORTANT

Compliance with Planning Conditions

The Council's Planning Enforcement Team is responsible for monitoring the implementation of planning permissions. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area;
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration.

It is important that you read and understand the eight points below to avoid any potential breaches of planning control:

- 1) Please take some time to read through the conditions attached to the planning permission and their particular requirements.
- 2) All planning conditions and timeframes for their submission/implementation must be complied with in full, unless a subsequent application or appeal is made to vary or remove those conditions and is subsequently approved.
- 3) Applications to vary conditions attached to a planning permission can take up to 8 weeks to determine (13 weeks if relating to a major planning application). Appeals normally take much longer.

- 4) Applications for approval of details reserved by planning condition (more commonly referred to as condition discharge applications) can take approximately 8 weeks to determine.
- 5) Applicants should ensure that they submit any applications or appeals in good time, well in advance of any anticipated or scheduled start date for commencement of the development.
- 6) If any amendments are sought to the permission, either prior to commencement of development or during the development, the developer should contact the Planning Department at their earliest opportunity to establish what form of application will be required. Work should not continue until any amendments are approved in writing by the Local Planning Authority.
- 7) Fees are normally payable for applications for approval of details reserved by planning condition (condition discharge applications). The relevant application forms, associated fees and details of how to apply can be found on the Planning Portal: www.planningportal.gov.uk
- 8) Should you have any queries relating to any part of the Planning Process the Council's Duty Planning Officer is available Mondays, Wednesdays and Fridays between the hours of 0900-1200 and can be contacted during those times on 01706 217 777 (Option 4).

Mike Atherton
Planning Manager

Appendix 4

Application Number:	2018/0554	Application Type:	Full
Proposal:	Outline Application: Erection of up to 80 dwellings and associated works with all matters reserved except for access.	Location:	Land On The South Side Of Commercial Street Loveclough
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	26 th February 2019
Applicant:	Hollins Strategic Land	Determination Expiry Date:	18 th February 2019
Agent:	Lydia Harper (PWA Planning)		

Contact Officer:	James Dalglish	Telephone:	01706 238643
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	Major
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	✓
Other (please state):	

HUMAN RIGHTS

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, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

Approve planning permission subject to a S.106 Agreement to secure payment of planning contributions and subject to the conditions set out in this report. Also that delegated authority is granted to the Planning Manager to refuse the application if a S.106 Agreement is not completed.

APPLICATION DETAILS

2. SITE

The application site (of approximately 3.2 hectares) lies on the west side of Burnley Road, sloping down from the road. It is bordered on its northern boundary by Commercial Street and the terraced residential properties constructed along it. A row of trees covered by a TPO runs along the north western edge of the site adjacent to Commercial Street.

To the west of the site lies Loveclough Park, a relatively modern residential development – separated from the application site by a public footpath. On the site's south side there is a playing pitch.

A row of terraced dwellings runs along the eastern side of the site adjacent to Burnley Road, and Loveclough Social Club is located slightly further north (accessed off Commercial Street).

The site itself is predominantly open fields bound by stone walling and agricultural fencing, and is considered to be a greenfield site.

The site lies in an area designated as countryside, and is located approximately 80m south of the Loveclough Fold Conservation Area, where there are two Grade II Listed Buildings (Barn South of Loveclough Farm and 11 & 12 CPA Club).

The site is also around 270m north of another Conservation Area (the Goodshawfold Conservation Area) where there are two further Grade II Listed Buildings (the Spewing Duck Well and Barn North East of Goodshawfold Farm).

3. RELEVANT PLANNING HISTORY

None.

4. PROPOSAL

Outline planning permission (including access only) is sought for the erection of up to 80 no. new dwellings on the site. All other matters (including appearance, landscaping, layout and scale) are reserved. An indicative site layout / masterplan has been submitted as part of the application, but this is for illustrative purposes only, and does not form part of the scheme for which approval is sought.

The proposed access to the development would be off Burnley Road, at the south east corner of the site. A single point of access is proposed for the entire development.

5. POLICY CONTEXT

National Planning Policy Framework (2018)

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 5 Delivering a Sufficient Supply of Homes
- Section 6 Building a Strong, Competitive Economy

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- Section 8 Promoting Healthy and Safe Communities
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

Development Plan

Rossendale Core Strategy DPD (2011)

- AVP 4 Rawtenstall, Crawshawbooth, Goodshaw and Loveclough
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale’s Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 4 Affordable Housing
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low & Zero Carbon Sources of Energy
- Policy 21 Supporting the Rural Economy and its Communities
- Policy 22 Planning Contributions
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

Other material considerations

- National Planning Practice Guidance
- RBC Strategic Housing Land Availability Assessment (SHLAA) (2018)
- RBC Alterations and Extensions to Residential Properties SPD
- LCC Planning Obligations in Lancashire (2008)
- RBC Open Space and Play Equipment Contributions SPD (2008)
- Emerging Rossendale Borough Council Local Plan

6. CONSULTATION RESPONSES

Fire Brigade	No objection, provided comments
Limey Valley Residents Association	Objection.
LCC Highways	No objection subject to conditions.
LCC Education	No objection subject to contributions.
LCC Public Rights of Way	No comments have been received.
RBC Conservation Officer	No objection.
RBC Forward Planning	No objection, provided comments.
RBC Operations	No objection.
RBC Environmental Health	No objection.
RBC Strategic Housing	No objection, provided comments.
RBC Economic Development	Support.
RBC Tree Officer	No objection subject to conditions.
United Utilities	No objection subject to conditions.
LCC Lead Local Flood Authority	No objection subject to conditions.
Environment Agency	No comments to make on the application.
Ecology Consultant	No objection subject to conditions.
Land Contamination Consultant	No objection subject to conditions.

Coal Authority	No objection subject to conditions.
Cadent	No comments have been received.
Lancashire Constabulary	No comments have been received.

7. REPRESENTATIONS

To accord with the General Development Procedure Order site notices were posted on 26/11/2018 and neighbour letters were sent out on 26/11/2018. A notice was published in the Rossendale Free Press on 05/12/2018.

11 objections have been received raising the following issues:

- Harm to neighbour amenity.
- Harm to ecology / biodiversity.
- Flood risk.
- Unacceptable pressure on local infrastructure, facilities, schools and services.
- Site is outside urban boundary.
- Harm to highway safety / access / congestion.
- Conflict with local planning policy.
- Harm to visual amenity / character of countryside.
- Conflict with rural character of the area.
- Little benefit from the development.
- Inappropriate type of houses for the area.
- Disturbance to residents.
- Submitted documentation misleading.
- Application is premature as the Local Plan has not yet been through Examination in Public.

8. ASSESSMENT

The main considerations in this case are as follows:

1) Principle; 2) Visual Amenity, Countryside and Heritage Impact; 3) Neighbour Amenity; 4) Access, Parking and Highway Safety; 5) Planning Contributions; 6) Ecology

Principle

Paragraph 11 of the Framework contains a presumption in favour of sustainable development. It states that development proposals that accord with the development plan should be approved without delay and that where relevant development plan policies are out-of-date planning permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted

Although located outside the urban boundary, the site is immediately adjacent to a bus route carrying services which provide links to town centres within the borough and further afield.

The nearest primary school is around 1km away (with mainly continuous lit footways between it and the site), and the nearest secondary school is around 3.8km away.

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As the Council cannot currently demonstrate an up to date five year housing land supply based on Full Objectively Assessed Need (FOAN), it is considered in accordance with paragraph 11 of the Framework that the policies in the Council's Core Strategy insofar as they relate to housing provision are out of date and should be afforded limited weight.

The site has been proposed as an allocation (H13) for housing development in the Council's emerging Local Plan (currently at Regulation 19 stage), under policy HS4. The site is also proposed for inclusion within the revised urban boundary which forms part of the emerging Local Plan.

The Strategic Housing Land Availability Assessment (2018), which forms part of the evidence base for the emerging Local Plan concludes that the site is suitable for residential development in the medium to long term, but recognises that such development would have a significant visual impact. In the concluding assessment for the site it states:

“Development of the site is likely to have significant landscape impact and to change the local character of the area. The site is considered suitable for residential use, subject to appropriate assessment regarding landscape, flood risk, ecology, coal legacy and mineral sterilisation.”

Although some weight can be afforded to the emerging local plan as it has reached Regulation 19 stage, the plan has not yet been through an Examination in Public, nor has it been adopted by the Council. As such, the amount of weight afforded to the emerging Local Plan in this case is considered to be moderate.

The relevant policy in the emerging Local Plan (HS4) includes a requirement for the proposed housing allocation in question (which is slightly larger than the application site currently under consideration) to be comprehensively demonstrated through a masterplan. Whilst the current application does not include a masterplan for the entire proposed housing allocation, the application site does cover the majority of the land in question, and it is considered that a reserved matters application could satisfactorily provide the detail that would otherwise be provided by a masterplan-led approach, for the majority of the wider site.

The Coal Authority has raised no objection to the proposed development, subject to the inclusion of a condition requiring the submission of further information in relation to coal mining legacy issues.

In accordance with paragraph 11 of the Framework, the starting point for assessment of the application is that permission should be granted for the proposed scheme unless any adverse impacts of doing so would significantly and demonstrably outweigh the presumption in favour of sustainable development.

The impacts of the proposed scheme will be assessed individually below, prior to a balancing exercise being carried out to weigh the benefits of the scheme against any harm in the context of the presumption in favour of sustainable development.

Visual Amenity, Countryside and Heritage Impact

Approval of matters relating to the appearance, layout, scale and landscaping of the development is not sought at this stage. However, it is nonetheless important to ascertain at this stage whether the development can be delivered without having a significant adverse impact on the character and appearance of the site and the wider countryside.

Paragraph 127 of the Framework states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

The site has not been assessed as part of the Council's Lives and Landscapes Assessment (Penny Bennett Landscape Architects with Annette Birch Landscape Manager, 2017), however the land south of the playing pitch (located immediately south of the site) has been reviewed. The Assessment concluded that the site to the south of the playing pitch was unsuitable for development on the grounds that the harm to the landscape would be too significant.

The Council's Conservation Officer has provided comments on the scheme, and considers that the site could be developed without unacceptable harm occurring to the character of the surrounding area, the local landscape, or the nearby Conservation Area, subject to high quality design being demonstrated at reserved matters stage, the incorporation of a robust and high quality scheme of landscaping, and the use of natural construction materials on site (natural coursed stone and slate).

Whilst there may be scope for the incorporation of limited amounts of render on certain less prominent elevations, it is considered that the proposed dwellings must be constructed predominantly of natural coursed stone (with natural slate roofs). In order to mitigate as far as possible the visual impact of the development, and ensure a high-quality appearance and compatibility with the prominent stone and slate-built properties along Burnley Road (the main public vantage point from which the application site is visible), the incorporation of natural materials is considered essential.

It is acknowledged that many other properties in the vicinity are rendered and have artificial roofing tiles, the application site is highly prominent – much more so in views from the main road than are the existing properties lower down Commercial Street and around Loveclough Park.

The Council's Tree Consultant has no objection to the proposal, which will not result in the removal of any protected trees from the site.

Notwithstanding the above, the proposed development would unavoidably result in significant encroachment of built development into an undeveloped area of countryside, and it is considered that such encroachment (however well-designed the development is) would fundamentally alter the character of the site and adversely affect views across the countryside from public vantage points (chiefly along Burnley Road).

It is considered that such an impact would result in a considerable degree of harm to the essentially open and rural character of the site, to which appropriate weight must be afforded in the planning balance.

Neighbour Amenity

Objectors' comments are noted, however it is not considered that the outline scheme now proposed would necessitate any unacceptable impact on the daylight, privacy or outlook enjoyed by the occupants of any neighbouring residential properties subject to appropriate design, scale and layout.

Scope exists for the applicant to ensure that unacceptable harm to neighbour amenity does not occur, through appropriate design of the scheme's layout, scale and landscaping at reserved matters stage.

The applicant's attention is drawn to the separation distances specified in the Council's Alterations and Extensions to Residential Properties SPD, which would need to be met in order for the development to be considered acceptable.

The outline scheme is considered acceptable in terms of neighbour amenity.

Access, Parking and Highway Safety

Representations have been received from members of the public raising concern over the impact that the development would have on the local highway network, highway safety and traffic congestion. In this regard, the Local Highway Authority has been consulted on the application, as it provides expert advice to the Council on such matters.

The Local Highway Authority has no objection to the proposed scheme subject to conditions including the following:

- Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 10m into the site shall be appropriately paved in tarmac, concrete, block pavements, or other approved materials.
- The new access between the site and Burnley Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
- No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority.
- For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Subject to the above conditions, the scheme is considered acceptable in terms of access and highway safety.

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Planning Contributions and Affordable Housing

In accordance with the requirements of Policies 4 and 22 of the Core Strategy, and the Open Space and Play Equipment Contributions SPD, the applicant has agreed to meet the following contributions:

- 30% affordable housing provision on site.
- Open space and play equipment contribution of £109,280 (£1,366 per dwelling).
- Contribution towards provision of primary and secondary school places in accordance with the methodology used by Lancashire County Council for calculation of such contributions (at this point in time, the contribution would be £472,599.30 to provide 30 primary places, and £284,847.36 to provide 12 secondary places). This would be re-calculated at the point in time when a final reserved matters application is determined.

It is considered that the above contributions are necessary to make the development acceptable (in accordance with Core Strategy Policy 22). It is therefore considered appropriate to require the signing of a S.106 Agreement prior to planning permission being granted, in order to secure the contributions.

Ecology

The Council's ecology consultant has raised no objection to the outline scheme, subject to the inclusion of conditions requiring that as part of a reserved matters application further information shall be supplied in relation to measures to be taken to minimise the risks to any amphibians present in the pond 35m to the east.

Subject to the above, the scheme is considered acceptable in terms of ecology in line with the advice received from the Council's ecology consultant.

Land Contamination and Coal Mining Risk

The Council's land contamination consultant, the Environment Agency and the Coal Authority have been consulted on the application. None now have any objection to the proposals, subject to the inclusion of conditions requiring extensive investigation and potentially remediation of the site prior to commencement of development.

Drainage and Flood Risk

The Lead Local Flood Authority (Lancashire County Council), the Environment Agency and United Utilities have been consulted on the proposed scheme, and have raised no objection subject to the inclusion of conditions.

Balancing Exercise

In line with paragraph 11 of the Framework, it is necessary to carry out a balancing exercise to ascertain whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the scheme when considered against the Development Plan and the policies contained within the Framework.

Such a balancing exercise is carried out in this case in the context of the Council not currently being able to demonstrate a five-year housing land supply, and as a result policies within the adopted Core Strategy that restrict housing development being considered out-of-date in line with paragraph 11 of the Framework.

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It is also carried out having regard to the fact that the Council has already proposed the application site as a housing allocation in the emerging Local Plan, which is due to undergo Examination in Public this year. Only limited weight can be afforded to the emerging Local Plan at this stage however.

Benefits of the Development

The development would provide up to 80 new dwellings towards the borough's housing need – representing a significant benefit. The Council cannot demonstrate a five-year supply of deliverable housing sites, and such a significant number of new houses would assist in meeting the required housing numbers considerably.

The applicant has confirmed that they have received interest in this site from housebuilders, which suggests that the development (with the associated benefit to housing supply) is deliverable in the near-term.

The proposed dwellings would be situated in a location close to a public transport route, and would be located on a site proposed for allocation as a housing site (and incorporation within the urban boundary) in the emerging Local Plan (though only limited weight can be afforded to the emerging Local Plan at this stage).

Having regard to all of the above, substantial weight is afforded to the benefits of the proposal.

Harm Caused by the Development

The development would essentially result in a built-up link between the residential properties at Loveclough Park and Burnley Road. This would result in significant encroachment of built development into an attractive and undeveloped area of countryside, which will undoubtedly result in harm to the essentially open and rural character of the area.

The level of harm would be considerable, and although it is considered in this case that the impact could be mitigated to a degree through the inclusion of mitigation measures (such as appropriate layout, landscaping and incorporation of natural construction materials), considerable weight must be afforded to this harm.

Other Considerations

It is not considered that the proposed scheme will have any unacceptable impacts in terms of neighbour amenity, highway safety, flood risk, pollution or ecology subject to the inclusion of conditions requested by the consultees who have provided advice on such matters. As such, the impact of the scheme in respect of these matters is considered to be neutral.

Conclusion

This is a very finely balanced recommendation. However, having regard to the above and the requirements of paragraph 11 of the Framework it is considered that subject to appropriate mitigation the considerable harm which would be caused by the development to the character of the countryside would not *significantly and demonstrably* outweigh the substantial benefit of the scheme in terms of its significant contribution towards the borough's recognised housing need.

9. RECOMMENDATION

Approve planning permission subject to conditions and the completion of a S.106 Agreement to secure planning contributions.

10. SUMMARY REASON FOR APPROVAL

Although the scheme would result in a significant degree of harm to the open and rural character of the countryside in this location, it would provide a substantial benefit in terms of a contribution towards recognised housing need in a relatively sustainable location. Subject to appropriate mitigation (which can be secured by planning conditions and a Section 106 Agreement) it is considered that the development would not unacceptably detract from visual amenity and neighbour amenity or highway safety. It is considered that the development is in accordance with the National Planning Policy Framework and Policies 1, 8, 9, 17, 18, 21, 22, 23 and 24 of the adopted Core Strategy DPD.

11. CONDITIONS

1. An application for approval of the reserved matters (namely the layout, scale, appearance and landscaping of the development) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The outline planning permission hereby approved relates to the erection of up to eighty residential units which shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:

- Application form received on 19th November 2018.
- Site Location Plan (drawing number LOCATION PLAN 01) received on 19th November 2018.
- Access Arrangements (drawing number SK21875-001) received on 19th November 2018.
- Proposed Off-Site Improvement Works (drawing number SK21875-002) received on 2nd January 2019.
- Arboricultural Report (ref: AWA2327) received on 19th November 2018.
- Flood Risk Assessment and Drainage Management Strategy (ref: HYD343_BURNLEY.ROAD_FRA&DMS) received on 19th November 2018.

Reason: To ensure the development complies with the approved plans and submitted details.

3. As part of any reserved matters application where layout is applied for, the applicant shall submit for the approval of the Local Planning Authority the results (in the form of a report) of a scheme of intrusive site investigation which is adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity. The report

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shall include a scheme of proposals (and a timetable) for any necessary remedial works to adequately mitigate identified risks. The development shall thereafter be implemented in accordance with the approved details.

Reason: To safeguard against hazards associated with coal mining legacy issues.

4. Either prior to the commencement of the development or as part of the first reserved matters application full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on the submitted plans) shall be submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the above there shall be 1.8m boundary treatments between the rear gardens of each individual dwelling, and natural stone walling and native hedgerow planting shall be used around the perimeter of the site.

No dwelling shall be occupied until all fences, walls and other boundary treatments shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences, walls and other boundary treatments shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: The required details are not provided as part of this outline application and are required at an early stage in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.

5. Either prior to the commencement of the development or as part of the first reserved matters application full details of the following (including samples) shall be submitted to the Local Planning Authority for its approval. No development shall take place until such approval has been given in writing by the Local Planning Authority:

- a) All external facing and roofing materials to the proposed dwellings
- b) All hard ground surfacing materials.

The dwellings shall be constructed predominantly of natural coursed stone, and shall have exclusively natural slate roofs.

The development thereafter shall be constructed utilising the approved materials.

Reason: The application is in outline only and is not accompanied by detailed plans, and to ensure that the development is appropriate in terms of visual amenity and to ensure that it responds to the local context of the site.

6. Notwithstanding the details shown on the submitted plans the new dwellings shall be no greater than two storeys in height.

Reason: To ensure that the development is appropriate in terms of visual amenity and to protect neighbour amenity.

7. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on

Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: In the interests of neighbour amenity.

8. No development shall take place until a scheme for the construction of the site access and the off-site highway works has been submitted to and approved in writing by the Local Planning Authority and the necessary agreement entered into with the Highway Authority.

No part of the development shall be occupied until all of the works have been carried out in accordance with the approved details.

Reason: In the interests of highway safety.

9. No development shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a legal agreement has been entered into the Local Highway Authority or a private management and maintenance company has been established.

Reason: In order to ensure proper management and maintenance of the streets within the development.

10. No development shall take place until full engineering, drainage, street lighting and constructional details to adoptable standards (Lancashire County Council specification) of the internal estate roads have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.

Prior to first occupation of any of the dwellings hereby approved the estate roads shall be completed to at least base course level and in accordance with the agreed details.

Reason: In the interests of highway safety.

11. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 10m into the site shall be appropriately paved in tarmacadam, concrete, or block pavements.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

12. The new access between the site and Burnley Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

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13. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

14. No development shall take place until tree protection fencing has been erected to BS 5837 (2012) as detailed in the submitted Arboricultural Report (ref: AWA2327) and as shown on the tree constraints plan.

Reason: To protect trees to be retained on site.

15. As part of the first reserved matters application, further information (in the form of a report compiled by a qualified ecologist) shall be submitted in relation to measures to minimise the risks to any amphibians present in the pond to the east of the site. The submitted report shall be informed through either or both of the following:

- a) Further field survey work such as eDNA or traditional survey;
- b) A detailed reasonable avoidance measures method statement

Reason: In the interests of protecting biodiversity.

16. Prior to the commencement of development a Phase 2 Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment.

Should unacceptable risks be identified the applicant shall also submit a contaminated land remediation strategy for the approval of the Local Planning Authority prior to commencement of development. No development shall take place until the submitted scheme is approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination, and preventing pollution.

17. Pursuant to condition 16 and prior to first occupation of any of the dwellings, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating hazards associated with land contamination, and preventing pollution.

18. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

a) Information about the lifetime of the development:

- Design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances') - discharge rates and volumes (both pre and post development).
- Temporary storage facilities.
- The methods employed to delay and control surface water discharged from the site.
- The measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.
- Details of floor levels in AOD – mitigation measures essential if various proposed plots are to remain within surface water flooding areas (FRA 7/11/18 Rev1 – Figure 4) – expected flood depths/mitigation measure details required.

b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate (which has been calculated at 32l/s litres per second total for entire development site – as per FRA 7/11/18 Rev1). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

c) Flood water exceedance routes, both on and off site.

d) A timetable for implementation, including phasing as applicable.

e) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.

f) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or substantial completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained, and to ensure that there is no flood risk on or off the site resulting from the proposed development

19. None of the dwellings hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained, and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

20. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The submitted details, as a minimum, shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company.

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

- On-going inspections relating to performance and asset condition assessments.
- Operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.

Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

21. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

22. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority.

The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future policy that replaces it. The affordable housing shall remain as such in perpetuity.

The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of 30% of the dwellings in each phase;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider, or for the management of the affordable housing if no registered provider is involved;
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order to secure the necessary provision of affordable housing on the site.

12. INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. The grant of planning permission will require the applicant to enter into a Legal Agreement with the County Council as Highway Authority. The applicant should be advised to contact Lancashire County Council, Highway Development Control email – developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided.
3. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
4. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

5. The submitted Phase 1 site investigation report specifically recommends that gas monitoring should be undertaken on site (section 7.3.2). A scheme of ground gas monitoring will be

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required to be carried out on site, with the results to be submitted as part of an application for the approval of details reserved by conditions 3 and 16. Gas monitoring shall be carried out in accordance with the relevant up-to-date guidance. The applicant is advised to contact Martin Plant (the Council's land contamination and remediation consultant) for clarification on the specific requirements at the earliest opportunity on 0161 686 5847.

Appendix 5
Landscape Statement



Landscape Statement

Loveclough Extension

**July 2020
N0702_R01**

for Hollins Strategic Land

Summary of Landscape and Visual Constraints and Opportunities

- 1.1 Influence have been appointed by Hollins Strategic Land to provide a review of the Landscape and Visual Constraints and Opportunities on the land which forms an extension to the previously approved site at Loveclough.
- 1.2 Land on the south side of Commercial Street, Loveclough was granted planning permission for up to 80 dwellings in May 2019 (Application no. 2018/0554). Influence supported the application with a Landscape and Visual Design Code, which included a Landscape and Visual Appraisal.
- 1.3 The proposed extension land is located to the west of the approved site and is accessed via the new spine road to run through the land south of Commercial Street.

Landscape and Visual Constraints and Opportunities

- 1.4 With reference to the longer distance open views from the west, the village had previously appeared disjointed. The houses on the main road (A682) form the more dominant linear element of the village. Continuous residential development along the A682 has always linked the settlements either north or south of the road.
- 1.5 Historically development has extended west along Commercial Street to the small original core and the more modern units in the valley. The approved housing (Application no. 2018/0554) will provide a more substantial and encompassing appearance to the village, which remains clearly separated from the other settlements in the lower part of the valley to the south.
- 1.6 The approved housing is contained by the existing tree group on the southern extents of the site.
- 1.7 The proposed extension will visually connect the approved scheme and the existing units in the valley – Loveclough Park – rounding off that southern extent of the village. The proposals do not extend beyond the existing settlement edge (to the south west of Loveclough Park) and still retain a substantial separation from Goodshaw Fold to the south.
- 1.8 Views from the Public Right of Way which runs on the northern boundary of the extension land will be changed, particularly views to the south, however an offset is retained along this edge and the proposed development will not directly adjoin Loveclough Park. The PRoW is in a slight cutting for part of its route and already runs adjacent to domestic back gardens.
- 1.9 The topography of the extension site is slightly higher than the adjoining land to the north, however due to the rising land up to the A682 and beyond to the east, the proposals will still appear to nestle in the valley from the more long distance views.
- 1.10 Views of Loveclough from the south will be altered as a result of the approved development and the Proposals will appear as an extension of the built form to the west. However, a scheme of mitigation, cohesive with the approved scheme, will be brought forward to assimilate the southern edge into the existing landscape.

- 1.11 On the approach along the A682 from the south, the views west to Loveclough Park have been lost through the approved development. In the wider views on the approach, the village of Loveclough will appear to follow the established pattern of development along the road – of settlement hubs which have extended east or west from the road line. In the main the extension land will not be visible due to the approved scheme.
- 1.12 The most sensitive receptors to the proposed extension are the residents of Loveclough Park and Penny Lodge Lane, however development will be set back from their immediate boundaries and accommodate the existing PRow. The number of units is limited, those on Penny Lodge Lane are at an oblique angle to the Proposals, with limited windows and gardens overlooking the extension site and a buffer of over 30m is retained to the Loveclough Park boundaries.
- 1.13 Overall, it is considered in landscape and visual terms that there is marginal additional harm to the sensitive receptors as a result of the proposed extension. There will be a loss of the open pasture field, however there are no physical features such as hedgerows or trees which will be compromised. The extension retains these existing hedgerows and utilises the natural boundaries to encompass the Proposals, forming an overall cohesive future development, joining the existing and proposed developments. There remains clear separation along the valley to the settlements to the south of Loveclough and there is opportunity to mitigate some adverse impacts on the views from the PRow's in this area.
- 1.14 In the context of the approved application and the previous assessments carried out it is considered that in landscape and visual terms that this is a suitable location for the development proposed.



Approximate location of the Site

Viewpoint 01

See also panorama on following page
N0702(08)001



Approximate location of the Site

Viewpoint 02

See also panorama on following page
N0702(08)002



Viewpoint 01 Wider Context View



Viewpoint 02 Wider Context View

These views are representative of visual receptors at this location. They are for information purposes only and are not to scale. Scaled images can be provided upon request.

influence[®]

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PROJECT
Loveclough Extension

CLIENT
Hollins Strategic Land

TITLE
Viewpoint 001 & 002

STATUS FINAL

SCALE NTS DATE 28/07/20

DRAWN KD CHECKED SB

JOB NO:	DWG NO:	REV NO:	ORIGINAL SIZE:
N0702	(08)003	- 530	A3

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Appendix 6

Highways Statement

1. Introduction

1.1 SK has been appointed to consider the highway implications of a possible extension to a residential development site in Loveclough, Rossendale. The main site benefits from planning permission for 80 dwellings. The extension site is capable of accommodating c35 further dwellings.

1.2 The approved development site and extent of the potential extension site are shown in Figure 1.



Figure 1: Potential Site Extension

1.3 Planning permission for development of 80 dwellings on the existing site was granted under planning application reference 2018/0554. The highways and transport implications of that scheme were considered in the Transport Assessment that accompanied the application. This Note refers to the Transport Assessment for the approved site.

2. Development Access

- 2.1 The proposed extension site will be accessed from the main internal road for the approved residential development. The layout of the approved scheme has been fixed as part of a reserved matters application and consideration has been given to the incorporation of the proposed extension within that layout.
- 2.2 A possible access arrangement to provide a second spur of the main access road to serve the site extension is shown in Appendix A. The access point is located approximately mid-way along the length of the main road within the approved development, allowing an equivalent cul-de-sac length to be achieved within the extension site as is present within the approved development.

3. Development Traffic

- 3.1 The traffic implications of the potential extension site are considered in the context of the assessment of the approved scheme.
- 3.2 The level of traffic that can be expected to arise as a result of extending the site to provide 35 additional dwellings is set out in Table 1.

	Approved Development Trips (80 dwells)			Proposed Extension (35 dwells)		
	Arr	Dep	Tot	Arr	Dep	Tot
AM	10	29	39	4	13	17
PM	25	11	36	11	5	16

Table 1: Typical Service Vehicle Movements

- 3.3 The levels of peak hour traffic associated with the proposal are well below the threshold of significance of 30 vehicles per hour identified in transport assessment guidance.
- 3.4 The additional movements at the approved development site access are shown in Appendix B, together with the resulting future year movements at the junction (updated to 2025). Traffic associated with the proposed development is expected to distribute at this point such that the impact on the wider network will be negligible, with a maximum of 11 vehicles per hour to/from the north and 7 vehicles per hour to/from the south.
- 3.5 A test has been undertaken of the approved site access junction using the future year traffic flows with and without the proposed extension. Assessment output is presented in Appendix C, with a summary presented in Table 2.

Movement	2025 Base				2025 with Development			
	AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
	RFC	Queue	RFC	Queue	RFC	Queue	RFC	Queue
From Site	0.075	0	0.030	0	0.088	0	0.047	0
Right turn to Site	0.011	0	0.024	0	0.012	0	0.035	0

Table 2: Access Junction Assessment Summary

- 3.6 The assessments show that the traffic associated with an additional 35 dwellings can comfortably be accommodated at the approved site access on Burnley Road.

4. Conclusions

- 4.1 This Note considers the highway and traffic implications of a potential 35 dwelling extension to the approved development of 80 dwellings on land at Loveclough, Rossendale. It is demonstrated that a suitable form of access can be provided to serve the extension site from the internal road layout for which reserved matters approval has been sought for the approved development.
- 4.2 The additional traffic that would be generated by the proposed extension will be very low, well below the threshold of significance that would normally be applied. This traffic will be negligible in the context of background movement levels when distributed onto the wider highway network.
- 4.3 An assessment has been undertaken to demonstrate that the approved development access junction on Burnley Road would be suitable to accommodate additional vehicle movements generated by the proposed extension. The assessment shows that these can comfortably be accommodated.

Appendix A



THIS DRAWING MAY BE USED ONLY FOR THE PURPOSE INTENDED AND ONLY WRITTEN DIMENSIONS SHALL BE USED

NOTES
Layout subject to detailed design and confirmation of statutory undertakers' equipment.

Revision Details	By	Date	Suffix
	Check		

Drawing Number
SK22079-001

Land at Loveclough

Drawing Title
Possible Access Arrangement for Extension to Residential Development

Scale at A3
1:500

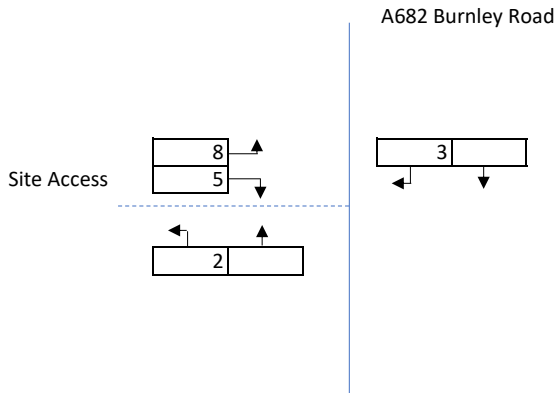
Drawn JAT	Approved LGS
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Check LGS	Date 10.11.20
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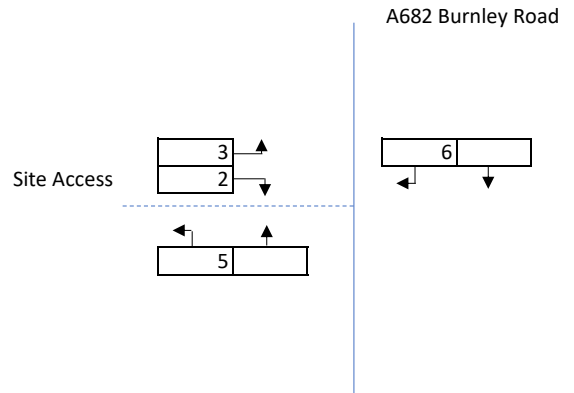
Appendix B

Development Trips

AM Peak Hour

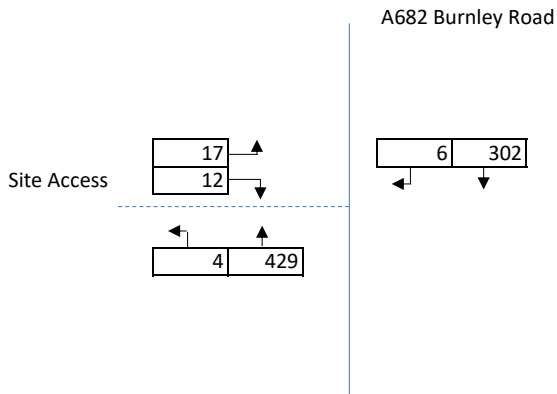


PM Peak Hour

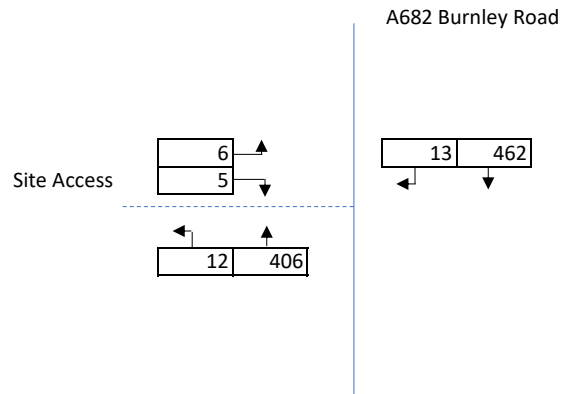


2025 Base

AM Peak Hour

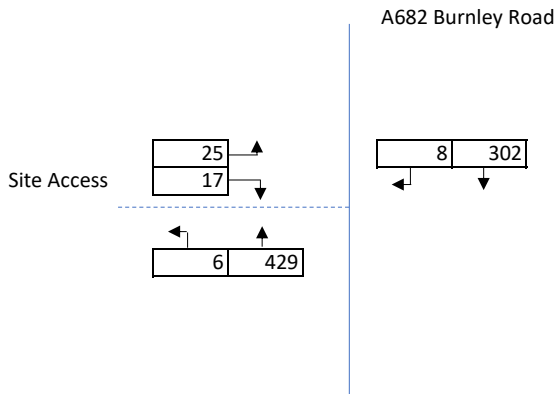


PM Peak Hour

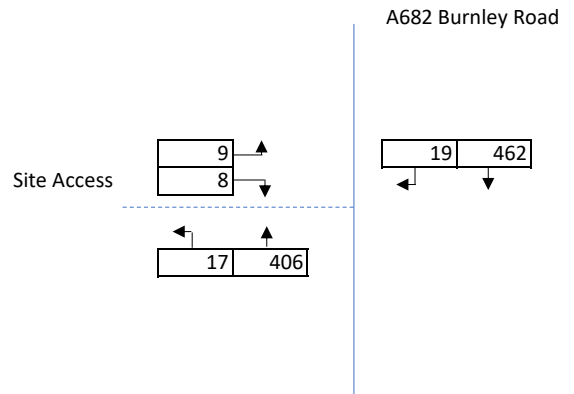


2025 with Development

AM Peak Hour



PM Peak Hour



Appendix C

Junctions 9
PICADY 9 - Priority Intersection Module
Version: 9.5.1.7462 © Copyright TRL Limited, 2019
For sales and distribution information, program advice and maintenance, contact TRL: +44 (0)1344 379777 software@trl.co.uk www.trlsoftware.co.uk
The users of this computer program for the solution of an engineering problem are in no way relieved of their responsibility for the correctness of the solution

Filename: Import of Burnley Road Site Access.j9
Path: C:\Users\JohnThompson\CloudStation\SK21875 Loveclough\Junction Assessments
Report generation date: 11/11/2020 12:24:40

- »2025 Base, AM
- »2025 Base, PM
- »2025 with Development, AM
- »2025 with Development, PM

File summary

File Description

Title	Burnley Road Site Access
Location	Loveclough
Site number	
Date	28/09/2018
Version	
Status	
Identifier	
Client	HSL
Jobnumber	SK21875
Enumerator	
Description	

Units

Distance units	Speed units	Traffic units input	Traffic units results	Flow units	Average delay units	Total delay units	Rate of delay units
m	kph	Veh	Veh	perHour	s	-Min	perMin

Analysis Options

Vehicle length (m)	Calculate Queue Percentiles	Calculate detailed queueing delay	Calculate residual capacity	RFC Threshold	Average Delay threshold (s)	Queue threshold (PCU)
5.75				0.85	36.00	20.00

Demand Set Summary

ID	Scenario name	Time Period name	Description	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D1	2025 Base	AM	2025 AM Peak Base	ONE HOUR	07:45	09:15	15	✓
D2	2025 Base	PM	2025 PM Peak Base	ONE HOUR	16:45	18:15	15	✓
D3	2025 with Development	AM	2025 AM Peak with Development	ONE HOUR	07:45	09:15	15	✓
D4	2025 with Development	PM	2025 PM Peak with Development	ONE HOUR	16:45	18:15	15	✓

Analysis Set Details

ID	Include in report	Network flow scaling factor (%)	Network capacity scaling factor (%)
A1	✓	100.000	100.000

2025 Base, AM

Data Errors and Warnings

No errors or warnings

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	untitled	T-Junction	Two-way		0.38	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Arms

Arms

Arm	Name	Description	Arm type
A	A682 Burnley Road (S)		Major
B	Site Access		Minor
C	A682 Burnley Road (N)		Major

Major Arm Geometry

Arm	Width of carriageway (m)	Has kerbed central reserve	Has right turn bay	Visibility for right turn (m)	Blocks?	Blocking queue (PCU)
C	7.30			250.0		-

Geometries for Arm C are measured opposite Arm B. Geometries for Arm A (if relevant) are measured opposite Arm D.

Minor Arm Geometry

Arm	Minor arm type	Lane width (m)	Visibility to left (m)	Visibility to right (m)
B	One lane	2.75	25	30

Slope / Intercept / Capacity

Priority Intersection Slopes and Intercepts

Stream	Intercept (Veh/hr)	Slope for A-B	Slope for A-C	Slope for C-A	Slope for C-B
B-A	488	0.084	0.212	0.133	0.303
B-C	627	0.091	0.229	-	-
C-B	719	0.263	0.263	-	-

The slopes and intercepts shown above do NOT include any corrections or adjustments.

Streams may be combined, in which case capacity will be adjusted.

Values are shown for the first time segment only; they may differ for subsequent time segments.

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Description	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D1	2025 Base	AM	2025 AM Peak Base	ONE HOUR	07:45	09:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A		ONE HOUR	✓	433	100.000
B		ONE HOUR	✓	29	100.000
C		ONE HOUR	✓	308	100.000

Origin-Destination Data

Demand (Veh/hr)

		To			
		A	B	C	
From	A	0	4	429	
	B	12	0	17	
	C	302	6	0	

Proportions

		To			
		A	B	C	
From	A	0.00	0.01	0.99	
	B	0.41	0.00	0.59	
	C	0.98	0.02	0.00	

Vehicle Mix

Heavy Vehicle Percentages

		To			
		A	B	C	
From	A	0	0	3	
	B	0	0	0	
	C	3	0	0	

Average PCU Per Veh

		To			
		A	B	C	
From	A	1.000	1.000	1.025	
	B	1.000	1.000	1.000	
	C	1.030	1.000	1.000	

Detailed Demand Data

Demand for each time segment

Time Segment	Arm	Demand (Veh/hr)	Demand in PCU (PCU/hr)
07:45-08:00	A	326	334
	B	22	22
	C	232	239
08:00-08:15	A	389	399
	B	26	26
	C	277	285
08:15-08:30	A	477	489
	B	32	32
	C	339	349
08:30-08:45	A	477	489
	B	32	32
	C	339	349
08:45-09:00	A	389	399
	B	26	26
	C	277	285
09:00-09:15	A	326	334
	B	22	22
	C	232	239

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.08	9.21	0.1	A	27	40
C-A					277	416
C-B	0.01	6.17	0.0	A	6	8
A-B					4	6
A-C					394	590

Main Results for each time segment

07:45 - 08:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	22	5	467	0.047	22	0.0	0.0	8.073	A
C-A	227	57			227				
C-B	5	1	631	0.007	4	0.0	0.0	5.745	A
A-B	3	0.75			3				
A-C	323	81			323				

08:00 - 08:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	26	7	449	0.058	26	0.0	0.1	8.513	A
C-A	271	68			271				
C-B	5	1	614	0.009	5	0.0	0.0	5.915	A
A-B	4	0.90			4				
A-C	386	96			386				

08:15 - 08:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	32	8	423	0.075	32	0.1	0.1	9.202	A
C-A	333	83			333				
C-B	7	2	590	0.011	7	0.0	0.0	6.166	A
A-B	4	1			4				
A-C	472	118			472				

08:30 - 08:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	32	8	423	0.075	32	0.1	0.1	9.205	A
C-A	333	83			333				
C-B	7	2	590	0.011	7	0.0	0.0	6.166	A
A-B	4	1			4				
A-C	472	118			472				

08:45 - 09:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	26	7	449	0.058	26	0.1	0.1	8.518	A
C-A	271	68			271				
C-B	5	1	614	0.009	5	0.0	0.0	5.917	A
A-B	4	0.90			4				
A-C	386	96			386				

09:00 - 09:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	22	5	467	0.047	22	0.1	0.0	8.082	A
C-A	227	57			227				
C-B	5	1	631	0.007	5	0.0	0.0	5.748	A
A-B	3	0.75			3				
A-C	323	81			323				

2025 Base, PM

Data Errors and Warnings

Severity	Area	Item	Description
Warning	Vehicle Mix		HV% is zero for all movements / time segments. Vehicle Mix matrix should be completed whether working in PCUs or Vehs. If HV% at the junction is genuinely zero, please ignore this warning.

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	untitled	T-Junction	Two-way		0.20	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Description	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D2	2025 Base	PM	2025 PM Peak Base	ONE HOUR	16:45	18:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A		ONE HOUR	✓	418	100.000
B		ONE HOUR	✓	11	100.000
C		ONE HOUR	✓	475	100.000

Origin-Destination Data

Demand (Veh/hr)

		To		
		A	B	C
From	A	0	12	406
	B	5	0	6
	C	462	13	0

Proportions

		To		
		A	B	C
From	A	0.00	0.03	0.97
	B	0.45	0.00	0.55
	C	0.97	0.03	0.00

Vehicle Mix

Heavy Vehicle Percentages

		To		
		A	B	C
From	A	0	0	0
	B	0	0	0
	C	0	0	0

Average PCU Per Veh

		To		
		A	B	C
From	A	1.000	1.000	1.000
	B	1.000	1.000	1.000
	C	1.000	1.000	1.000

Detailed Demand Data

Demand for each time segment

Time Segment	Arm	Demand (Veh/hr)	Demand in PCU (PCU/hr)
16:45-17:00	A	315	315
	B	8	8
	C	358	358
17:00-17:15	A	376	376
	B	10	10
	C	427	427
17:15-17:30	A	460	460
	B	12	12
	C	523	523
17:30-17:45	A	460	460
	B	12	12
	C	523	523
17:45-18:00	A	376	376
	B	10	10
	C	427	427
18:00-18:15	A	315	315
	B	8	8
	C	358	358

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.03	9.14	0.0	A	10	15
C-A					424	636
C-B	0.02	6.17	0.0	A	12	18
A-B					11	17
A-C					373	559

Main Results for each time segment

16:45 - 17:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	8	2	455	0.018	8	0.0	0.0	8.064	A
C-A	348	87			348				
C-B	10	2	636	0.015	10	0.0	0.0	5.747	A
A-B	9	2			9				
A-C	306	76			306				

17:00 - 17:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	10	2	434	0.023	10	0.0	0.0	8.480	A
C-A	415	104			415				
C-B	12	3	620	0.019	12	0.0	0.0	5.917	A
A-B	11	3			11				
A-C	365	91			365				

17:15 - 17:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	12	3	406	0.030	12	0.0	0.0	9.141	A
C-A	509	127			509				
C-B	14	4	598	0.024	14	0.0	0.0	6.168	A
A-B	13	3			13				
A-C	447	112			447				

17:30 - 17:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	12	3	406	0.030	12	0.0	0.0	9.141	A
C-A	509	127			509				
C-B	14	4	598	0.024	14	0.0	0.0	6.168	A
A-B	13	3			13				
A-C	447	112			447				

17:45 - 18:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	10	2	434	0.023	10	0.0	0.0	8.481	A
C-A	415	104			415				
C-B	12	3	620	0.019	12	0.0	0.0	5.919	A
A-B	11	3			11				
A-C	365	91			365				

18:00 - 18:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	8	2	455	0.018	8	0.0	0.0	8.066	A
C-A	348	87			348				
C-B	10	2	636	0.015	10	0.0	0.0	5.750	A
A-B	9	2			9				
A-C	306	76			306				

2025 with Development, AM

Data Errors and Warnings

Severity	Area	Item	Description
Warning	Vehicle Mix		HV% is zero for all movements / time segments. Vehicle Mix matrix should be completed whether working in PCUs or Vehs. If HV% at the junction is genuinely zero, please ignore this warning.

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	untitled	T-Junction	Two-way		0.92	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Description	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D3	2025 with Development	AM	2025 AM Peak with Development	ONE HOUR	07:45	09:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A		ONE HOUR	✓	35	100.000
B		ONE HOUR	✓	42	100.000
C		ONE HOUR	✓	310	100.000

Origin-Destination Data

Demand (Veh/hr)

		To		
		A	B	C
From	A	0	6	29
	B	17	0	25
	C	302	8	0

Proportions

		To		
		A	B	C
From	A	0.00	0.17	0.83
	B	0.40	0.00	0.60
	C	0.97	0.03	0.00

Vehicle Mix

Heavy Vehicle Percentages

		To		
		A	B	C
From	A	0	0	0
	B	0	0	0
	C	0	0	0

Average PCU Per Veh

		To		
		A	B	C
From	A	1.000	1.000	1.000
	B	1.000	1.000	1.000
	C	1.000	1.000	1.000

Detailed Demand Data

Demand for each time segment

Time Segment	Arm	Demand (Veh/hr)	Demand in PCU (PCU/hr)
07:45-08:00	A	26	26
	B	32	32
	C	233	233
08:00-08:15	A	31	31
	B	38	38
	C	279	279
08:15-08:30	A	39	39
	B	46	46
	C	341	341
08:30-08:45	A	39	39
	B	46	46
	C	341	341
08:45-09:00	A	31	31
	B	38	38
	C	279	279
09:00-09:15	A	26	26
	B	32	32
	C	233	233

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.09	7.48	0.1	A	39	58
C-A					277	416
C-B	0.01	5.14	0.0	A	7	11
A-B					6	8
A-C					27	40

Main Results for each time segment

07:45 - 08:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	32	8	539	0.059	31	0.0	0.1	7.091	A
C-A	227	57			227				
C-B	6	2	712	0.008	6	0.0	0.0	5.100	A
A-B	5	1			5				
A-C	22	5			22				

08:00 - 08:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	38	9	534	0.071	38	0.1	0.1	7.251	A
C-A	271	68			271				
C-B	7	2	710	0.010	7	0.0	0.0	5.118	A
A-B	5	1			5				
A-C	26	7			26				

08:15 - 08:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	46	12	528	0.088	46	0.1	0.1	7.478	A
C-A	333	83			333				
C-B	9	2	709	0.012	9	0.0	0.0	5.143	A
A-B	7	2			7				
A-C	32	8			32				

08:30 - 08:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	46	12	528	0.088	46	0.1	0.1	7.478	A
C-A	333	83			333				
C-B	9	2	709	0.012	9	0.0	0.0	5.143	A
A-B	7	2			7				
A-C	32	8			32				

08:45 - 09:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	38	9	534	0.071	38	0.1	0.1	7.256	A
C-A	271	68			271				
C-B	7	2	710	0.010	7	0.0	0.0	5.120	A
A-B	5	1			5				
A-C	26	7			26				

09:00 - 09:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	32	8	539	0.059	32	0.1	0.1	7.101	A
C-A	227	57			227				
C-B	6	2	712	0.008	6	0.0	0.0	5.100	A
A-B	5	1			5				
A-C	22	5			22				

2025 with Development, PM

Data Errors and Warnings

Severity	Area	Item	Description
Warning	Vehicle Mix		HV% is zero for all movements / time segments. Vehicle Mix matrix should be completed whether working in PCUs or Vehs. If HV% at the junction is genuinely zero, please ignore this warning.

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	untitled	T-Junction	Two-way		0.30	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Description	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D4	2025 with Development	PM	2025 PM Peak with Development	ONE HOUR	16:45	18:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A		ONE HOUR	✓	423	100.000
B		ONE HOUR	✓	17	100.000
C		ONE HOUR	✓	481	100.000

Origin-Destination Data

Demand (Veh/hr)

		To		
		A	B	C
From	A	0	17	406
	B	8	0	9
	C	462	19	0

Proportions

		To		
		A	B	C
From	A	0.00	0.04	0.96
	B	0.47	0.00	0.53
	C	0.96	0.04	0.00

Vehicle Mix

Heavy Vehicle Percentages

		To		
		A	B	C
From	A	0	0	0
	B	0	0	0
	C	0	0	0

Average PCU Per Veh

		To		
		A	B	C
From	A	1.000	1.000	1.000
	B	1.000	1.000	1.000
	C	1.000	1.000	1.000

Detailed Demand Data

Demand for each time segment

Time Segment	Arm	Demand (Veh/hr)	Demand in PCU (PCU/hr)
16:45-17:00	A	318	318
	B	13	13
	C	362	362
17:00-17:15	A	380	380
	B	15	15
	C	432	432
17:15-17:30	A	466	466
	B	19	19
	C	530	530
17:30-17:45	A	466	466
	B	19	19
	C	530	530
17:45-18:00	A	380	380
	B	15	15
	C	432	432
18:00-18:15	A	318	318
	B	13	13
	C	362	362

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.05	9.42	0.0	A	16	23
C-A					424	636
C-B	0.04	6.25	0.0	A	17	26
A-B					16	23
A-C					373	559

Main Results for each time segment

16:45 - 17:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	13	3	450	0.028	13	0.0	0.0	8.222	A
C-A	348	87			348				
C-B	14	4	635	0.023	14	0.0	0.0	5.798	A
A-B	13	3			13				
A-C	306	76			306				

17:00 - 17:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	15	4	430	0.036	15	0.0	0.0	8.684	A
C-A	415	104			415				
C-B	17	4	619	0.028	17	0.0	0.0	5.981	A
A-B	15	4			15				
A-C	365	91			365				

17:15 - 17:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	19	5	401	0.047	19	0.0	0.0	9.421	A
C-A	509	127			509				
C-B	21	5	596	0.035	21	0.0	0.0	6.255	A
A-B	19	5			19				
A-C	447	112			447				

17:30 - 17:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	19	5	401	0.047	19	0.0	0.0	9.423	A
C-A	509	127			509				
C-B	21	5	596	0.035	21	0.0	0.0	6.255	A
A-B	19	5			19				
A-C	447	112			447				

17:45 - 18:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	15	4	430	0.036	15	0.0	0.0	8.687	A
C-A	415	104			415				
C-B	17	4	619	0.028	17	0.0	0.0	5.982	A
A-B	15	4			15				
A-C	365	91			365				

18:00 - 18:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	13	3	450	0.028	13	0.0	0.0	8.227	A
C-A	348	87			348				
C-B	14	4	635	0.023	14	0.0	0.0	5.799	A
A-B	13	3			13				
A-C	306	76			306				

Appendix 7

GCN Survey

David Josephs
Hollins Strategic Land
Suite 4
1 King Street
Manchester
M2 6AW

ERAP (Consultant Ecologists) Ltd ref: 2019-154

29th July 2019

Dear David,

RE: eDNA survey at Land off Burnley Road, Loveclough, BB4 8QZ

I have prepared this letter to detail the survey findings and guidance following our recent correspondence and your request for a great crested newt eDNA presence / absence survey at the pond with a central grid reference of SD 81001 26990, off Burnley Road, Loveclough, BB4 8QZ, refer to **Figure 1**, appended.

eDNA Survey Date, Surveyor and Conditions

Date: Thursday 27th June 2019
Surveyor: Luke Atherton B.Sc. (Hons) M.Sc.
Weather Conditions: Dry, clear and sunny, with a light air (Beaufort Scale 1) and an air temperature of 19°C.

The survey was carried out by an appropriately experienced surveyor and under Victoria Burrows' Natural England Class Survey Licence (Level 1) Registration Number 2015-16651-CLS-CLS.

Survey Method

The survey was carried out in accordance with the sampling protocol in *Appendix 5: Technical Advice Note for field and laboratory sampling of Great Crested Newt (Triturus cristatus) environmental DNA¹* that accompanies Defra's research project and is outlined below:

1. Twenty 30 millilitre samples were taken from around the entire perimeter of the pond and areas most likely to be used by great crested newt were targeted, where possible, without entering the water;
2. Prior to taking the sample the water column was gently mixed at each sampling location but care was taken to avoid disturbing the sediment on the base of the pond;
3. Once all 20 samples had been taken, 15millilitre (ml) of the total sample were pipetted into each of the six sampling tubes containing ethanol ensuring the water in the sample bag was mixed prior to and taking each of the 15ml samples; and
4. The six sampling tubes were shaken to mix the sample and preservative.

At all times the surveyor ensured the sampling equipment avoided risk of contamination by not placing the ladle or pipet on the ground or otherwise contaminated surfaces and by changing gloves between the initial sampling and the pipetting stages of the method.

The equipment was purchased from SureScreen Scientifics and the collected samples were returned to them for qPCR laboratory analysis.

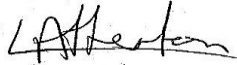
¹ DEFRA, 2014. *Appendix 5: Technical Note for Field and Laboratory Sampling of Great Crested Newt (Triturus Cristatus) Environmental DNA*. Oxford: Freshwater Habitats Trust.

Findings & Guidance

It is confirmed that the GCN eDNA result for the pond off Burnley Road, Loveclough, BB4 8QZ (SD 81001 26990) is **negative** for GCN, refer to **Insert 1**.

I trust this letter satisfies your requirements. Please contact me if you have any queries.

Yours sincerely,



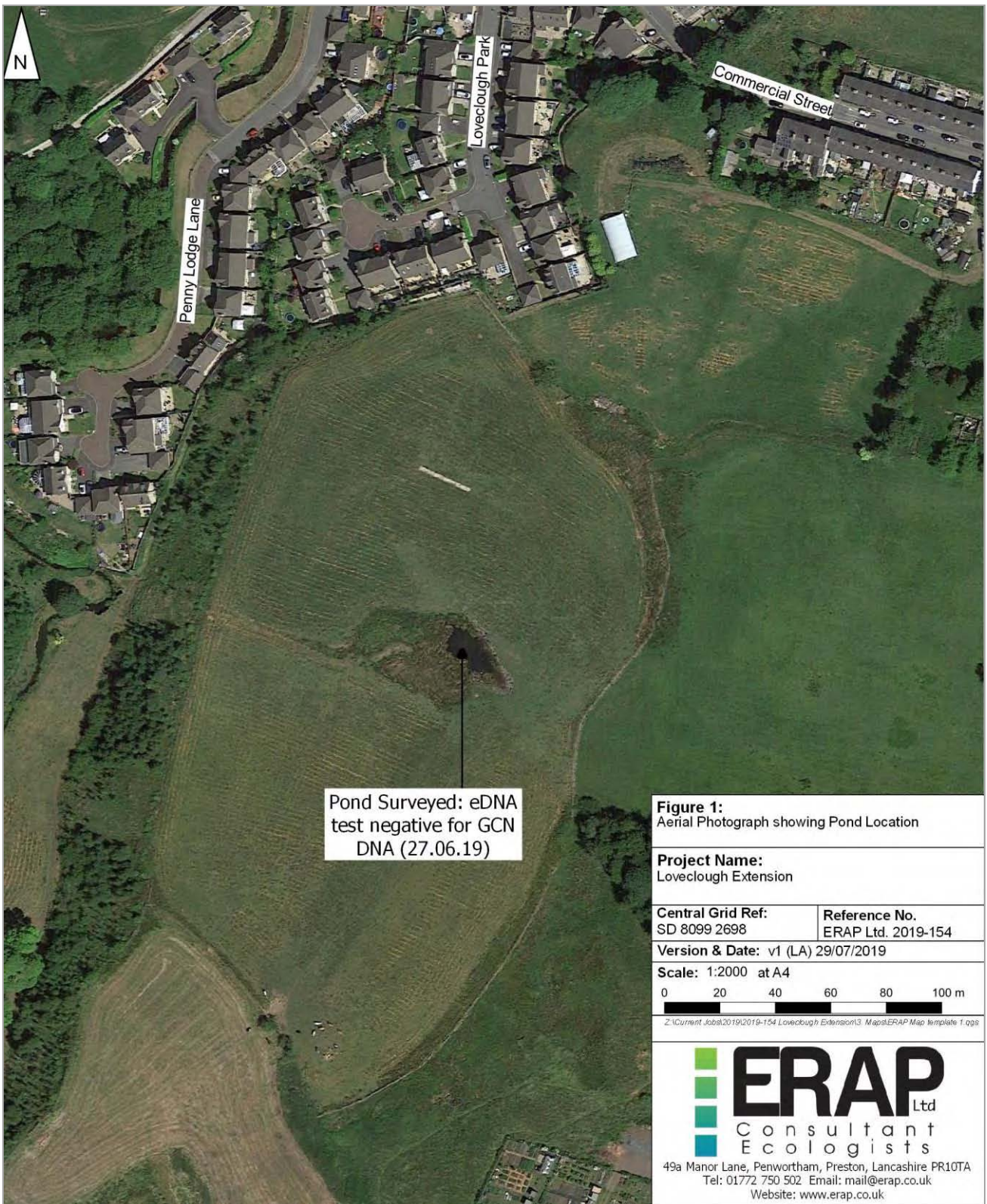
Luke Atherton B.Sc. (Hons) M.Sc.
Graduate Ecologist

Enc.

Figure 1: Aerial Photograph showing Pond Location

Insert 1: eDNA Technical Report provided by SureScreen Scientifics

Figure 1: Aerial Photograph showing Pond Location



Insert 2: eDNA Technical Report



Folio No: E5985
Report No: 1
Order No: 2019-154
Client: ERAP LTD
Contact: Luke Atherton
Contact Details: luke.atherton@erap.co.uk
Date: 18/07/2019

TECHNICAL REPORT

ANALYSIS OF ENVIRONMENTAL DNA IN POND WATER FOR THE DETECTION OF GREAT CRESTED NEWTS

Date sample received at Laboratory: 05/07/2019
Date Reported: 18/07/2019
Matters Affecting Results: None

RESULTS

Lab Sample No.	Site Name	O/S Reference	SIC	DC	IC	Result	Positive Replicates
4027	Love Clough Extension	SD 8099 2698	Pass	Pass	Pass	Negative	0

SUMMARY

When Great Crested Newts (GCN); Triturus cristatus inhabit a pond, they deposit traces of their DNA in the water as evidence of their presence. By sampling the water, we can analyse these small environmental DNA (eDNA) traces to confirm GCN habitation, or establish GCN absence.

The water samples detailed below were submitted for eDNA analysis to the protocol stated in DEFRA WC1067 (Latest Amendments). Details on the sample submission form were used as the unique sample identity.

RESULTS INTERPRETATION

Lab Sample No.- When a kit is made it is given a unique sample number. When the pond samples have been taken and the kit has been received back in to the laboratory, this sample number is tracked throughout the laboratory.

Site Name- Information on the pond.

Forensic Scientists and Consultant Engineers
SureScreen Scientifics Division Ltd, Morley Retreat, Church Lane, Morley, Derbyshire, DE7 6DE
UK Tel: +44 (0)1332 292003 Email: scientific@surescreen.com
Company Registration No. 08950940

O/S Reference - Location/co-ordinates of pond.

SIC- Sample Integrity Check. Refers to quality of packaging, absence of tube leakage, suitability of sample (not too much mud or weed etc.) and absence of any factors that could potentially lead to results errors. Inspection upon receipt of sample at the laboratory. To check if the Sample is of adequate integrity when received. Pass or Fail.

DC- Degradation Check. Analysis of the spiked DNA marker to see if there has been degradation of the kit since made in the laboratory to sampling to analysis. Pass or Fail.

IC- Inhibition Check- PCR inhibitors can cause false results. Inhibitors are analysed to check the quality of the result. Every effort is made to clean the sample pre-analysis however some inhibitors cannot be extracted. An unacceptable inhibition check will cause an indeterminate sample and must be sampled again.

Result- NEGATIVE means that GCN eDNA was not detected or is below the threshold detection level and the test result should be considered as no evidence of GCN presence. POSITIVE means that GCN eDNA was found at or above the threshold level and the presence of GCN at this location at the time of sampling or in the recent past is confirmed. Positive or Negative.

Positive Replicates- To generate the results all of the tubes from each pond are combined to produce one eDNA extract. Then twelve separate analyses are undertaken. If one or more of these analyses are positive the pond is declared positive for the presence of GCN. It may be assumed that small fractions of positive analyses suggest low level presence but this cannot currently be used for population studies. In accordance with Natural England protocol, even a score of 1/12 is declared positive.

METHODOLOGY

The laboratory testing adheres to strict guidelines laid down in WC1067 Analytical and Methodological Development for Improved Surveillance of The Great Crested Newt, Version 1.1

The analysis is conducted in two phases. The sample first goes through an extraction process where all six tubes are pooled together to acquire as much eDNA as possible. The pooled sample is then tested via real time PCR (also called q-PCR). This process amplifies select part of DNA allowing it to be detected and measured in 'real time' as the analytical process develops. qPCR combines PCR amplification and detection into a single step. This eliminates the need to detect products using gel electrophoresis. With qPCR, fluorescent dyes specific to the target sequence are used to label PCR products during thermal cycling. The accumulation of fluorescent signals during the exponential phase of the reaction is measured for fast and objective data analysis. The point at which amplification begins (the Ct value) is an indicator of the quality of the sample. True positive controls, negatives and blanks as well as spiked synthetic DNA are included in every analysis and these have to be correct before any result is declared so they act as additional quality control measures.

The primers used in this process are specific to a part of mitochondrial DNA only found in GCN ensuring no DNA from other species present in the water is amplified. The unique sequence appropriate for GCN analysis is quoted in DEFRA WC 1067 and means there should be no detection of closely related species. We have tested our system exhaustively to ensure this is the case in our laboratory. We can offer eDNA analysis for most other species including other newts.

Analysis of eDNA requires scrupulous attention to detail to prevent risk of contamination. Kits are manufactured by SureScreen Scientifics to strict quality procedures in a separate building and with separate staff, adopting best practice from WC1067 and WC1067 Appendix 5. Kits contain a 'spiked' DNA marker used as a quality control tracer (SureScreen patent pending) to ensure any DNA contained in the sampled water has not deteriorated in transit. Stages of the DNA analysis are also conducted in different buildings at our premises for added security.

SureScreen Scientifics Ltd also participate in Natural England's proficiency testing scheme and we also carry out inter-laboratory

checks on accuracy of results as part of our quality procedures.

Reported by: Chris Troth

Approved by: Sarah Evans

End Of Report

Dear Sir/Madam,

It is pleasing that RBC feels the need to include the provision of a 'bond' as part of any conditions lodged for any planning application for such developments, to cover the necessary de-commissioning when they become obsolete and/or when the Council imposes a life time guaranteed for such . The latter condition is by far the most preferable, once it has been made legal.

This is something we discussed at Public consultation regarding the expansion of Scout Moor Wind Farm and is long overdue.

I think that RBC would have to word the drafted document much more professionally and much more legally, as the document/draft I read seemed quite basic and not at all water tight or legally binding.

I believe that RBC must build in a much stronger financial bond security such that whatever happens to ownership or bankruptcy RBC can deploy the bond to remove the turbines and their bases and the surrounding service roads and 'make good'.

Regards, Stuart Davies.

REDACTED

01/12/2020

Dear Sir,

There are two proposals in the Rossendale Borough Council Draft Local Plan (2019-2034) which could directly affect the residents of Hillside Crescent, and indirectly, the rest of the residents of Weir:

Site identified on the map as HS2.8 (ref. SHLAA16070) is a proposal that 52 houses could be built on land to the south of the Weir Hotel. This will directly affect those of us living on the south side of the Crescent, but will close the last open field space, on the west side of Burnley Road, that separates Weir village from the development spreading up from Bacup, and putting further pressure on already poor infrastructure, so may indirectly affect the whole village.

Site identified of the map as HS2.9 (ref. SHLAA16071) is a proposal that 14 houses could be built on land to the west of Burnley Road, Weir. This is actually behind the property at the end of the Crescent and may on the face of it not seem to affect Hillside Crescent, but the detail given in Appendix E of the Draft Plan says, concerning vehicular access:

Poor access off Burnley Road via Deer Street that would need to be improved. Poor access via a narrow lane leading to no. 4 Doals House. Possible access from Hill Side Crescent subject to ransom strip.

As those living here know all too well, exiting Hillside Crescent involves edging forward to be able to see if it is safe to go, with the view to the left being particularly restricted. How they can think this is the best option for possibly 28-42 more vehicles is beyond belief. We therefore have the possibility that at a future date, traffic from 14 more houses will be using the Crescent (2/3 parking spaces per house, depending on number of bedrooms). This is of course additional to all the residents of Burnley Road that use the Crescent as a car park.

The fact that these houses, if they were built, would be closer to Northern Primary School than those at the northern end of the village, like The Moorlands, would take priority for school place allocation at Reception level and would result in the prospect of parents from the Moorlands, having not been allocated a place at Northern, having to drive past it to deliver their children to a Bacup school.

The documents on the portal note that:

“The main locations of Green Belt in the Borough are in the following places: Around Rising Bridge. This overlaps with Green Belt with Hyndburn Borough Council"Times New Roman";mso-char-type:symbol;mso-symbol-font-family:Symbol">· and is intended to prevent the merging of Rising Bridge with the settlement of Baxenden. Between Rawtenstall and Haslingden. The Green Belt in this area is intended to prevent"Times New Roman";mso-char-type:symbol;mso-symbol-font-family:Symbol">· the merging of the two settlements with the gap between them being narrow at this point. In the south west of the Borough, adjoining the Greater Manchester Green Belt withinmso-char-type:symbol;mso-symbol-font-family:Symbol">· Bury. As well as protecting the identity of small settlements such as Irwell

Vale and Chatterton, the Green Belt in this location helps to prevent settlements such as Edenfield and Stubbins from merging with Ramsbottom. Between Waterfoot and Stacksteads. This is a small, isolated area of Green Belt that keeps an area of open land between the two settlements, particularly in the area known as the Glen. Land around Britannia, Facit, Shawforth and Whitworth. The Green Belt in this location helps to prevent any further merging of these ribbon settlements and adjoins the Greater Manchester Green Belt in Rochdale.”

I believe this just proves my point that small communities need to retain their separate identity and all the residents of Weir I have spoken to do not wish to become part of “Greater Bacup”, but for the village to retain its own identity.

Yours faithfully,

Chris Dance

----- Original Message -----

From: **REDACTED**

To: forwardplanning@rossendalebc.giv.uk

Sent: Tuesday, 1 Dec, 20 At 23:59

Subject: Local Plan Weir

Dear Sir

Thank you for your recent letter updating me on the Local Plan.

Having objected last time to the inclusion of the field behind Hillside Crescent to be put inside the urban boundary to whom may we address our concerns once more?

There has been fierce objections to a recent planning application on that field for further development and it has been turned down twice after objections from both residents and Lancashire Highways on safety grounds.

The A671 is a notorious blackspot and the plan to build more houses to access it is ridiculous.

Weir has no infrastructure to meet these housing demands and the village school is full.

More houses at this end of the village would mean children at the top of the village would have to go to school in Bacup as Hillside Crescent area is closer to the school.

Further to this I see more houses are planned for fields at the top of Hillside Crescent and would use the access at the bottom of Hillside Crescent. May we request that Lancs Highways come to assess this access out onto the A671. It is lethal.

There are always cars parked either side..the access is blind on the left as one side of the terraces stick out into the road...the left going out further than the right. It is impossible to see oncoming traffic coming from Burnley until you turn out.

Please can you tell me what justifies extending the urban boundary to include the fields south and west of the Weir Hotel?

It has already been noted that one field ..valued at £12000 was sold for £138000.

Was this speculation?

The owner of the second field has always maintained her own field is worth a million pounds!

An agricultural surveyor has valued it at £12000!

It looks as though the villagers are going to be the losers here if this goes ahead and there are going to be some big winners.

What stage are these Local Plans at please?

Kindest Regards,

Patricia

Sent from my Galaxy

----- Original message -----

From: Rob Aindow **REDACTED**

Date: 02/12/2020 09:12 (GMT+00:00)

To: **REDACTED**

Subject: The Holme - Planning re-categorisation

Hello,

I understand from literature I have seen there is an indication the council are looking to redesignate the classification of land either side of River Irwell from Hardman Mill to the bridge at Townsend Fold. My understanding is this is to potentially open this land for industrial development.

We would like to put forward our objection to this happening. The basis for this is:

- This land is a haven for wildlife, peregrine falcons utilise this area, deer, the kingfisher, numerous insects and small mammals. Redesignation would de-home these species.
- The area is used by various members of the public for exercise and relaxation. This would put in danger open spaces which are utilised regularly for physical and mental wellbeing.
- Access to the area between the river and East Lancs railway, if developed, would exacerbate traffic control issues on Holme Lane. The road already has many HGV and delivery vehicles using this which cause issues on Bury Road. There have been numerous issues with damage to vehicles and property as lorries disobey no right/left turn signage to access the existing industrial units.
- The latest development next to the Riverside Health club has caused flooding issues after rain fall on the footpath by the river due to drainage damage etc.. This makes this unusable at times. Additionally existing footpaths have out of use for months. If development continued on this side of The Holme, it would only continue this and potentially increase the issues.

Thank you for taking time to read these concerns and opinions.

Mr and Mrs R Aindow

REDACTED

Sent from my Xperia X Compact on O2

Phone: **REDACTED**
Fax:
Email: Schoolplanning@lancashire.gov.uk

Your ref:
Our ref: MS/AC
Date: 02/12/2020

Dear Sir/Madam

Lancashire CC School Planning Team has received information from Rossendale BC requesting a response to the council's Sustainability Appraisal (SA) report that will be used to inform Examination of the Local Plan 2019 – 2034.

The School Planning Team request you take the following as their response.

Education Strategy

Section 14 of the Education Act 1996 dictates that Lancashire County Council's statutory obligation is to ensure that every child living in Lancashire is able to access a mainstream school place in Lancashire. The [School Place Provision Strategy](#) provides the context and policy for school place provision and schools capital strategy in Lancashire. Over the coming years, Lancashire County Council and local authority partners will need to address a range of issues around school organisation in order to maintain a coherent system that is fit for purpose, stable, and delivering the best possible outcomes for children and young people.

Pressure for additional school places can be created by an increase in the birth rate, new housing developments, greater inward migration and parental choice of one school over another. If local schools are unable to meet the demand of a new development there is the potential to have an adverse impact on the infrastructure of its local community, with children having to travel greater distances to access a school place.

The School Planning Team produces an [Education Contribution Methodology document](#) which outlines the Lancashire County Council methodology for assessing the likely impact of new housing developments on school places, where necessary mitigating the impact, by securing education contributions from developers.

The Department of Education has produced new guidance updated November 2019

Non-statutory guidance for local authorities planning for education to support housing growth and seeking associated developer contributions, November 2019.

This guidance and its purpose enables the local authority with the education responsibility to evidence the need and demand of school places new housing development will have on community infrastructure, including education

The evidence supplied through the planning process will identify the impact, and set out the mechanisms for securing developer contributions required to mitigate their impact.

The guidance promotes good practice on pupil yield evidence, engagement with local planning authorities and the delivery of expanded or new schools with funding from housing development.

Further information and details regarding the new guidance can be found by using the link <https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth>

In order to assess the impact of a development the School Planning Team consider demand for places against the capacity of primary schools within 2 miles and secondary schools within 3 miles. These distances are in line with DfE travel to school guidance and Lancashire County Councils Home to School Transport Policy.

Planning obligations will be sought for education places where Lancashire primary schools within 2 miles and/or Lancashire secondary schools within 3 miles of the development are:

- Already over-subscribed,
- Projected to become over-subscribed within 5 years, or
- A development results in demand for a school site to be provided.

Please be aware the Education Contribution Methodology document only seeks to achieve contributions for primary and secondary age pupils. Although Early Years and Specialist Education Needs and Disabilities (SEND) may share the same sites and facilities with mainstream pupils the mechanisms for claiming contributions are dealt with separately.

Please note the School Place Provision Strategy is currently under review and the Education Contribution Methodology received Cabinet approval in September 2020. Alongside the mainstream education reviews the SEND Provision Strategy received Cabinet approval in October 2020.

Response

The SA was reviewed the document and only offer comments that concern the provision of education across the district. The document also sets out an additional 46 new sites put forward that will undergo the SA.

Section 2.7 General Assumptions and Limitations

Point 2.7.5 Distances

Distances to facilities when assessing new developments are considered and measured as the crow flies using various on line tools such as GIS and Google Maps.

It should be noted that LCC assess new development based on Department of Education guidelines of travel to schools. We are not able to offer advice on the most suitable route

taken to travel to a school knowing that residents and parents will have detailed knowledge of the area which may take options not considered safe or suitable. We accept that natural barriers occur when using a straight line, such as river crossings and discuss the distance and route taken with the planning department prior to assessment.

Table 2.4 of the document sets out a target distance in metres from amenities, this includes 800m for primary and 1500m for secondary. The DfE guidance used to assess a development takes in to consideration 2 miles or 3218 metres for primary schools and 3 miles or 4828 metres for secondary schools as acceptable distances from a new development to a school or group of schools within a planning area. For further information on the guidance, please refer to the Education Methodology link above.

Additional Sites

The SA looks at an additional 46 sites put forward for review. Contained in the assessment for each site it names a specific school that is located close to the named development. In all cases it states that the school is the most convenient to admit pupils generated from the development.

The School Planning Team would like it to be noted that the consultants did not engage with us prior to producing their report to the council and had no input to inform the report as to the capacity or status of each school as a viable solution. It should be noted that any additional sites will be subjected to the housing assessment carried out for all developments against capacity of schools within a catchment of a development. A single school will not be the obvious choice based on location and distance from the proposed site. For further information how we assess development, the updated should be reviewed

[Education Contribution Methodology document](#)

Any named school against any of the additional 46 sites may have limitations of its capacity, current admissions policy and education standards through inspection by OFSTED. It should not be taken for granted a school is capable of admitting additional pupils.

It is appreciated that this document has taken an overview for SA on behalf of the council. For some time the School Planning Team has worked in close partnership with the LPA to bring forward their Local Plan and Infrastructure Delivery Plan IDP. We remain committed and continue to offer advice and support to the planning department and would appreciate earlier input and inclusion to any future assessment work around sustainability and the inclusion of the education provision across the district.

Yours Sincerely

School Planning Team

Asset Management

From: Sarah Goggins [REDACTED]
Sent: 30 November 2020 21:44
To: Planning
Subject: Planning to build off Gordon Street

We fiercely object to your proposal of building on the fields behind Gordon Street and the area of Blackthorn farm. We have lived on Gordon street for over 20 years and were told when we bought the house that the land was green belt and would never be built on. The land itself is not fit for purpose as it is extremely boggy and regularly floods

There are also old mines below.

In addition to the field, the idea of having lorries and work vehicles driving up and down all the time is just not acceptable. There is a children's park on the street and a school and nursery round the corner. There is already alot of traffic using a small road.

I really hope that you take these objections into consideration.

Sarah and John Goggins

[REDACTED]

Forward Planning
Business Centre
Futures Park
Bacup
OL13 OBB

I enclose a copy of the proposed development of land of Cowtoot Lane, Bacup .
I see the local plan is to build 84 new houses on the green-field site at the top of GordonRoad.
As a local resident I wish to vote most strongly against this development.
I know Greensnook Lane is some distance from the proposed site, but it will be inundated with the extra traffic. The traffic on Greensnook has increased by about 30% since houses have been built on the greenfield site at the top of Carlton Street , in-spite of massive objections by local residents. The roads or should I say streets around the area are narrow with parked cars on one or both sides. We have the traffic to and from the cricket club, we have the school traffic in both directions along these streets. Besides all this we have the children's play area on Gordon Street.
As a neighbour of mine said ,wait until it snows.
The whole scheme is crazy, like a lot of the proposed building schemes in the Valley.

Yours truly

James A Attwood

REDACTED

United Utilities Water Limited
Developer Services and Metering
2nd Floor Grasmere House

Lingley Green Avenue
Great Sankey
Warrington WA5 3LP

Telephone **REDACTED**

unitedutilities.com

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

Date 7 December 2020



Lingley Mere

Emailed to: forwardplanning@rossendalebc.gov.uk

Dear Sir/Madam

Rossendale Local Plan – Consultation on Examination Library 8 (First Tranche)

Further to the Local Plan Examination hearing sessions and our recent correspondence to address matters raised by the Inspector, we welcome the opportunity to provide additional comments on the above.

We welcome and strongly support the proposed release of land at Cown (site H69) from the Green Belt and the proposed housing allocation. We note the comments in EL8.008.6 Action 8.6 - Evidence for Green Belt Parcels Recommended for Release and in particular the next steps which refers to action 13.2. We have provided further information regarding this matter set out in our letter dated 15 April 2020 and we note the reference to these comments in EL8.008.2 Action 8.2 - Update on Flood Risk.

With regard to EL8.008.10 Action 8.10 Compensatory Measures for Green Belt Release, and in particular reference to site H69, it is important to note that any proposed compensatory measures which fall within 3rd party ownership may be difficult to deliver. Given United Utilities' wider land ownership in the area immediately surrounding site H69 we request that any compensatory measures proposed should be focused within this land ownership. Compensatory measures should be proportionate to the development proposed, viable and located in areas to ensure that land ownership constraints do not impact upon delivery.

We trust that the above comments will be taken into consideration in the ongoing preparation of the Local Plan. If you have any queries on the matters set out above then please do not hesitate to contact me.

Yours faithfully

Bernadette McQuillan
Planning Manager
United Utilities Water Limited

United Utilities Water Limited

Registered in England & Wales No. 23Registered Office: Haweswater House, 66678

Lingley Mere Business Park, Lingley Green
Avenue, Great Sankey, Warrington, WA5 3LP

Table Showing Summary of Key Issues Raised
from Responses Received

Comment Reference	Name	Key issues raised
1	Gary Cunliffe	Ecology, flood risk, topography, highways safety
2	Highways England	No comment
3	L Meigh	Ecology, flood risk, highways safety, impact on services, Whaley Bridge incident
4	Suzanne Howarth	Green belt, flood risk, tourism, footpath, health & wellbeing
5	Ken Howieson	Wishes for his land to be included in the assessment of resonable alternative sites
6	Debbie Jordan	Ecology, footpath, health & wellbeing
7	Karen Dixon	Ecology, footpath
8	Elaine & Darren Ozard	Ecology, footpath, highways safety, develop brownfield sites first, tourism
9	Aldyth & Bill Kitchin	Ecology, footpath
10	Ann Doyle-Nicholls	Footpath, greenbelt
11	Claire Banfield	Ecology, footpath, health & wellbeing
12	Jacquie Butler	Ecology, footpath
13	Gaynor Lawson	Footpath
14	David Evans	Ecology, footpath, green belt
15	Steve Entwistle	Ecology, footpath
16	Stacey Dixon	Ecology, footpath, house prices, railway
17	Michael Johnson	Highways safety, green belt, health & wellbeing, flood risk
18	David & Debbie Barlow	Whaley Bridge, green belt, ecology, highways safety, impact on services
19	Greg Fitchett	Ecology, light, air and sound pollution, health & wellbeing, lack of employment opportunities
20	Caroline & Peter Holt	Green belt, footpath, highways safety, ecology, flood risk, bridge
21	Steve Holt	Green belt, footpath, highways safety, ecology, flood risk, bridge
22	Stephanie Joesbury	Green belt, footpath
23	Olli Parkinson	Ecology, views from East Lancashire Railway, river pollution
24	James Ellis	Ecology, green belt
25	Christopher Cadogan	Footpath, health & wellbeing
26	Jan Dodgeon	Removal of Japanese Knotweed, Himalayan Balsam
27	Kathryn Jones	Removal of Japanese Knotweed, Himalayan Balsam, railway
28	Dr Saj Azfar	Green belt, footpath, highways safety, ecology, flood risk, bridge
29	Anne Bostock	Green belt, footpath
30	Anita Heyworth	Subsidence, flood risk, traffic
31	Keyley Dermody	Highways safety, school children

32	Sheila & Matt Goodwin	Highways safety, school children, flood risk
33	Jeremy Schofield	Highways safety
34	Alan & Sylvia Nutall	Green belt, lack of employment opportunities, health & wellbeing
35	Judith Lord	Suggestion for housing instead
36	Paul Nixon	Highways safety, school children, land quality
37	Julie Harding	Affordable housing, highways safety, flood risk
38	Clare Round	Highways safety, ecology, health & wellbeing
39	Julie Woodrup	Footpath, ecology
40	Sandra & Tom Navesey	Highways safety, flood risk, suggestion for bungalows
41	Ardelia Burke	Highways safety, school children
42	Historic England	No comment
43	Mark Hannan	Ecology, highways safety, density, flooding, suggestion for bungalows
44	Clair & Andy Walsh	Highways safety
45	Sue Styles	Highways safety, lack of public transport, density, flood risk
46	MCI Developments	Site allocation boundary should be modified, net developable area and site capacity should be increased (55 - 60 units +)
47	CR & Elaine McGinley	Ecology, highways safety, lack of public transport, impact on services, flood risk, light & noise pollution, privacy, school children
48	Yvonne Peach	Ecology, impact on services, noise, light & air pollution, highways safety, school children
49	Bev Cook & B Hoyle	Gas pipe, sewer, water overflow container, pylons, flood risk, ecology, noise pollution, ownership of the square at the Holme, access
50	Clare Atherton	Health & wellbeing
51	Celia Thomas & Jerry Dodd	Footpaths, highways safety, density, suggestion for bungalows
52	Sally McAdam	Ecology, footpath
53	Linda & Harry Dutton	Coal seams/ mineshaft, flood risk, TPO, dry stone wall
54	Alan Heyworth	Highways safety, school children
55	Pat Cadogan	Health & wellbeing, footpath, ecology
56	Edna Crowther	Highways safety, school children, impact on services, footpath, ecology
57	Sharon Simcock	Views from ELR, ecology, health & wellbeing
58	Angela Rawson	Density, highways safety, school children, lack of public transport, ecology
59	Lynn Cavanagh	Ecology, density, suggestion for bungalows, highways safety, flood risk
60	Kyle Hewitt	Footpath, health & wellbeing, ecology, greenbelt, climate change
61	Brian Walsh	Greenbelt, ecology, footpath
62	Judith Fletcher	Footpath, ecology
63	Joanne Starbuck Ashton & Francois Kinowski	Ecology, suggestion for bungalows, highways safety, school children, density, flood risk

64	Gianmarco Gratino	Footpath, health & wellbeing, ecology, greenbelt
65	John Howat	Green belt, tourism, ecology, suggestion for camping/ caravans, footpath
66	Christine Balshaw	Greenbelt, ecology, highways safety, flood risk, mineshafts
67	Janette Cassidy & Garry Slynn	Highways safety, school children
68	Elizabeth Tighe	Highways safety, ecology, impact on services, flood risk, school children
69	Susan Halliday	Highways safety, impact on services, flood risk, ecology, suggestion for 'Plant for Britain'
70	Martin Yates	Topography, highways safety, unadopted roads, access
71	Charles Ault	Density, type of housing, privacy, noise & light pollution, highways safety, anti-social behaviour, NPPF paragraph 122, NPPF paragraph 127
72	Sport England	Sport England involved in Playing Pitch Strategy as well as Indoor and Built Facilities Strategy, therefore confident documents will be robust
72	Sport England	Playing Pitch Strategy should inform any potential mitigation required for H52. Sport England does not support mixed-use allocation as requested by Planning Agent
73	Home Builders Federation	Not enough evidence on size, location, type and quality of dwellings needed as well as on accessibility and adaptability of existing stock, how the needs vary across housing tenures and viability to propose higher housing standards. Dwellings not built to space standard are more affordable and are needed by customers. Concerned that higher standard will add to viability issues. A transition period should be included if policy is adopted.
74	Mark Frost	Density, highways safety, housing type
75	Trevor Richard	Impact on services, density, flood risk, unaffordable housing, ecology, highways safety
76	Joyce Livesey	Green belt, flood risk, footpath, bridge
77	Michael Shepherd	Structural integrity of home, noise pollution, highways safety, ecology
78	Tony Chilton	Lack of children's playing space, highways safety, noise and air pollution, impact on services
79	Allyson Kyme	Ecology, footpath, health & wellbeing
80	Linda Barker	Light, sound, water & air pollution, health & wellbeing
81	Homes England	No comment
82	Andrew Kyme	Noise pollution, privacy, footpath, health and wellbeing, ecology
83	Lisa & Sean Vincent	Highways safety, flood risk
84	Thomas Hobson	Pump room, underground pipes, storage tanks, highways safety
85	Save Townsend Fold	Greenbelt, ecology, footpath, health & wellbeing, lack of employment opportunities
86	Kathleen Seal	Greenbelt, footpath, health & wellbeing, ecology
87	Christopher Cadogan (duplicate of 25)	
88	David Parkes	Footpath, sculpture trail, ecology, health & wellbeing

89	Pete Ackerley	Ecology, light & sound pollution, flood risk, health & wellbeing, highways safety, density
90	Harold Lord	Highways safety, impact on services
91	CM McDermott	Lack of access, green belt, agricultural tenancy?, footpath degradation, peat erosion, rare ecology, noise pollution
92	Phil Hargreaves	Green belt, footpath, lack of employment opportunities, highways safety
93	Ian & Patricia Boswell	Topography, highways safety, school children, flood risk
94	J Hanson	School children, highways safety
95	Gavin Bridge	Ecology, elevation, highways safety, flood risk
96	Bob Crawford	Ecology, pollution, flood risk, health & wellbeing, climate change
97	Callum Bridge	Elevation, density, highways safety, school children, flood risk, ecology, density
98	Sarah Bridge	Elevation, density, highways safety, school children, flood risk, ecology, suggestion for bungalows, density
99	Helen Cordingley	Green belt, ecology, highways safety, air, noise & light pollution, footpath, health and wellbeing, lack of employment opportunities
100	Gillian Fielding	Post-covid industry assessment?, ecology, suggestion for educational & recreational activities
101	Rosendale Civic Trust	Ecology, health & wellbeing, highways safety, green belt, footpath / Highways safety, ecology, health & wellbeing
102	Will Firth	Green belt, health & wellbeing, flood risk, footpath, suggestion for visitors centre
103	Julie Walton	Highways safety, school children
104	Anne McKown	Clarification over decommission of wind turbines
105	Edenfield Community Neighbourhood Forum (ECNF)	46 sites further assessed in SA were selected using a questionable selection process. 13 of the sites rejected are considered suitable by ECNF. Attempt to reject suitable sites to justify GB release.
105	ECNF	Option E declared best option just because it meets housing target of 3180 dwellings. Table 4.2 has little or no value. Flaws render the SA not fit for purpose. Landscape and cultural objectives for H72 disregarded. Approach for spatial options unscientific and illogical.
105	ECNF	ELR did not assess all existing employment sites (see EL2.066i). Discrepancies between gross and net areas in ELR and Local Plan. Net developable area missing for Futures Park. New EMP72 site added in ELR
105	ECNF	Lindon Park should be allocated due to extant planning permission, together with additional 14 non -GB sites (including Wavell House, Land south of Loveclough Park & Penny Lodge Lane and Land south of Grane Road)
105	ECNF	Horse & Jockey should not form part of H72. Net developable area of H72 is 13.53ha and not as stated by RBC. True density of 23 brownfield allocations is 44 and not 100 as stated by RBC. RBC strategic view to maximise development on GB sites. No exceptional circumstances to release H72 from GB.
105	ECNF	No reference to the parcels making up H72. No information in Chapter 3.
105	ECNF	The GB assessment of the parcels 39, 43 and 44 should be modified. Following modifications the potential harm to release these parcels would be High and not Medium. Staged development of the parcels would not eliminate perception of sprawl. No need to release these parcels. Development would impact on southern gateway to Borough and openness of the land, it would also harm landscape and heritage.

105	ECNF	GB Review does not recommend site for development. Harm to GB is not linked to exceptional circumstances so GB Review and RBC decisions are flawed. SHLAA16273, 16335, 16354 should be added to supply and first 2 should be allocations. Policy HS3 does not include GB Review mitigation proposals. GB release should be small instead of strategic to reduce impact on openness. RBC fails to give number for appropriate GB release for housing. Several rejected sites should be allocated in the Plan including Heritage Arcade in Rawtenstall, Barlow Bottom, Land south of Hollin Lane, Land west of Holcombe Road, Land south of Isle of Man Mill, Wavell House and several sites in Loveclough. Density could be increased on H60. Small site allowance should be 25 instead of 18 dwellings per annum.
105	ECNF	No justification to release GB sites as non-GB sites are suitable for development. No detail about compensatory measures, the how/where/when/what requested by Inspectors. For H72 the compensatory measures are insignificant or irrelevant and lack details (do not comply with para. 138 of NPPF). ECNF was excluded from discussion on this. Objection to the SA 2020 assessment of H72 and Spatial Options.
105	ECNF	No justification for GB release as there is a surplus of housing (extra 2800 dwellings on non-GB sites) and employment land (25.13ha surplus to requirement proposed for allocation). ECNF considers an employment requirement of 10.66ha instead of 27ha. Claim for exceptional circumstances is deficient and RBC have not demonstrated that have explored all other options. RBC claim the number of dwellings on GB land is 467 instead of 511 or 496 if updated. No guarantee that mitigation measures highlighted in Calverton case will be protected. Lack of evidence on justification that density was optimised in town centres and areas well-served by public transport.
105	ECNF	RBC figures for Bacup (30 dwellings) and Halsingden (20 dwellings) are too low. Rawtenstall has 50+ dwellings pending consideration with 10 already approved. 4 main towns should have a minimum of 50 dwellings for conversion and 25 dwellings for new build.
105	ECNF	Support allowance of 10 dwellings per annum for empty properties brought back into use
106	John Newcombe - The Friends of the Moorlands Bury and Rochdale	Clarification over wind turbine decommission (decommissioning bond to be established and secured), increased countryside protection for PROW, avoidance of development over deep peat, extension to Scout Moor unsuitable due to wind farm visual impact, consultation issues on planning applications
107	Nigel Morrell - Norden Area Forum	No acknowledgment of concerns regarding environmental impact of wind developments, no bond in place for Scout Moor to guarantee restoration of site, document does not address environmental nor financial aspects of decommissioning, document need to be redone or amended, a decommissioning fund need to be instated prior to the start of development
108	Hourigan Connolly (B&E Boys)	Want mixed-use allocation for whole site including cricket pitch but support provision of 30 dwellings to western part.
108	Hourigan Connolly (B&E Boys)	Want housing allocation for whole site
108	Hourigan Connolly (B&E Boys)	Site should be allocated for employment as it would be an extension to Riverside Business Park with access provided from existing employment (over the river) and not from Holme Lane bridge.
108	Hourigan Connolly (B&E Boys)	Site not suitable to be retained for employment use: not viable, proposed allocation would not secure investment, not fit for employment use with low rate of tenancy, in need of maintenance

109	Hourigan Connolly (Mr Teague & Mr Skillin)	Exceptional circumstances exist to release GB land and this site should be released. Site is now larger and includes land to the north. Limited GB purpose.
110	Ian Francis	Topography, highways safety, school children, air pollution, density, ecology, health & wellbeing, elevation
111	Alan Rawsterne - Member of Rooley Moor Neighbourhood Forum	Decommissioning bond should be provided at the outset, protect moorlands, peat is valuable carbon storage, extension to Scout Moor not suitable due to visual impact, consultation issues with planning applications
112	Manchester Airport	No comment
113	B Mason	Highways safety
114	Dr Chris Woods	Concerns over flooding in Rossendale with wind farm being built over peat, preservation of peat for carbon storage, no structure should be built on the moorlands, a decommissioning bond should be set up with payment made to the LPA when the application is approved, turbines' bases should be removed during decommissioning
115	Dr. Falmai Binns - Member of Friends of the Moorland for Rossendale, Rochdale and Bury	Support proposal of a bond for any future applications but should be strengthened, removal of turbines' bases should be considered, impossibility to restore to original state, future wind developments should be banned
116	Nigel Dawson	School children, highways safety, loss of football site
117	Hourigan Connolly (Chis Stafford)	Pre-app advice given, planning application to be submitted early next year, site deliverable in next five years
117	Hourigan Connolly (Chis Stafford)	Landowner preparing a Pre-Application Advice submission to Council
118	John McGuinness	Ecology, complicated terminology, highways safety, lack of public transport, climate change
119	Max Derbyshire	Highways safety
120	Turley (Peel L&P)	Incomplete evidence on additional information means consultation is not meaningful, plan period should be extended to 2036/37 to cover 15 years from adoption, additional hearings likely needed to discuss housing requirement
120	Turley (Peel L&P)	How and when a more coherent vision for the Plan will be proposed
120	Turley (Peel L&P)	Clarification that LP has a requirement of 27ha for employment
120	Turley (Peel L&P)	Amend housing requirement to 236 dwellings per annum to align with economic strategy
120	Turley (Peel L&P)	Update Infrastructure Plan considering higher housing requirement with note on how it will be delivered
120	Turley (Peel L&P)	Correct Policies Map to delineate Scout Moor Windfarm as High Moorland Plateau
120	Turley (Peel L&P)	Support addition of 46 sites in assessment
120	Turley (Peel L&P)	Assessment of housing options flawed as objectives relative to employment not considered due to location. However there is clear link between housing and employment growth. Housing option for 236 dpa not tested. Assessment to be undertaken for a LP period up to 2037. SA assessment for Haslam Farm flawed as reason for rejection is that yield is too small.
120	Turley (Peel L&P)	Viability assessment does not justify the policy on housing standards (as assessment keep a high proportion of housing to be delivered as 1/2 bedroom houses). Awaiting updated viability assessment.

120	Turley (Peel L&P)	Land at Kirkhill Avenue and Moorland Rise is deliverable for housing
121	Turley (Peel L&P)	Land at Burnley Road, Edenfield is suitable and development achievable
122	Turley (Peel L&P)	Land at Haslam Farm (including southern parcel) is deliverable for housing and exceptional circumstances exist to release GB sites
122	Turley (Peel L&P)	Chapter 3 not published therefore consultation not meaningful
122	Turley (Peel L&P)	Await publication of Actions 14.1, 14.2 and 14.3
122	Turley (Peel L&P)	Measures are appropriate and achievable and can be accommodated in masterplan
122	Turley (Peel L&P)	Methodology broadly acceptable but level of GB release required is flawed. Low housing delivery is not a reason to constrain the housing requirement. GB release for school extension at Edenfield not required however support reference to extension in the future to be considered under very special circumstances. Awaiting action 14.3.
123	Turley (Peel L&P)	Object to 20% net gain requirement for all developments (no justification to go above 10%). Lack of viability information so not a meaningful consultation. Support 10% requirement however not needed if set in national legislation.
123	Turley (Peel L&P)	Contradictory requirement on when to provide info about decommissioning and dual role of suitably qualified person (reference to Planning Monitoring Officer). Need should be to restore ground (without to its former condition in case it was degraded peat). Details of restoration plan cannot be submitted at planning application as best practice can evolve in 25 years, it should just be an outline.
123	Turley (Peel L&P)	Support that no allowance should be made in housing land supply for bringing empty homes back into use
121	Heather Metcalf	Footpath, football pitch, health and wellbeing, school children, impact on services, highways safety
122	Pegasus (Taylor Wimpey)	Support assessment of reasonable alternatives. No comment on SA assessment but reserve right to comment later on growth strategy of the Plan
122	Pegasus (Taylor Wimpey)	Not enough information on size, location, type and quality of dwellings needed. Ask for clarification and further information to justify policy HS8. Also need further viability assessment. Sample size of 51 dwellings not appropriate to justify internal space standard, further justification is needed. Also a transition period should be provided.
122	Pegasus (Taylor Wimpey)	Support methodology to calculate housing density. How 20% net gain policy and further land required to provide it will impact density?
122	Pegasus (Taylor Wimpey)	Awaiting actions 14.2, 14.3 and 14.4
122	Pegasus (Taylor Wimpey)	No further comment
122	Pegasus (Taylor Wimpey)	Support exceptional circumstances for GB release. Extension of existing school preferred rather than provision of new school. Additional evidence required to determine need for school expansion
122	Pegasus (Taylor Wimpey)	Support biodiversity net gain but not a 20% requirement. Request further clarification on which sites and schemes would be used when applying the BNG policy (especially off-site contributions). BNG can impact on calculation of density for sites.
122	Pegasus (Taylor Wimpey)	Support proposal to draft specific policy which neither relies on maximum nor minimum standard but instead on case by case evidence.
122	Pegasus (Taylor Wimpey)	Little evidence on suitability, availability and achievability of town centre opportunities so should not contribute to housing land supply. Opportunities are likely to be small scale and incorporated into small sites allowance. Be careful that small allowance of 9-12 dwellings per annum is not double-counted with small sites allowance. Support Council approach not to allocate additional town centre dwellings in housing land supply.

122	Pegasus (Taylor Wimpey)	Support Council's approach not to have an allowance for bringing empty homes back into use in housing land supply.
123	Hollins Strategic Land	Spatial Options: LP should focus growth on higher value market area such as Loveclough which will not necessitate GB release
123	Hollins Strategic Land	Extension to H13 should be allocated in the Plan
123	Hollins Strategic Land	Not enough evidence provided that Exception Test has been passed for all sites
123	Hollins Strategic Land	Some non GB countryside sites are available for development (e.g. extension to H13 and other sites in Loveclough/Goodshaw) and therefore exceptional circumstances are not demonstrated for all GB release
124	Stuart Davies	Document needs to be more legally robust
125	Christopher Dance	Highways safety, impact on services, ecology
126	Patricia Dance	Highways safety, impact on services
127	Mr & Mrs Aindow	Ecology, highways safety, footpath, health & wellbeing, flood risk
128	LCC Education	DfE considers 2 miles (3,218 metres distance for primary schools and 3 miles (4,828 m) distance for secondary schools as acceptable. SA used 800m for primary schools and 1500m for secondary schools. The assessment names specific schools and states the closest to sites are the most convenient, but this is not based on LCC comment or status of schools. Reference to LCC Education Contribution Methodology document. Would like earlier input into future sustainability assessment and education provision across the district.
129	Sarah & John Goggins	Flood risk, mineshafts, highways safety, school children
130	James Attwood (LATE)	Highways safety, school children
132	United Utilities (LATE)	Green Belt compensatory measures should be focussed on United Utilities land, proportionate to development and viable