

Local Plan – Regulation 24
Second Tranche Consultation on Examination Library 8
Responses Received
Part G of H – Responses 1 to 183



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Table Showing Actions, Policies & Allocations Addressed in Responses

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Comment Reference	Page Number	Name	Status	Action Reference	Site Allocation or Policy Reference	Objection / Support
T2 - 1	10	Gail Kershaw	Resident	9.2	H7	Objection
T2 - 2	11	Colin Hill	Statutory Consultee	4.1	Tooters Quarry	N/A
T2 - 3	12	Highways England	Landowner / Developer / Planning Agent	15.6	NE1	N/A
T2 - 4	13	Equality and Human Rights Commission	Statutory Consultee	N/A	N/A	N/A
T2 - 5	14	Sharon Simcock	Resident	6.1	N/A	N/A
T2 - 6	17	CM McDermott	Resident	13.2	H69	Objection
T2 - 7	19	John Newcombe	Statutory Consultee	16.2	ENV6	N/A
T2 - 8	22	Anthony Greenwood	Landowner / Developer / Planning Agent	8.9	NE4	N/A
T2 - 9	23	L & M Wilson	Resident	19.5	H39	Objection
T2 - 10	24	Caroline Holt	Resident	15.9	NE4	Objection
T2 - 11	28	Natural England	Statutory Consultee	N/A	N/A	N/A
T2 - 12	29	Tom Winstanley	Resident	10.7	H39	Objection
T2 - 13	30	Jeremy Dodd & Celia Thomas	Resident	10.7	H39	Objection
T2 - 14	31	Shelia & Matt Goodwin	Resident	10.7	H39	Objection
T2 - 15	33	Jade	Resident	10.7	H39	Objection
T2 - 16	34	Chantelle Jeziorski	Resident	10.7	H39	Objection
T2 - 17	35	Roman Jeziorski	Resident	10.7	H39	Objection
T2 - 18	36	Nicholas Cousins	Resident	10.7	H39	Objection
T2 - 19	39	Alan Heyworth	Resident	10.7	H39	Objection
T2 - 20	41	Yvonne Peach	Resident	10.7	H39	Objection
T2 - 21	42	Peter & Kay Livesey	Resident	10.7	H39	Objection
T2 - 22	43	J Egan	Resident	10	N/A	Objection
T2 - 23	44	Kris Archer	Resident	10.7	H39	Objection

T2 - 24	45	Rachel Coaker	Landowner / Developer / Planning Agent	N/A	N/A	N/A
T2 - 25	46	Sharon Simcock	Resident	12.1	H59	Objection
T2 - 26	47	Dr Falmai Binns	Resident	16.2	ENV6	N/A
T2 - 27	48	Peter Martin	Resident	10.7	H39	Objection
T2 - 28	49	Lynn Cavanagh	Resident	10.7	H39	Objection
T2 - 29	50	Shareene Wright	Resident	10.7	H39	Objection
T2 - 30	51	Carlo Latronico	Resident	9.1	H5	Objection
T2 - 31	52	Sandra Navesey	Resident	10.7	H39	Objection
T2 - 32	53	Peter Riley	Resident	10.7	H39	Objection
T2 - 33	54	Edna Crowther	Resident	10.7	H39	Objection
T2 - 34	55	Hourigan Connolly (Mr Teague & Mr Skillin)	Landowner / Developer / Planning Agent	8.1 and 8.7 / 8.12	SHLAA16268 - Land at Elm Street	Objection
T2 - 35	71	Homes England	Statutory Consultee	N/A	N/A	N/A
T2 - 36	72	Hourigan Connolly	Landowner / Developer / Planning Agent	10.8	H40	Support
T2 - 37	73	David Graham	Resident	9.1	H5	Objection
T2 - 38	75	Dorothy Graham	Resident	9.1	H5	Objection
T2 - 39	76	John Atherton & Lynne Lomax	Resident	10.8	H40	Objection
T2 - 40	105	Grane Residents' Association	Statutory Consultee	16.1	H47, ENV5	Objection
T2 - 41	126	Marie-Louise Charlton	Resident	16.1	H47, ENV5	Objection
T2 - 42	130	Paul & Alison Nixon	Resident	10.7	H39	Objection
T2 - 43	131	Trevor Pritchard	Resident	10.7	H39	Objection
T2 - 44	132	CR & E McGinley	Resident	10.7	H39	Objection
T2 - 45	133	Suzanne Haworth & Chris Firth	Resident	15.9	NE4	Objection
T2 - 46	136	Sarah & Andrew Hardman	Resident	9.1	H5	Objection
T2 - 47	142	Charles Ault & Beverley Hartley	Resident	10.7	H39	Objection
T2 - 48	145	Elizabeth Tighe	Resident	10.7	H39	Objection
T2 - 49	146	Sport England	Statutory Consultee	4.3	N/A	N/A
T2 - 50	146	Sport England	Statutory Consultee	11.3	H52	Support

T2 - 51	146	Sport England	Statutory Consultee	17.1	N/A	Support
T2 - 52	148	D Burns	Resident	9.1	H5	Objection
T2 - 53	149	Emma Lawson	Resident	10.7	H39	Objection
T2 - 54	150	Lindsay Jayne Humphreys	Resident	10.7	H39	Objection
T2 - 55	152	Valerie Balshaw	Resident	10.7	H39	Objection
T2 - 56	153	Natasha Uttley	Resident	9.1	H5	Objection
T2 - 57	154	Sally Dewhurst	Resident	9.1	H5	Objection
T2 - 58	157	Ian Boucher	Resident	9.1	H5	Objection
T2 - 59	158	Barrie Clinch	Resident	10.7	H39	Objection
T2 - 60	160	Tracey McMahon	Resident	9.1	H5	Objection
T2 - 61	162	Matthew Ramsden	Resident	9.1	H5	Objection
T2 - 62	164	Mr & Mrs G Oates	Resident	9.1	H5	Objection
T2 - 63	165	Barbara Rose	Resident	9.1	H5	Objection
T2 - 64	166	Deborah Brown & Andrew Morris	Resident	9.1	H5	Objection
T2 - 65	167	Beverley Cook	Resident	15.9	NE4	Objection
T2 - 66	169	Christine Smithies	Resident	9.1	H5	Objection
T2 - 67	170	Patricia Simcock	Resident	10.7	H39	Objection
T2 - 68	171	Lindsay Rose	Resident	9.1	H5	Objection
T2 - 69	172	Dean Rose	Resident	9.1	H5	Objection
T2 - 70	173	Elizabeth & John Finn	Resident	9.1	H5	Objection
T2 - 71	175	Chris Higginbotham	Resident	15.9	NE4	Objection
T2 - 72	176	Rajender Singh	Resident	10.7	H39	Objection
T2 - 73	177	Chris Allen	Resident	10.7	H39	Objection
T2 - 74	178	Sally Turner	Resident	9.1	H5	Objection
T2 - 75	184	Chris Turner	Resident	9.1	H5	Objection
T2 - 76	190	Jason Norris	Resident	9.1	H5	Objection
T2 - 77	204	K Abbott	Resident	9.1	H5	Objection
T2 - 78	218	George & Jaimie Weir	Resident	9.1	H5	Objection
T2 - 79	220	Wesley Mort	Resident	9.1	H5	Objection

T2 - 80	221	Sonia Lofthouse	Resident	9.1	H5	Objection
T2 - 81	227	Jonathan Lofthouse	Resident	9.1	H5	Objection
T2 - 82	233	Nina Mort	Resident	9.1	H5	Objection
T2 - 83	234	Jason & Sarah Menzies	Resident	9.1	H5	Objection
T2 - 84	236	Jack Norris	Resident	9.1	H5	Objection
T2 - 85	242	Dorothy Norris	Resident	9.1	H5	Objection
T2 - 86	248	Robert Belshaw	Resident	10.7	H39	Objection
T2 - 87	249	Michael Abbott	Resident	9.1	H5	Objection
T2 - 88	254	Christine Abbott	Resident	9.1	H5	Objection
T2 - 89	259	Jean Howarth	Resident	4.1	Tooters Quarry	Objection
T2 - 90	260	Chris Howarth	Resident	4.1	Tooters Quarry	Objection
T2 - 91	261	Jake Nixon	Resident	10.7	H39	Objection
T2 - 92	262	Steve Holt	Resident	15.9	NE4	Objection
T2 - 93	264	Hive Land & Planning (Anwyl Land)	Landowner / Developer / Planning Agent	2.2, 14.3	H72	
T2 - 94	402	James Cooper	Resident	10.7	H39	Objection
T2 - 95	403	Cllr Margaret Pendlebury	Statutory Consultee	N/A	H74	Objection
T2 - 96	404	Lancashire Badger Group	Statutory Consultee	N/A	N/A	N/A
T2 - 97	415	Emma Anforth	Resident	7.2	N/A	Objection
T2 - 98	417	Anne Makin	Resident	10.7	H39	Objection
T2 - 99	418	David & Janice Walkden	Resident	10.7	H39	Objection
T2 - 100	419	Freda Camps	Resident	10.7	H39	Objection
T2 - 101	420	Harold Lord	Resident	10.7	H39	Objection
T2 - 102	421	Ian & Patricia Jacqueline Boswell	Resident	10.7	H39	Objection
T2 - 103	424	James A Attwood	Resident	10.7	H39	Objection
T2 - 104	427	Janette Cassidy & Gary Slynn	Resident	10.7	H39	Objection
T2 - 105	428	S Cook	Resident	10.7	H39	Objection
T2 - 106	430	Robert & Lorraine Benson	Resident	11.3	H52	Objection
T2 - 107	431	Rachel O'Leary & Mark Chapleo	Resident	4.1	Tooters Quarry	Objection

T2 - 108	432	Historic England	Statutory Consultee	10.8	H40	N/A
T2 - 109	432	Historic England	Statutory Consultee	14.3	H72	N/A
T2 - 110	432	Historic England	Statutory Consultee	15.8	NE3	N/A
T2 - 111	432	Historic England	Statutory Consultee	15.3	M1	N/A
T2 - 112	432	Historic England	Statutory Consultee	9.1	H5	N/A
T2 - 113	432	Historic England	Statutory Consultee	14.4a	H73	N/A
T2 - 114	432	Historic England	Statutory Consultee	20.1	N/A	N/A
T2 - 115	432	Historic England	Statutory Consultee	20.2	N/A	N/A
T2 - 116	436	Darren Hall	Resident	16.1	H74	Objection
T2 - 117	438	Danielle Dunn	Resident	9.1	H5	Objection
T2 - 118	439	Emma Bird	Resident	16.1	H74	Objection
T2 - 119	442	Peter Jacques	Resident	10.7	H39	Objection
T2 - 120	443	J Nicholass	Resident	N/A	H74	Objection
T2 - 121	444	Kirsten Black	Resident	16.1	H74	Objection
T2 - 122	447	Carol Black	Resident	16.1	H74	Objection
T2 - 123	450	Steve Black	Resident	16.1	H74	Objection
T2 - 124	453	Paula Maxwell	Resident	16.1	H74	Objection
T2 - 125	456	Victoria Maltby	Resident	N/A	H74	Objection
T2 - 126	458	Sam McManus	Resident	16.1	H74	Objection
T2 - 127	461	Angela Hardaker	Resident	N/A	H74	Objection
T2 - 128	462	Lisa Postins	Resident	N/A	H74	Objection
T2 - 129	463	Manchester Airport	Statutory Consultee	N/A	N/A	N/A
T2 - 130	464	Caroline Rigby	Resident	16.1	H74	Objection
T2 - 131	467	Bryan Bancroft	Resident	10.7	H39	Objection
T2 - 132	468	Mark Benson-Brown	Resident	4.1	Tooters Quarry	Objection
T2 - 133	469	Anthony Hodbod	Resident	8.2	H74	Objection
T2 - 134	473	Stephen Newton	Resident	9	H4, H5, H13	Objection
T2 - 135	475	Anna Duxbury	Resident	8.1	SHLAA16268	N/A
T2 - 136	476	Mr & Mrs J Horsfall	Resident	8.1	SHLAA16268	N/A

T2 - 137	480	Paul Williams	Resident	8.1	SHLAA16268	N/A
T2 - 138	484	Ian Francis	Resident	20.2	H39	N/A
T2 - 139	486	Shelia Goodwin	Resident	20.2	H39	N/A
T2 - 140	487	Charles Ault & Beverley Hartley	Resident	20.2	H39	N/A
T2 - 141	488	Celia Thomas & Jeremy Dodd	Resident	20.2	H39	N/A
T2 - 142	489	Allan Boon	Resident	20.2	N/A	Objection
T2 - 143	490	Andrew Kyme	Resident	15.9	NE4	Objection
T2 - 144	493	Nicholas Cousins	Resident	20.2	H39	N/A
T2 - 145	495	Janet Boon	Resident	10.6, 10.7, 10.9	H29, H39, H41	Objection
T2 - 146	496	Shelia Newton	Resident	9.1	H5	Objection
T2 - 147	499	Grane Residents' Association	Statutory Consultee	4.3, 8.2, 8.7, 8.8	H74	Objection
T2 - 148	502	Hourigan Connolly (B&E Boys)	Landowner / Developer / Planning Agent	N/A	H32	N/A
T2 - 149	507	Debby Macy	Resident	9.1	H5	Objection
T2 - 150	512	Sarah Goggins	Resident	10.7	H39	Objection
T2 - 151	513	Joanne Starbuck Ashton & Francois Kinowski	Resident	10.7, 20.2	H39	Objection
T2 - 152	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	1.4	N/A	Support
T2 - 153	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	2.2	N/A	Support
T2 - 154	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	4.3	N/A	N/A
T2 - 155	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	6.1	H72	Support
T2 - 156	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	14.1-14.4	H72	Support
T2 - 157	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	17.1	N/A	N/A
T2 - 158	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	19.4	Clod Lane site	

T2 - 159	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	20.1	N/A	Support
T2 - 160	514	Pegasus Group (Taylor Wimpey Ltd)	Landowner / Developer / Planning Agent	20.2	H72, H74	Objection
T2 - 161	585	Gillian Fielding	Resident	15.9	NE4	Objection
T2 - 162	586	Gavin Pilling	Resident	10	N/A	Objection
T2 - 163	587	Marie-Louise Charlton	Resident	N/A	H74	Objection
T2 - 164	591	Pete Ackerley	Resident	10.7	H39	Objection
T2 - 165	593	LCC School Planning Team	Statutory Consultee	1.3	N/A	N/A
T2 - 166	593	LCC School Planning Team	Statutory Consultee	20.2	N/A	N/A
T2 - 167	596	Campaign to Protect Rural England	Statutory Consultee	1.4	N/A	Support
T2 - 168	596	Campaign to Protect Rural England	Statutory Consultee	2.2	N/A	Support
T2 - 169	596	Campaign to Protect Rural England	Statutory Consultee	3	N/A	Objection
T2 - 170	596	Campaign to Protect Rural England	Statutory Consultee	8	N/A	N/A
T2 - 171	596	Campaign to Protect Rural England	Statutory Consultee	9	N/A	N/A
T2 - 172	596	Campaign to Protect Rural England	Statutory Consultee	16	N/A	N/A
T2 - 173	601	Ms Barker	Resident	N/A	N/A	Support
T2 - 174	602	CBRE (United Utilities)	Landowner / Developer / Planning Agent	10.1	H28	Support
T2 - 175	602	CBRE (United Utilities)	Landowner / Developer / Planning Agent	13.2	H69	Support
T2 - 176	609	Rob Wells	Resident	N/A	N/A	N/A
T2 - 177	610	Hollins Strategic Land	Landowner / Developer / Planning Agent	N/A	H13	
T2 - 178	631	Ian Francis	Resident	10.7	H39	Objection
T2 - 179	655	Bacup & Stacksteads Neighbourhood Forum	Statutory Consultee	N/A	N/A	N/A
T2 - 180	656	Hazel Ball	Resident	15.7, 15.8	NE2, NE3	Objection
T2 - 181	657	Phill Rawlins	Resident	N/A	N/A	N/A
T2 - 182	658	Cllr Sue Brennan	Statutory Consultee	4.1, 14	N/A	Objection
T2 - 183	659	Planware Ltd (McDonald's Restaurants Ltd)	Landowner / Developer / Planning Agent	N/A	R5	Objection

T2 - 184	689	Edenfield Community Neighbourhood Forum	Statutory Consultee	4.3	N/A	Objection
T2 - 185	696	Edenfield Community Neighbourhood Forum	Statutory Consultee	5.2	N/A	Objection
T2 - 186	705	Edenfield Community Neighbourhood Forum	Statutory Consultee	6.1	N/A	
T2 - 187	712	Edenfield Community Neighbourhood Forum	Statutory Consultee	7.2	N/A	Objection
T2 - 188	714	Edenfield Community Neighbourhood Forum	Statutory Consultee	14.1-14.4	H70	Support
T2 - 189	714	Edenfield Community Neighbourhood Forum	Statutory Consultee	14.1-14.4	H71	Objection
T2 - 190	714	Edenfield Community Neighbourhood Forum	Statutory Consultee	14.1-14.4	H72	Objection
T2 - 191	714	Edenfield Community Neighbourhood Forum	Statutory Consultee	14.1-14.4	H73	Support
T2 - 192	733	SK Transport Planning (Edenfield Community Neighbourhood Forum)	Landowner / Developer / Planning Agent	14.3	H72	Objection
T2 - 193	818	Edenfield Community Neighbourhood Forum	Statutory Consultee	15.1, 15.2, 15.6-15.10	NE1, NE2, NE3, NE4, NE5	Objection
T2 - 194	823	Edenfield Community Neighbourhood Forum	Statutory Consultee	15.1, 15.3-15.5	M1, M2, M3	Objection
T2 - 195	826	Edenfield Community Neighbourhood Forum	Statutory Consultee	15.1 Appendix E	NE1, NE2, NE5	Objection
T2 - 196	831	Edenfield Community Neighbourhood Forum	Statutory Consultee	19.4	Clod Lane site	Support
T2 - 197	834	Edenfield Community Neighbourhood Forum	Statutory Consultee	19.8	N/A	
T2 - 198	842	Edenfield Community Neighbourhood Forum	Statutory Consultee	20.1	N/A	Objection
T2 - 199	850	Edenfield Community Neighbourhood Forum	Statutory Consultee	EL6.016	N/A	Objection
T2 - 200	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	N/A	N/A	N/A
T2 - 201	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	2.2	N/A	Support
T2 - 202	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	4.3	H47, H72	Support
T2 - 203	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	5.2	N/A	
T2 - 204	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	11.1-11.3	H47	
T2 - 205	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	14.1-14.4	H72	Support

T2 - 206	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	19.4	Clod Lane site	Objection
T2 - 207	855	Turley (Peel L&P)	Landowner / Developer / Planning Agent	20.2	N/A	
T2 - 208	884	K Abbott	Resident	N/A	N/A	Objection
T2 - 209	885	Lancashire Fire & Rescue Service	Statutory Consultee	7.2	N/A	Objection
T2 - 210	897	Hourigan Connolly (B&E Boys)	Landowner / Developer / Planning Agent	11.3	H52	N/A
T2 - 211	898	Mr Dickinson (LATE)	Resident	10	H43, H44, H45	Objection
T2 - 212	900	Arlene Harris (LATE)	Resident	N/A	H74	Objection

To Whom this may concern,

I would like to object to the Rossendale Local Plan in its current form. I am a Chartered Transport Planner living in Loveclough.

The Highway Capacity Study (2018) states that at the Rawtenstall Gyratory, in the morning peak in 2024, on the 'gyratory east approach right left ahead arm' (which I presume is the approach near Blind Tiger, though the quality of the diagram is not great), the maximum queue is 32.4 PCUs without Local Plan development (approximately 181m assuming a PCU length of 5.6m), with Local Plan development it is 59.9 PCUs (approximately 335m). From Google Maps the stacking space appears to be approximately 140m, meaning that this near doubling of the queue would interfere with the next junction causing total gridlock. This is not just an extra 20m on the back of the already significant queue (though that would also block back to the adjacent junction too), it is a near doubling. I consider this a severe impact under the National Planning Policy Framework. The study suggests 'no interventions are required prior to or at 2024', though this evidence suggests that there are given a near doubling of a significant queue and the degree of saturation on the link going from 99.9% without Local Plan development to 106.% with Local Plan development (i.e. exceeding capacity).

What is Lancashire County Council's response to this impact as highway authority? There were several options considered as part of the Capacity Study. What is the status of these? I can see no commitment to funding or any sort of plan for how 2024 (or indeed 2034) impacts are to be mitigated. On this basis, I would consider the Plan unsound on transport grounds and the suggestion that even more housing can be delivered (particularly in Loveclough where there are direct impacts on this arm of the junction) is seriously questionable and there is no evidence base to back it up. What the residents of Rossendale (and future residents from any new development) need is a joined-up approach between Rossendale Borough Council and Lancashire County Council to deliver the infrastructure needed to support Local Plan development, otherwise Rossendale is not going to be a very pleasant place to live in future.

Is Lancashire County Council working up the business case for an improvement to the Rawtenstall Gyratory, as I understand the Government is likely to make 'levelling up' funds available for the North as part of the budget? If so, why isn't this mentioned in the Infrastructure Delivery Plan rather than loose words about ongoing liaison? Given the complete change in travel habits over the past 12 months due to the pandemic, it would also be prudent to re-examine the Local Plan evidence base to see the impacts from working from home, increased walking and cycling, and potentially a move away from public transport due to safety fears. All this needs examining for the people of Rossendale. The transport impacts could be a lot worse than those reported in the Highway Capacity Study as people may have been pushed in to their cars. With the UK hosting COP26 this year, my favoured approach would be for a greater promotion of sustainable transport modes, but again this is not made particularly safe convenient or accessible for the people of Rossendale. I have 3 avid and very able cyclists aged 5, 5 and 8, however I'm not clear of a safe cycle route between my house [REDACTED] and their school ([REDACTED] Rawtenstall).

I hope that this response will be considered in the ongoing work on the Local Plan.

Yours sincerely,

Emma Anforth

EMMA ANFORTH
Associate
SYSTRA Ltd, 100 Wellington Street, Leeds, LS1 1BA



Website: www.systra.co.uk



https://twitter.com/SYSTRA_LTD
www.linkedin.com/company/36421

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Rosendale Borough Council
Business Centre/ Futures Park
BACUP OL13 0BB

Mrs A Makin



Dear Sirs

Re: Comments concerning Action 10.7, Site 39,
Proposed Cowfoot Lane Estate.

This site has now been revised to build 94 houses which will mean even more cars and traffic.

The land has problems according to the Coal Authority which could lead to ground collapse into sink holes. This alone should make the Council have second thoughts about this development. Will the prospective buyers be made aware of this.

I don't think so.

The access to the site is now to be Gordon Street and Cowfoot Lane. Gordon Street is effectively single laned with a children's playground whilst Cowfoot Lane has two schools and severe traffic congestion during drop off and pick up. It is also effectively single laned as is Blackthorn Lane. Also the traffic going to and from the football ground should be taken into account.

The problem will be the sheer volume of through traffic and the narrowness of the roads complicated by children crossing. It will be chaos and very dangerous.

Someone in authority needs to witness the single nature of the roads in the area during school hours and people going to and returning from work.

Yours faithfully
Anne Makin



20/02/2021

Comments concerning Action 10.7, site H39, Proposed Cowtoot Lane Estate

Dear Sir/Madam,

I write on behalf of my wife & myself objecting to the above proposed development, especially in **8.3** where you intend to increase the number of houses to 94, which would seriously increase the number of vehicles to & from site in an area where both proposed access roads are very narrow, especially as there is a school & football ground in close proximity to the proposed site.

Having lived at the above address since it was built in 2001, I have witnessed first-hand how surface water (as mentioned in **8.11 to 8.13**) impacted on the area when the houses on Windermere Road were first built when my garage was flooded & also the increase in traffic when the plans changed for properties at the bottom of Pendle Avenue to 3 storey houses rather than bungalows.

Perhaps members of the planning committee should visit the area & observe the number of vehicles before & after school, when there is a full complement of pupils to give a clear picture of traffic problems! (**8.17 – 8.20**)

I am also concerned about (**8.7 to 8.10**) with regard to the coalmines that were in the area.

Yours faithfully,



David & Janice Walkden

Rossendale Borough
Council

24 FEB 2021

I certify that this is a true copy
of the original document

SIGNED

Freda Camps

22nd Feb, 21.

Re: ACTION 10.7, SITE H39
PROPOSED COWTOOT LANE ESTATE

I strongly object to this
Building Proposal.

Both Gordon Street and Cowtoot
Lane are effectively single laned
roads, one with a childrens
playground just off the road and
one with two schools.

At the present time when parents
are taking or collecting their
children from one of the schools,
the roads are so crowded with
cars that pedestrians have to
walk in the road, as some of the
drivers have had to park on
the pavements to allow other
cars to pass.

25/2/21

Harold Lord.

With reference to Housing Development
CH 39 Gordon St Cowtoot lane.
The building of 94 houses,
The access along Gordon St
Cowtoot lane is ridiculous and
very unsafe. Two schools on
Cowtoot lane playground on Gordon St
sharp corner at the bottom of
Gordon St into Klamerton St.
Building more houses is putting
more pressure on schools, doctors
sergeries etc. I have lived in
Gordon St for 33 years and
concerning drainage water I notice
more run offs from mine workings
around the site, I do not think
any one from Highways as any
idea of the danger involved
I understand we can't have a
meeting due to Covid 19
So the Council using this to
push through the plan.
As far as I am concerned we
have been kept in the dark.

Yours,

Ian & Patricia Jacqueline Boswell

Forward Planning Group (Local Plan Actions 8.3 & 8.4)
Rossendale Borough Council
Business Centre/Futures Park
Bacup
OL13 0BB

Dear Planning Officer,

25 February 2021

Comments concerning Action 10.7, site H39, Proposed Cowtoot Lane estate.

We wish to object strongly to elements in and the foreseeable consequences arising from the above, in particular concerning Housing Allocation Reference H39, Land off Cowtoot Lane, Bacup.

8.3 As previously noted (within our letter dated 26.11.20, further copy attached), the comments defined in that document continue to apply however, it would appear that the 'plan' for houses has now surreptitiously been increased from 82 up to 94.

Most residents have 2 and sometimes more vehicles therefore, based on a notional $94 \times 2 = 188$ additional vehicles making 2 daily journeys (to and from a workplace or school also trips for shopping).

Access for emergency vehicles (Fire/Ambulance/Police) will be severely hampered.

8.6 Funding Position - the Council is apparently "taking a proactive approach to bringing the site forward for development" - this type of gobbledegook is vague and seemingly meaningless.

The myopic Council view would appear to be looking for funds by attempting to cover losses (currently around £7 - £8million) which it incurred with the Empty Homes Project (Disaster?) and Spinning Point "scheme" - (was due diligence carried out with these) and has it been effected with regard to this proposal?

8.7 to 8.10 Mining Legacy - it has been established by the Coal Authority there are 3 known mine entrances on the site - additionally, there are known and unknown shallow mine workings that could lead to ground collapse into sink holes.

It has been further stated by the Coal Authority that before any planning permission is approved, a Coal Mining Risk Assessment **must be undertaken to identify where remedial actions must be taken.**

8.11 to 8.13 Surface Water - the Council say that the risk of surface flooding is low. It is unclear what the basis of this 'sweeping statement' is or whose expert opinion / advice has been obtained. We have already commented in our earlier letter that the 'run off' flow of water from the additional housing development would be likely to severely compromise the natural pervious ground rainwater absorption into the River Irwell and make a further contribution to the flooding issue(s) in Bacup and beyond.

8.14 to 8.16 Landscape - the Council's "opinion that harm to the landscape would be outbalanced by the need to achieve government imposed housing numbers" is more gobbledegook (see 8.6 above) and is unproven and not based on anything realistic - in the unlikely event of a consultation taking place with local residents, the opposite would be the outcome. As with the previous paragraph, the question is raised as to whose expert opinion / advice has been obtained.

Cont'd..

2.

...cont'd:

Comments concerning Action 10.7, site H39, Proposed Cowtoot Lane estate

8.17 to 8.20 Access / Highway Safety - because of the design and age of the current roads in the area - these having been built at a time when fewer numbers of vehicles (cars, vans etc) were owned - the proposed access roads are inadequate and are already crowded with parked cars which effectively renders them often to be single lane and too narrow to support traffic from such a high density development.

There is a school and a playground in the vicinity - from a safety viewpoint, these areas are obviously danger spots for children in particular with an increase in vehicular traffic providing increased accident potential - in other words, an accident looking for somewhere to happen.

For a variety of reasons, it is considered doubtful that Lancashire Highways Department will have visited the site during school times to witness the existing congestion which occurs in the area particularly at school drop off and pick up times; a further major consideration is the volume of heavy vehicle traffic (tipper trucks specifically) which would impact the local area on a daily basis throughout the development of the proposal - the Highways Department are already unable to repair and maintain existing roads in and around the area.

Gordon Street and the adjacent streets which run parallel to it all have a steep gradient to/from Burnley Road - there is no gritting of these routes in Winter.

A glib remark that 'traffic calming measures' would mitigate the problem is considered to be both naïve and crass.

Clearly, there is also an obvious and significant impact which a development of this size would clearly have on Education and Health Services.

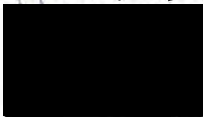
....

As previously noted any housing development will permanently damage the topography of this land forever and will do nothing for its amelioration and character in this Green area; the historic landscape of the Valley will be irreparably damaged by the presence of Houses - no building at all should take place on this site.

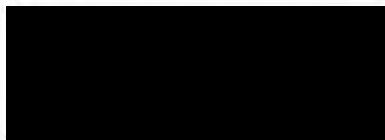
...

We would be grateful if you could take these deep concerns into full account in the Planning Inspector's ongoing examination and decision making.

Yours faithfully,



I Boswell



P.J. Boswell

Ian & Patricia Jacqueline Boswell
57 Windermere Road
Bacup
Lancashire
OL13 9DN

Forward Planning Group (Local Plan Actions 8.3 & 8.4)
Rossendale Borough Council
Business Centre/Futures Park
Bacup
OL13 0BB

Dear Planning Officer,

26 November 2020

Our Comments concerning "Local Plan, Schedule of Actions 8.3, 8.4 Identification of Site Density/ Optimisation of Density".

We wish to object strongly to elements in and the foreseeable consequences arising from the above document, in particular concerning Housing Allocation Reference H39, Land off Cowtoot Lane, Bacup.

1. **Any** housing development will permanently damage the topography of this land forever and will **do nothing** for its amelioration and character in this **Green** area; the historic and beautiful landscape of the Valley will be irreparably damaged by the presence of Houses - **no** building at all should take place on this site.
2. Due to the design and age of the current roads in the area - these were built at a time when fewer numbers of vehicles (cars, vans etc) were owned - the proposed access roads are inadequate and are already crowded with parked cars which effectively renders them often to be single lane and too narrow to support traffic from such a high density development; many residents have 2 and sometimes more vehicles, a notional $82 \times 2 = 164$ **additional** vehicles making 2 journeys daily (to and from a workplace or school also trips for shopping); access for emergency vehicles Fire/Ambulance/Police will be severely hampered.
3. There is a school and a playground in the vicinity - from a safety viewpoint, these areas are obviously danger spots for children in particular with an increase in vehicular traffic providing increased accident potential.
4. From the main road (Burnley Road) there is a steep gradient on access roads leading to/from Blackthorn Lane - in Winter there is no gritting - there is a blind right angle corner at the bottom of Cooper Street followed almost immediately by another right angle turn towards Burnley.
5. The proposed high density housing would severely compromise the natural ground rainwater absorption by ensuring the faster transit of rainwater into the River Irwell and making further contribution to the flooding issue(s) in Bacup and beyond.

We would be grateful if you could take these deep concerns into full account in the Planning Inspector's ongoing examination and decision making.

Yours faithfully,

I Boswell

P J Boswell

Forward Planning
Rossendale Borough Council
The Business Centre
Futures Park
Ba cup
OL13 ORB

Dear Sir

Yet again I wish to object to the proposed development (9H39) at the top of Gordon Street and Cowtoot Lane and to the North of Windermere Road.

I enclose two sheets showing the proposed developments, my objections are marked in red and orange.

I live on Greensnook Lane, we objected when the land around us was developed, but we where ignored. We now live more or less in the middle of a car park and the road is like a race track. If these houses are built I would suspect traffic will use Greensnook Lane and Carlton Street as an easier route than Gordon Street.

The Council lost at least £6,000,000 on the Empty Homes Project, and as a Council Tax payer I would at least have expected someone to be held responsible. But it was brushed under the carpet to hide how incompetent this council is.

Yours,

James A Attwood

20/2/2021

Latest News on Housing Development (H39) at the top of Gordon Street and Cowtoot Lane & to the North of Windermere Road.

Please read this and send in your comments and objections to Rossendale Borough Council by mid-day, Monday 1st March 2021.

The Council has recently published their second batch of responses to the National Planning Inspectorate's questions about the BUILDING PROPOSAL at the top of Cowtoot Lane and Gordon Street.

You now have until mid-day on March 1st to make your voice heard to try to protect your family's safety and living situation, both of which are now under great threat.

The Council has revised its plans, increasing the number of houses to be built to 94 and is proposing that **both** Gordon Street and Cowtoot Lane be used as access roads.

.....
First I would suggest that you go to the following site:

https://www.rossendale.gov.uk/downloads/download/11331/examination_library_8_-_items_arising_from_action_list_document_el6001

- And download:

EL8.010 Actions 10.1 to 10.9 - Housing Site Allocations - Bacup, Stacksteads, Britannia and Weir

In this document the part effecting you and your families is Section 8, Action 10.7.paragraphs 8.1 to 8.20.

If you want the link sent to your e-mail address for ease of use, just mail me at save-our-valley@gmx.co.uk and I will send you a copy by e-mail. I can also provide a hard copy if you give me your postal address.

.....
Below I have suggested comments and objections that you may agree with. You might find others that are not listed and if so, please let me know!

**Your comments and objections must be with the Council by mid-day, March 1st.
E-mail them to forwardplanning@rossendalebc.gov.uk.**

Title your mail: Comments concerning Action 10.7, site H39, Proposed Cowtoot Lane estate.

You must ensure your name and full postal address appear or else your objection will not be considered.

The following points, arranged by paragraph numbers in the Council submission, highlight the changes that have been proposed by the Council. Comments are made that you could use to produce your own worded objections, in particular critical issues being vehicular access, dangerous old mine workings close to the surface and water run-off.

8.2 The land saved from development is environmentally and visually valuable Moorland Fringe Landscape. **That is a positive outcome for us all. No comment required.**

8.3 Compensating green fields on the northern aspect of the land have now been included into the revised plan, but increasing the build number to 94 houses. **See plan in the council document. So even more houses, cars, traffic and consequential access problems. A significantly increased problem for us all.**

8.6 Funding Position. The Council says that it is "taking a proactive approach in bringing the site forward for development". This is disingenuous and obscure. There appear to be two factors associated with it.

a. The livestock cattle farm at the top of Gordon Street on Higher Blackthorn has been in the hands of the same tenant farmer family for over 100 years. The Council has been trying to evict the farmer there. That presumably counts as proactive action to enable the sale of the land to developers.

b. The Council is needing funds to help after the Empty Homes Project (scandal?), having cost well over £6,000,000 so far. The declared strategy is to counter the likelihood of the failure of the Council's Medium Term Financial Strategy, including "bringing forward council owned land for development or sale, for example Dark Lane, Pennine Road, Cowtoot Lane and Rosso depot."

Overall, this is not a hopeful or positive paragraph and hides more than it reveals.

8.7 to 8.10 Mining Legacy. The Coal Authority has declared that there are three known mine entrances on the site. There are also known and unknown shallow mine workings that can lead to ground collapse into sink holes.

Last year the tenant farmer lost a calf in such a ground collapse. The Coal Authority states that before planning permission a Coal Mining Risk Assessment must be undertaken to identify where remedial actions must be taken. Developers will not be enthusiastic about such uncertainty. They like to get in fast, build cheap, sell fast and get out. The property prices will have to include these additional costs and that could make house prices unviable.

8.11 to 8.13 Surface Water The council say the risk of surface flooding is low. That is based on historical data and presumably takes no account of the climate change we are experiencing with the higher levels of rainfall, as forecasted by the Meteorological Office. The major issue that is not referred to is the vastly increased run off flow of water into the River Irwell from the built on areas with consequential increased flooding as seen recently in Bacup and down river.

8.14 to 8.16 Landscape The council's opinion that harm to the landscape would be outbalanced by the need to meet government imposed housing numbers is 100% subjective. The local citizens would have exactly the opposite opinion and belief, so the council's statement is unproven and born only of the commercial pressures to sell the land and build there.

8.17 to 8.20 Access/Highway Safety **MAJOR ISSUE>>>** the access to the site is now to be Gordon Street and possibly also Cowtoot Lane. That is clearly ridiculous on two counts, safety of children & residents & the narrowness of the roads in the area.

Gordon Lane is effectively single laned with a children's playground on the northern side whilst Cowtoot Lane has two schools and very severe traffic congestion during drop off and pick up times. It is also effectively single laned as is Blackthorn Lane.

Imagine three or more years of construction traffic, large trucks carrying bricks, removed earth, materials and also heavy plant using these roads.

We have doubts that the Lancashire Highways Department have visited the site during school times or to independently witness the single lane nature of the roads in the area during the hours of going to and returning from work. A load of possibly an extra 180 through traffic vehicle transits on Gordon Street and Cowtoot Lane during these hours would be a very dangerous development. The glib statement that traffic calming measures would mitigate the problem of increased danger to children is naive in the extreme. The problem will be the sheer volume of through traffic and the narrowness of the roads complicated by children crossing. Traffic calming measures will not alter that at all. It will be chaos and dangerous beyond belief.

PLEASE WRITE TO THE COUNCIL WITH YOUR OBJECTIONS AS SOON AS POSSIBLE. LACK OF LARGE NUMBERS OF OBJECTIONS WILL BE SEEN AS ACCEPTANCE BY THE LOCAL RESIDENTS.

Janette Cassidy

From: janette.cassidy [REDACTED]
Sent: 23 February 2021 20:18
To: Janette Cassidy
Subject: Fwd: Comments concerning Action 10.7, site H39 Proposed Cowtoot Lane extate

----- Original Message -----

From: janette.cassidy [REDACTED]
To: fowardplanning@rossendalebc.gov.uk
Sent: Tuesday, 23 Feb, 2021 At 13:00
Subject: Comments concerning Action 10.7, site H39 Proposed Cowtoot Lane extate

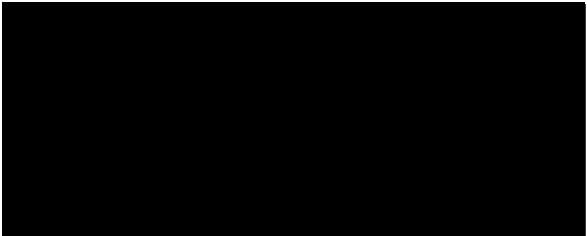
Janette Anne Cassidy & Garry Robert Slynn

[REDACTED]
[REDACTED]
telephone [REDACTED] (Janette)

Objections for the above building

1. I have noticed that you are proposing as an entrance to the homes maybe Cowtoot Lane - We have enough traffic on this road with the School, Nursery, Football Club & Childrens Home. You cannot get up or down our street in the daytime because of the congestion of traffic.
2. There are children on this street most hours of the day and we have had to complain many times about the speed people already use coming up or down.
3. As for the access up Gordon Street were there is a childrens playground with them always crossing to get to it. This is an accident waiting to happen with the road being used for large vehicles for building the suggested houses. It is also only a single road for the parked cars outside peoples homes.
4. The wildlife that we have will disappear altogether which would be bad for the environment. We have many walkers who go through these fields.
5. Why if this goes ahead can they not be bungalows are is it going to be the same scenario as the houses on the opposite side that was built by B.E. Boys. They applied for bungalows as first and they changed them to many more town houses that they then could not sell and ended with the land being sold onto Together Houses (rental homes).
6. There is not enough room for more traffic and parked cars in the Winter months and bad weather.
7. Would someone please just use their head and if need be see for themselves what they are going to cause to the people who already live in the area.

Thanks,
Janette Cassidy & Garry Slynn



Dear Sirs

Comments concerning action 10.7
site H39 Proposed Cowtoot Lane
Estate.

I wish to lodge my complaint re
above development on the grounds
of the lack of suitable access
to the site via Gordon St and
Cowtoot Lane. The roads are
narrow to say the least and
parking on both bad on a
daily basis now, even without
taking into account extra
traffic at school start &
finish times.

Refuse Collections struggle to access bins on many occasions and the danger of construction traffic to our children immense. Having experienced 2 years of construction disruption on Greensnook lane I speak from experience + the promises made by developers fail to materialise and the council couldn't care less.

What the benefits to Backup will be I don't know, unless you will provide more school places, shops, banks etc we will lose the open spaces we enjoy, for nothing.

Yours S. Cook

Dear Sirs

As both adjacent neighbours and longstanding members of Haslingden Cricket Club, we have divided loyalties as regards the club's proposals under the above Policy H52.

Whereas we appreciate the club's need to develop its current changing and social facilities, whilst maintaining and hopefully improving the playing and practice facilities, we do have several reservations regarding the residential development aspect of the proposed plans and sincerely hope that they can and will be satisfactorily addressed during the planning and development process:-

1. Existing utility services in the immediate well populated area, especially water pressure and sewerage systems, are already in need of urgent review and update, and in the absence of substantial investment and upgrade, would be in danger of unacceptable degradation with the increased demands of the additional proposed housing.
2. Residents on the existing and long established Grasmere Road, immediately adjacent to the proposed site, have for many years enjoyed and become accustomed to the amenity of a pleasant and peaceful outlook to the rear of their properties. In the event that the proposed development gains acceptance in principle, we would strongly object to the construction of any dwellings higher than regular two story housing and without adequately sized gardens in order to preserve the current privacy and amenity of the existing residents.
3. Careful consideration must also be given to the provision of safe, realistic and workable access to the proposed site. Private Lane, from which access to the site would be gained, is not only very narrow but abuts onto Grasmere Road at a point within metres of the latter's junction with the busy Broadway, a main road which itself experiences high volumes of traffic, especially during school term times.
4. The requirement that the development must include the provision of adequate car parking within the club's perimeter needs to take into account the increased parking demands on the occasion of well attended social events and, hopefully, important cricket matches in the future, to alleviate as far as possible increased congestion and inconvenience in the surrounding area.

We hope our above concerns and observations will be considered by the Council, and would be pleased to provide any further detail or input as required.

Yours faithfully

Robert & Lorraine Benson

████████████████████
████████████████
████████████████████

Sent from my Galaxy

Regarding consultation I agree to temporary negotiated stopping of travelers in sites around Rossendale.

Thank you.

Rachel O'Leary
And Mark Chapleo

Our ref: PL00135762

forwardplanning@rossendalebc.gov.uk

Your ref:

Date: 18 March
2021

Dear Sir/Madam

Rossendale Local Plan (2019 - 2034) - Consultation on Examination Library 8 (Second Tranche)

Thank you for consulting Historic England on the above.

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

We have the following comments to make:

EL8.010 Actions 10.1 to 10.9 – Housing Site Allocations – Bacup, Stacksteads, Britannia and Weir. This concerns the site allocation H40 – Land off Todmorden Road, Bacup. In terms of our remit, we do not have any comment to make on the document's content.

EL8.014 Actions 14.1 to 14.4 – Housing Site Allocations – Edenfield, Helmshore, Irwell Vale and Ewood Bridge: this relates to the large site allocation H72 – Land West of Market Street, Edenfield. We do not have any comments to make on the document's content.

EL8.015 Actions 15.1, 15.2 and 15.6 to 15.10 – site NE3 – Carrs Industrial Estate North Extension, Haslingden. In terms of our remit, we do not have any comment to make on the document's content.

EL8.015 Actions 15.1 and 15.3 to 15.5 – Mixed Use Sites where further information is provided for M1 – Waterside Mill, Bacup (a Grade II Listed Building). Whilst Historic England acknowledges that the building has deteriorated since the inclusion of the site within the plan as an allocation. It should be noted that it is not appropriate for

the Local Plan to establish the principle of demolition. This should be determined by following due process through the established consent process and not the Local Plan. The proposal of total demolition would result in substantial harm to the designated heritage asset and as such the tests set out in Paragraph 195 of the NPPF would need to be met and clear and convincing justification provided as required by Paragraph 194.

We welcome the inclusion of a site policy within the Plan. The policy should deal with the following matters:

- The site to be developed in line with the requirements of the NPPF; to sustain and enhance the significance of the heritage assets and their setting and the character and appearance of the conservation area.
- The expectation that the buildings and structures on the site are to be retained and converted in accordance with the heritage impact assessment in the Plan's evidence base.
- The requirement for a full structural survey to inform its retention and reuse.
- A heritage assessment to understand the building and the site's significance.
- The recording of the building prior to the carrying out of any approved intervention as part of the planning application for the site
- A high-quality design that responds to the site's industrial heritage including the need for any new buildings to respond positively to local character and distinctiveness in terms of layout, design and materials.

EL8.009.1 Pre-Application Information Provided by the Landowner for H5 – Swinshaw Hall including RBC's Advice Letter. In terms of our remit, we do not have any comment to make on the document's content.

EL8.014.4a Pre-application Information Provided by the Landowner for H73 – Edenwood Mill Including RBC's Advice Letter (Part 1). We would actively encourage that in the redevelopment of the site that consideration is given to whether any part of the mill or fabric can be retained and incorporated into the proposed design/layout. This could also include how the site responds to its industrial history, such as visual relationships with the landscape, interpretations and other important features. If the site is to be cleared then there should be a condition for recording prior to the loss of the buildings.

EL8.020.1 Action 20.1 – Draft Monitoring Report. This includes reference to indicators to monitor the effectiveness of the strategic policy ENV2: Heritage Assets (to be renamed Historic Environment). An additional indicator should be included to cover no net loss of

heritage assets on the National Heritage List for England (NHLE).

EL8.020.2 Viability Study Update. In terms of our remit, we do not have any comment to make on the document.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

E.Hrycan

Emily Hrycan
Historic Environment Planning Adviser (North West)
Development Advice
Historic England Telephone:



Dear Team

Planning application ref; 2019/0335 - boundary change

With reference to the above application - land bordered by Holcombe Rd and Grane Rd - and reading

Examination Library 8, item EL8.016.1 - Green Infrastructure and Biodiversity Net Gain (PDF - 412.2K)

I am struck by the incongruity of the application. The land in question is a unique and precious area to many endangered species of flora and fauna which cannot live in any other type of area.

What is net gain

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Yours faithfully,

Mr Darren Hall

Good evening,

I am writing as a homeowner on Burnley Road, Loveclough in objection of the planning proposal for 69 homes to the west of Swinshaw Hall.

Firstly, I would like to take this opportunity to express my concern that homeowners and landlords immediately impacted by these proposals have not been sufficiently informed of these plans. Hence my email reaches you after the stated deadline for input on this matter.

With this in consideration, I also write on behalf of the many elderly home owners, who have a lack of Internet access, who will also be impacted this and be unable to voice their concerns.

The proposals contradict a number of points which I would like to take this opportunity to raise for discussion:

As a first time home owner, this home is to allow me to move up the property ladder in due course. By building on the land immediately behind my boundary wall you impact on the saleability of my home, and the homes of others by disturbing the vital green spaces behind our homes. Not only this, for those homeowners who have set up the permanent residence here, how do these proposals enhance the views from their houses?

Secondly, these homes are at risk of flooding and many of my neighbours have experienced this first hand in the events of adverse weather, and the excess water draining from the moorland. By building on this land you put myself and fellow residents of Burnley Road at increased risk of flooding, and detrimental damage to our homes.

Additionally, we have experienced a vast increase in traffic and park cars along Burnley Road. This is exacerbated during periods of extreme weather. Many residents from the estates behind Burnley Road simply cannot get their cars up to their homes and then park along Burnley Road. This puts our vehicles at risk of accident due to double parking along the road, and as individuals increases the air pollution we are exposed to.

The homes proposed are also not affordable. Local people who want to stay on the area would be unable to afford homes in excess of £230,000. By going ahead with these plans, you drive out local, loyal residents who benefit the local economy.

These plans do not just adversely affect the human inhabitants, but will cause irreversible disruption to our wildlife. These plans will decrease levels of the natural inhabitants as well as those which migrate back to our area. These need to be protected, not made more vulnerable.

While I do fully appreciate that there is a need to build new homes, this simply seems an unreasonable proposal given the homes already earmarked for building in Loveclough (off commercial street and goodshawfold road).

Danielle Dunn

Sent from Samsung Mobile on O2

Dear whom this may concern,

Planning application ref; 2019/0335 - boundary change

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Yours faithfully

Emma Bird

[REDACTED]

[REDACTED]

"Google Examination paper 8" to view the document
(Images would not copy in the above letter)

PETER JACQUES

THE PLANNING OFFICER
ROSSIGNALE BOROUGH COUNCIL
(PROPOSED DEVELOPMENT H39).

DEAR PLANNING OFFICER,

I WISH TO STRONGLY OBJECT TO PROPOSED
NEW HOUSES ON FELDS OFF COWTOOTLANE AND GARDEN ST.
THE HISTORIC AND BEAUTIFUL LANDSCAPE OF THE VALLEY WILL BE BADLY
AND IRREPARABLY DAMAGED BY THE PRESENCE OF SO MANY NEW HOUSES
THE INCREASE OF RAINFALL AND THE INCREASE IN RUN OFF ON
SUCH A DEVELOPMENT WOULD I BELIEVE CAUSE FLOODING
THE NEW HOUSES ALREADY BUILT ABOVE COWTOOTLANE CAUSES A CONSTANT
STREAM OF WATER WHEN RAINING, WHICH WASHES THE STONE OFF AND
CREATES RUTS ON THE LANE BETWEEN COWTOOT AND WESTVIEW.
SINCE THESE HOUSES HAVE BEEN BUILT I HAVE HAD TO CONSTANTLY
FILL IN THE LANES RUTS WITH HARD CORE/TARMAK PLAINING ETC.
ALSO I WOULD LIKE TO POINT OUT THE CONGESTION ALREADY ON
COWTOOT LANE AND BECAUSE GARDEN ST IS SINGLE LANED AND
HAS A CHILDRENS PLAYGROUND TO THE SIDE OF IT BOTH ROADS
AREN'T SUITABLE OR SAFE TO COPE WITH FURTHER VEHICLES.
I LIVE ON WESTVIEW AND MOVED THERE TWENTY YEARS AGO BECAUSE
OF THE VIEWS OVER THE VALLEY, BEING SURROUNDED BY HOUSES
IS NOT THE REASON I MOVED HERE. IF THIS DEVELOPMENT
GOES AHEAD I WILL HAVE TO MOVE.
I BELIEVE THE SHEER VOLUME OF THROUGH TRAFFIC AND THE
NARROWNESS OF THE ROADS WILL CAUSE CHAOS AND DANGER BEYOND
BELIEF.
THE FLOODING SEEN RECENTLY IN BRUDA AND DOWN RIVER, WAS
CAUSED BY RUN OFF OF WATER INTO THE RIVER IRWELL THE LAST
THING THIS TOWN NEEDS IS A SITUATION LIKE FLOODING THAT
WAS EXPERIENCED BY RESIDENTS IN THE CALSIA VALLEY (IE
TOMMORAY/HARBEN/MYTHROGA ETC, CAUSED BY RUN OFF
WATER.

HOPE YOU WILL CONSIDER MY OBJECTIONS CAREFULLY

YOURS SINCERELY

Please can you stop the planning of building houses by Taylor Wimpey around
Grange Haslingden. There is a chance of more flooding. The Council moving the
boundary when they have declared a Climate Emergency in Sept 2019. There is also
a chance of loss of wildlife and rare plants that grow anywhere else. I have lived
around Rossendale since I was born and love this place as it is with the countryside
being as it is. Plenty of greenery and hills. There is no need for more houses.
J Nicholass

Dear Team

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Kirsten Black

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Create scrapes and pools in wetlands and wet grasslands

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recharging groundwater

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This unique piece of land should be enhanced and used by Rossendale to the advantage of all. As an educational experience it could be used by schools to illustrate in real life the points listed above. With the careful planting of more trees and the enhancement of the footpaths already there it could be an asset to the community without endangering its vitally important and strategic role in our fight to save Britain's rich biodiversity and hence its wildlife on our fragile planet.

4.1 The Green Infrastructure designation and policy aim to protect, enhance and restore important ecological habitats as well as open spaces which provide multiple functions or ecosystem services to the local community and society in general, including carbon storage, flood risk prevention, pollution reduction and improving health and well-being.

The land in question fulfills all the points listed in 4.1 and there is every reason to ensure that it is not changed or damaged in any way. A boundary change which designated this land as being part of an urban area would be putting in danger so much that we as a conscientious

nation hosting a world climate change conference in a few months time are fighting for and would be an act of extreme carelessness. Please let us save our planet.

Yours faithfully

Paula Maxwell Makeup Artist





Hi.

These were taken 3 days ago on the proposed Taylor Wimpey site. 3 doe deers which are regularly coming down from the hills to avoid farmlands and to find grasslands to graze on.

I also walked this land a few weeks ago. It was unbelievably boggy. Building here will only increase the water levels, which has previously created flooding issues further down the river in ramsbottom and Bury.

The road network is not suitable to take more cars. There have been a number of collisions of late and due to the number of people parking on roadsides, this is only likely to get worse. Sadly I believe there will be a fatality before this is resolved.

As someone who lives on Holcombe Road I am very concerned that this will have a major impact on what it's like to live here. There are other brownfield sites in the area that should be considered for building before this green space is considered.

Thank you for your time.

[Sent from Yahoo Mail on Android](#)

Dear Team

RE Planning application ref; 2019/0335 - boundary change

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climate change conference in a few months time are fighting for and would be an act of extreme carelessness. Please let us save our planet.

Yours faithfully

S A McManus

To whom it may concern

I am writing to object to the proposed development of land off Grane Road. I understand that there is a plan to build housing on this site, and that the land boundaries are to be changed in order to push this through. I object to this scheme, as it is clearly one that puts profit before the interests of the residents and wildlife of Helmshore.

It cannot be denied that the implementation of this scheme will put an enormous amount of pressure on the local infrastructure. Road accidents will increase, schools will be even more oversubscribed than they currently are and commuters will be forced to contend with congestion, which will further increase pollution in the area, as well as destroying the habitats of several species of flora and fauna.

To change boundaries in order to achieve this level of chaos and destruction is immoral. Furthermore, I fear this will set an unwanted precedent and open the door for other housing developers to follow suit.

I hope that you will take these objections into consideration.

Yours faithfully

Angela Hardaker

Dear planning team,
I'm writing in ref to planning application 2019/0335 - boundary change.

Having researched the proposed plan and the impact it will no doubt have on the beautiful and unique wildlife, flora & fauna in the area I am greatly opposed to this plan.

If you spend any time in this area at all you will know how much wildlife it maintains from bats & owls to deer, hedgehogs, red-listed newts & toads. Then there are the things that you can't see the hidden nests, rare plants, & biodiversity, etc. The damp bog helps not just the animals & plants but to us by preventing flooding in the area. All of this is priceless and once gone it will be lost forever.

I know you mention that the development will "Net Gain" and this can "be achieved on-site, off-site or through a combination of on-site & off-site measures". This makes very little sense, the area you're talking about has natural biodiversity which has been created naturally over many, many years & is specific to the area in question. It helps the area by preventing floods, it helps nature by being a safe place to nest, rest, eat or plants to take seed & grow. This is not something that happens overnight, plus as you know, there has been National legislation (2.4 Section 40 of the Natural Environment & Rural Communities Act 2006) for councils to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. Due to how valuable this type of land is and how even when trying to recreate this elsewhere they can't seem to reach the same quality or biodiversity.

I'm writing this as my first ever letter to a council because I couldn't just stand by and not speak up for the wonderful place I call home. The beauty we have here should not take a second place to what you see as progress. As a council, you should see this wonderful natural area is our strength. During the various lockdowns of the past year, I have watch out my window as people come from all over to experience the nature we are lucky to have here. While also seeing locals enjoy their walks and experience how vitally important it is to go out and be part of that every day not just for our physical but our mental health.

The wildlife and flora and fauna need us to stand up for them now and protect them as they protect us from floods and care for our well being. What you might see as a small change has a massive knock-on impact that will affect this area for many, many years to come. Please don't be the people that let the beauty of this area be a thing of the past. Make it the strength of our future, help us maintain what makes it & us strong & unique.

Many thanks in advance,
Lisa Postins.

Dear Forward Planning Team,

Thank you for consulting Manchester Airport on the further information and documents that have been added to Examination Library 8. We do not have any comments to make in relation to the schedule of actions that form this second tranche of the consultation.

We would be grateful if you could 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, [REDACTED]
(e) planning@manairport.co.uk

www.magairports.com

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Yours faithfully

Caroline Rigby

Get [Outlook for iOS](#)

I strongly object to the plans to build on land at cowtoot lane & Gordon st

Sent from my iPad

Good evening,

After reading the Rossendale local plan tranche 2, I would like to comment on the section regarding the gypsy transit provision.

I would suggest that the provision for gypsy sites would be more suitable with the "negotiated stopping" option as this would be a far more cost effective solution in the current climate and the cost challenges that presents.

The site at tooter quarry is clearly not a viable option with all the complications, cost and wildlife issues that this site presents so a proposal of negotiated stopping would be preferred.

I still feel there is more detail to give on where and when the negotiated stopping would be allowable , and for whom and for how long. Information on any proposed management of this would be greatly appreciated, along with measures for disposal of rubbish and plans for any enforcement that will be required.

Kind Regards

Mark



Forward Planning
Rossendale Borough Council
The Business Centre
Futures Park
Newchurch Road
Bacup
OL13 0BB

15 March 2021

Dear Sir/Madam

**Re: Rossendale Local Plan Tranche 2 Consultation – EL8.008.2 Update on flood risk
Taylor Wimpey – Grane Village Housing Development to East of Holcombe Road,
Helmshore, Rossendale. Planning number 2019/0335**

In this paper on flood risk of proposed development sites in Rossendale no mention is made of the proposed housing development in Grane Village on land between Grane Road and Holcombe Road, no doubt because this site rates as category 1 in the flood risk hierarchy - little to no risk of flooding.

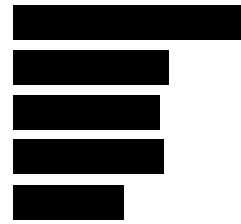
However the proposed development of c 131 houses would create a significant flood risk elsewhere – by causing a major run-off of water into the River Ogden and greatly increasing the risk of flooding in Helmshore and Irwell Vale. Presently the land is an important flood prevention resource because it absorbs huge amounts of water that would otherwise drain into the River Ogden. There are many people in Helmshore and Irwell Vale who are strongly opposed to this proposed development. They already experience flooding and the run-off from a large housing development would make the situation much worse.

Attached is an amended paper on this matter which gives details of the flood risk from the proposed development in Grane Village.

Yours faithfully

Anthony M Hodbod MSc

Committee Member Grane Residents' Association
Member of Irwell Catchment Area Partnership



Miss Lauren Ashworth
Economic Development Directorate
Rossendale Borough Council
The Business Centre
Futures Park
Newchurch Road
Bacup
OL13 0BB

15 March 2021

Dear Miss Ashworth

Re: Taylor Wimpey – Grane Village Housing Development to East of Holcombe Road, Helmshore, Rossendale. Planning number 2019/0335

The River Ogden has caused flooding in Helmshore on several occasions, and has contributed to flooding in Irwell Vale, where it joins the River Irwell. This happens when a high rainfall event (50 mm plus) follows a prolonged period of “normal” rain when the watercourses are already at a high level. A major tributary of the River Ogden is Swinnell Brook. This passes through and drains the commercial area of Waterside Road and Carrs. Here there are very large areas of roofs and hard-standings. A high rainfall event on these hard surfaces will cause a very large amount of run-off which goes into Swinnell Brook and thereafter into the River Ogden.

The River Ogden also receives the final outflow from the three Haslingden Grane reservoirs. In addition to the “normal” outflow a new spillway has been constructed on the Holden Wood reservoir dam. During three high rainfall events of recent years the spillway has been seen to be discharging a very large amount of water into the river – (the “Boxing Day flood” 26 December 2015, 16 March 2019 and Storm Brendan 13/14 January 2020 – photos are available).

There are two further tributaries to the River Ogden in Helmshore – the Musbury and Alden Brooks. Both drain large valleys and surrounding moorland and, during large rain events, carry a very large amount of water into the River Ogden.

The land between Holcombe Road and Grane Road which is proposed for housing development is old moss land, enclosed for meadow probably during the seventeenth century. It has deep peaty topsoil overlaying pockets and plumes of “hillwash” – loose gravelly material containing a lot of water. Previous land surveyors, when the land was proposed for commercial development in the early 1990s, considered the land to be “bottomless”. The area is known locally as a giant sponge.

Outflow from the southern base of the sloping land is minimal. Commercial premises and houses on the site of the former bleach works at the southern base of the land encountered no problems with potential flooding from run-off during the three large rain events of December 2015, March 2019 and January 2020. The land in fact serves as a significant flood prevention measure for Helmshore and downstream of the River Ogden.

The building of 131 houses on a sloping site would cause a very large amount of rain water run-off from roads, pavements, roofs and driveways. To contain this and replicate the pre-development run-off of the site (which is minimal), is not possible, and the proposed development should not be allowed on account of the increased flood risk to Helmshore and further downstream of the River Ogden.

The whole site between Grane Road and Holcombe Road is of some 6.12 hectares. A high rainfall event of 50 mm (not uncommon) would deliver 3,060 cubic metres of water. This certainly happened on the three occasions mentioned (personal records):

26 December 2015 – after 37 days of rain of varying intensity during the previous 60 days

16 March 2019 – after 24 days of rain of varying intensity during the previous 60 days

13/14 January 2020 – after 28 days of rain of varying intensity during the previous 60 days

No significant run-off was reported from the commercial premises and houses at the southern base of the sloping area, nor was there any more of the normally insignificant run-off into the River Ogden.

The developer’s assessment of the proposed built-up area is 4.47 hectares. With a high rainfall event of 50 mm this area will receive 2,235 cubic metres of water. The consultant hydrologist considers that the run-off would be 55% which would produce 1,229 cubic metres of water. This figure is to be disputed. People will lay flags for patios, block paving for additional car-parking, erect conservatories and park cars on percolating driveways nullifying absorption. The run-off is more likely to be 70% producing 1,564 cubic metres of water flowing from the built-up area when there is a rainfall of 50 mm in a short space of time.

The developer intends to solve the problem of run-off with the construction of two attenuation chambers with a notional capacity of 1,300 cubic metres with run-off to the

pond and then to the River Ogden. This proposed solution to run-off will not work. The site contains a very large amount of ground water, and there is constant movement of underground water from the high ground to the north. This would mean that these attenuation chambers would be filled by underground water movement. "Normal" rainfall will cause them to overflow, although this might be within the capacity of the River Ogden. A high rainfall event would completely overwhelm them, and the run-off of 1,500 cubic metres of water from the built-up area would go straight into the River Ogden. This would almost certainly guarantee flooding problems in Helmshore and further downstream.

High rainfall events are becoming more frequent on account of the increasingly erratic meanders of the Jet Stream. On the 25/26 October 2019 a 1,000 mile front from the southern North Atlantic, carried by the Jet Stream, dropped enough rain in England and Wales to initiate 89 flood alerts.

The proposed housing development in Grane Village is a bad idea for many reasons. The flood risk from run-off is almost certain. The development should not be allowed.

If the site is to be developed it would make an excellent community asset/nature reserve. This would be welcomed by the local community and visitors to Grane, and the land would continue to act as an important flood prevention feature.

Yours faithfully

Anthony M Hodbod MSc

Committee Member Grane Residents' Association

Member of Irwell Catchment Area Partnership

Please find my comments on the emerging local plan attached and below.

MR S Newton

16/03/21

To whom it may concern,

I would like to make the following observations and comments on the proposed Rossendale Local plan.

In addition to the comments made previously I wish to add that I am dismayed by our local councils' apparent unwillingness to consult proactively with people. It took a public outcry in order to extend the consultation period for this local plan. Whilst my original comments are still valid, see below I wish to add the following with regard to traffic congestion in Rossendale.

The roads and traffic system are already ridiculously overloaded and congested at peak times and the topography of the valley renders Rawtenstall a complete bottleneck from all directions with little or no opportunity to develop alternate routes. I read with interest the National Infrastructure Commission's Report which stated that Rossendale is the most congested area in the country outside of major cities being first on the list at 26th on the table of most congested areas in the country all those ahead of it are cities. This in itself shows that further development will only make matters worse without significant infrastructure development.

With regard to the overall plan, even with the reduction in the number of houses requested initially by Government, the increase in density of housing over the next 10 to 15 years, unless there is a vast input into the local infrastructure, which is unlikely, is still far too many to be reasonable or manageable.

The recent unreliability of utilities in our area also suggests that this area of infrastructure is literally crumbling and like our roads low cost short term fixes have been employed with no apparent plans for long term solutions.

The numbers of cars and people which this amount of housing would create would render the infrastructure of local services i.e. transport, Doctors, Dentists and Schools completely inadequate.

With particular regard to Loveclough where I live there are numerous proposed sites(H4,H5,H6,H7,H11,H12, H13,H17) producing around 375 houses with an estimated 750 extra vehicles all wanting access onto the A682 Burnley to Rawtenstall road, the **only** main arterial road. The existing junctions are already dangerous due to volume and speed of traffic in peak times and lack of visibility because of parked cars at other times, particularly in winter when, because of the inaccessibility of the steep valley sides, huge numbers of people leave their cars on t/he main road for days at a time.

I have personally had near misses and have seen many which of course go unreported and so there are no reliable statistics. Our next door neighbour had a serious accident at the junction in the last year. The problems are compounded at this junction by huge articulated vehicles accessing the factory down in the village of Goodshawfold and there is another proposal for 7 houses right next to this junction! There seems to be very little planned to increase employment areas and therefore growth to promote greater self-containment around Loveclough and Rossendale so the congestion to Manchester will continue to worsen.

The plan includes developing controversial Green Belt land, but this proposal is towards the Manchester side of the bottleneck from Rawtenstall and so does make some sense, though again the numbers are far too big. The argument to use countryside before Green Belt if it adds to the bottleneck, does not make sense. There are 2 very large sites in Loveclough (H5 and H13) on directly opposite sides of the main road which together would form a vast housing estate, completely changing the nature of the area.

One of these sites around Loveclough Working Men's Club (H13) has already been approved for 80 houses with the developer now suggesting an increase to 105. This site was put through so quickly in advance of the inspectorate that people did not have adequate time to respond. The council did not meet the minimum consultation required and I would hope that the inspectorate will reconsider the validity of this decision and therefore it's inclusion in the local plan.

The council previously prevented (a decision at the time supported by Government) a development of 15 houses just down the road from this one which should have set a strong precedent as the council had spent 10 years undertaking to prevent development to the west of Burnley Road in Loveclough because of its value with regard to countryside, the visual amenity of open views from the road and hillsides, walks, the river valley and wildlife. Loveclough could not be considered a Key Service Centre as there are none and it is not suitable to be a major site which these 2 developments together certainly are. It would be destroying the very nature of the things that people want to visit as tourists or move here to experience!

I am particularly concerned by the proposal for 30 houses at Turton Hollow (H4) an area which has already been subject to a huge landslide/ subsidence which the council had to remedy. It is an extremely steep site with very poor vehicular access plus an industrial/employment site incurring massive steel carrying vehicles. It does not seem a suitable site at all.

Other concerns with all of the aforementioned sites are around issues such as has the amount of mining there has been previously in the area, subsidence, landslip and flooding risk. Have these been adequately considered? And has the damage to wildlife, flora and fauna which would seem unacceptable?

Developers are not interested in providing affordable housing and it seems little in evidence, as does provision for the elderly or disabled.

All of the above and the lack of planning around supportive infrastructures, in my opinion, render vast aspects of this Plan unreasonable and unmanageable.

Yours faithfully,
Mr Stephen Newton.

Steve Newton Dip Man, TechIOSH, FCMI, CMC
Director
Isosure Ltd

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

mobile [REDACTED]

[REDACTED]

<http://www.isosure.com>

Hi,

Could you please help me make sense of what the current plans for this site are? I am a resident on Rochdale Road and my house backs on to this land.

Many thanks

Anna Duxbury

Sent from my iPhone

[Sent from Yahoo Mail on Android](#)

----- Forwarded message -----

From: "Jason Horsfall" <[REDACTED]>
To: "foforwardplanning@rossendalebc.gov.uk"
<foforwardplanning@rossendalebc.gov.uk>
Cc: "Jason Horsfall" <[REDACTED]>,
"annecheetham@rossendale.gov.uk" <annecheetham@rossendale.gov.uk>,
"jake.berry.mp@parliament.uk" <jake.berry.mp@parliament.uk>
Sent: Tue, 2 Mar 2021 at 7:37
Subject: Elm Street, Edenfield BL0 0JT

Dear Council , Jake Berry MP and Councillor Cheetham

Query re Elm Stree, Edenfield.

Can you please advise on the attached documents extracted from EL808.1 Action 8.1 re Elm Street, Edenfield in relation to:

- 1.What does the attched uncompleted form mean?
- 2.Why this land is being considered now when there is more than enough land in the plan for option for change of use and building land in Edenfield in the plan?
- 3.This land was not included for consideration in the plan and is on green belt land but now is included in an area of Edenfield that has 52% in the plan for consideration for building on?
4. Does the owner know more than the public in relation to preparation work on Elm Street for the the plan and land as it appears an access road is being created?
5. What is the process and worst scenario in relation land prone to flooding because our garden takes the brunt of the water during heavy/constant rain (including neighbouring properties) if permission is granted to change green belt land for building on?
6. What can we do as owners of a property directly in front of the proposed land to prevent any changes to the land off Elm Street when the council have more percentage in Edenfield in the Rossendale Valley being considered in the plan?

Very concerned residents

Mr and Mrs J Horsfall, [REDACTED]

[Sent from Yahoo Mail on Android](#)

South, Haslingden (SHLAA)	Housing	No	Reference 112, Appendix 3	0.57	Map 11	Parcel 23 SHLAA16343; Green Belt Parcel 1
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3 June 2020

2

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 Hud Hey, Haslingden Other name: Large site at Hud Hey (Allocation)	Mixed-Use or Housing	Yes (Existing Employment Site – EE12)	Reference 5174	7.74	Map 12	SHLAA16339; SHLAA18430; ELR: EMP09
Toll Bar Business Park, Stacksteads	Housing	Yes (Existing Employment Site – EE30)	Reference 5192, Appendix 5	0.76	Map 13	SHLAA16093; ELR: EMP31
Land by St Peter's School, Newchurch Other name: Heightside House, north of St Peter's School	Housing	No	Reference 5037, Appendix 4	1.13	Map 14	SHLAA16155
Forest Mill, Water	Housing	Yes (Existing Employment Site – EE41)	Reference 5194, Appendix 5	0.61	Map 15	SHLAA18424; ELR: EMP20
Isle of Man Garage & Mill, Water	Housing	Yes (Mixed-Use – M3)	Reference 5192	1.09	Map 16	SHLAA16397; ELR: EMP21
Western part of Hugh Business Park, Stacksteads	Housing	Yes (Existing Employment – EE44)	Reference 5322	0.41	Map 17	Part of SHLAA16115; ELR: EMP53
Waterfoot Mills, Waterfoot	Mixed-Use for whole site or Employment for northern part & Housing for southern part	Yes, partly (Existing Employment – EE42)	Reference 5192, Appendix 5	3.61	Map 18	SHLAA16139; SHLAA16385; SHLAA16387; ELR: EMP24
Former Regal Cinema, Burnley Road, Bacup	Retail	No	Reference 5192, Appendix 5	0.06	Map 19	ELR: EMP91
Wavell House, Holcombe Road, Helmshore	Housing	Yes (Existing Employment – EE20)	Reference 5193, Appendix 5	0.47	Map 20	ELR: Part of EMP22; SHLAA (new assessment: SHLAA19440)
Land south of Edinburgh Road, Helmshore Other name: Land at Former Cam Mill, Helmshore	Housing	No	Reference 5196,	0.42	Map 21	Part of SHLAA16300
Land at Lanxess Urethanes UK Ltd, Rising Bridge	Employment	No	Reference 54	0.13	Map 22	SHLAA16348; Green Belt Parcel 05
Land at Burnley Road, Edenfield	Housing	No	Reference 5160, Appendix 4	1.07	Map 23	SHLAA16258; ELR: EMP75; Green Belt Parcel 38;
Land at Elm Street, Edenfield	Not stated.	No	Reference 5139, Appendix 4	0.58	Map 24	SHLAA16268; ELR: EMP7 4; Green Belt Parcel 47

3 June 2020

3

From Anna Duxbury
(No subject)

12h

Land Use Proposed	Local Plan Allocation	Regulation 19	Site Gross	Map (App	Other References
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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)	

Map 24: Land at Elm Street, Edenfield



Dear Madam/Sir

I refer to the local plan submission by Hourigan and Connolly on behalf of Teague and Skillen ref. no. above.

I attach below excerpts from what I believe to be RBC commissioned reports on the Green Belt by LUC and Hive. With respect to Parcel 47 the LUC report rates categories 1a and 1b as Strong and therefore should not be released from Green Belt, and the Hive report is quite clear that the only Green Belt to be considered for release in Edenfield is land to the West of Market street which I believe is now known as H72.

Can you please confirm this is still the case and if not provide the justification for any changes.

Yours Sincerely
Paul Williams



Table 2.1: Purpose 1 Assessment Criteria

a) NPPF Green Belt Purposes	b) Issue(s) for consideration	c) Criteria	d) Ratings		e) Comments on assessment
1 To check the unrestricted sprawl of large built up areas.	a Protection of open land from urban sprawl.	Does the parcel exhibit evidence of existing urban sprawl and consequent loss of openness?	Strong	Adjacent to large built up area and land parcel contains no or very limited urban sprawl and has a strong sense of openness.	Urban sprawl is the spread of urban areas into the neighbouring countryside. Parcels which have already been compromised by urban sprawl, as a result of urbanising influences, will generally play a weaker role than those where the Green Belt is more open in character. It is however noted that in some cases parcels which have been compromised by sprawl may play a stronger role in the sense of ensuring that no further spread or urbanising influence into the countryside takes place. Development means any built structure or land use that does not keep land open. This does not include pylons as these are features of both rural and urban environments or other forms of 'appropriate development' within the Green Belt which keep the land open.
			Moderate	Adjacent to large built up area and land parcel contains limited urban sprawl and has a relatively strong sense of openness.	
			Weak	Adjacent to large built up area and land parcel already contains urban sprawl compromising the sense of openness.	
			No Contribution	Adjacent to large built up area but land parcel makes no contribution to preventing urban sprawl.	
			Not Applicable	Parcel does not lie adjacent to large built up area.	
1	b	Does the parcel protect open land from the potential for urban sprawl to occur?	Strong	Adjacent to large built up area and land parcel has a high potential for urban sprawl to occur.	The features that that are considered relevant to the assessment of potential include: Significant and durable boundary features - Readily recognisable and permanent features are used to define the borders of Green Belt parcels. The presence of features which contain development and prevent urban sprawl can, in certain limited locations, reduce the potential role of a Green Belt parcel in performing this purpose. The significance of a boundary in preventing urban sprawl is judged based on its relative proximity to the existing urban edge of a settlement and its nature. Only dual carriageways, railway lines and rivers which have not been breached within the relevant land parcel, or close by, are considered to constitute a very significant and durable boundary that will prevent urban sprawl.
			Moderate	Adjacent to large built up area and land parcel has moderate potential for urban sprawl to occur.	
			Weak	Adjacent to large built up area and land parcel has low potential for urban sprawl to occur.	
			No Contribution	Land parcel makes no contribution to preventing urban sprawl.	

Parcel ID	Issue 1	Issue 2	Issue 3	Issue 4	Issue 5
30	Not Applicable	Not Applicable	Weak	Moderate	No Contribution
31	Not Applicable	Not Applicable	Weak	Moderate	No Contribution
32	Not Applicable	Not Applicable	Moderate	Weak	No Contribution
33	Not Applicable	Not Applicable	Weak	Weak	No Contribution
34	Not Applicable	Not Applicable	Weak	Moderate	No Contribution
35	Not Applicable	Not Applicable	Weak	Moderate	No Contribution
36	Not Applicable	Not Applicable	Moderate	Strong	No Contribution
37	Strong	Strong	Weak	Moderate	No Contribution
38	Moderate	Strong	Weak	Moderate	No Contribution
39	Moderate	Moderate	Weak	Moderate	No Contribution
40	Not Applicable	Not Applicable	Moderate	Strong	Moderate
41	Strong	Strong	Weak	Moderate	No Contribution
42	Not Applicable	Not Applicable	Moderate	Strong	Weak
43	Moderate	Moderate	Weak	Moderate	No Contribution
44	Moderate	Moderate	Weak	Weak	No Contribution
45	Not Applicable	Not Applicable	Moderate	Strong	Weak
46	Moderate	Moderate	Strong	Moderate	No Contribution
47	Strong	Strong	Weak	Moderate	Weak
48	Strong	Strong	No Contribution	Weak	Weak
49	Moderate	Moderate	Strong	Weak	No Contribution
50	Moderate	Moderate	Strong	Weak	No Contribution
51	Strong	Strong	Weak	Strong	Moderate

Strong	Parcel performs strong against this Purpose.
Moderate	Parcel performs moderately well.
Weak	Parcel performs poorly.
No Contribution	Parcel makes no contribution.
Not Applicable	It is not applicable to make an assessment.

If a parcel performed strongly against at least one of the criteria it was not recommended that the land be released from the Green Belt. In some if there were parts of the parcel that performed poorly these could be considered separately for release. The Study stresses that the assessment is based solely on an assessment of Green Belt characteristics and does not take into account other constraints or "exceptional circumstances".

Release of Green Belt land has been considered first and foremost in the context of "exceptional circumstances". Once that case was established, what the Study does is to provide an analysis of the impact on Green Belt if individual parcels of land are released. In preparing the Local Plan, the Council has sought to follow the guidance of the Study as closely as possible while taking into account other factors related to sites such as flood risk, access and availability of alternative sites. Thus some sites are considered as suitable for release in the Green Belt Study but are not included as allocations in the Local Plan.

Dear Madam/Sir

Please find below the exert from the Hive report that in error I omitted from my email of earlier today.

Regards
Paul Williams

justify altering the Green Belt in this case?

Effect of the proposed Green belt boundary change

- 2.18 The Council have undertaken a thorough assessment of the Green Belt across the Borough (Green Belt Review, November 2016) and this identified land to the west of Market Street as the only land around the edge of Edenfield which would be 'potentially suitable' for release from the Green Belt, without causing harm to the purposes or integrity of the wider Green Belt in Rossendale. The Green Belt Review found that the site performed weakly in Green Belt terms, partly because it is contained

Matter 2 (Vision and Spatial Strategy)

8



Hearing Statement on behalf of Anwyl Land

by the A56 which forms a strong physical and visual barrier and the relevant parcel reference for land at Exchange Street is P44.

- 2.19 The Green Belt Review recognises that *'the planned release of parcel P44, P43 and then P39, in that*

Good Morning.

Thank you, it has been accessed now.

I need to place on record that this Viability Study document is large and contains a great amount of technical data and complex argument using acronyms and statistical data that is frankly not transparent to an untrained member of the public.

I would like to enquire if there is any facility available for this document to be summarised and explained to members of the public using clearly understandable language.

As presented it places ordinary council tax payers and voters at a significant disadvantage.

I have read the document and as I understand it there seems to be no summary of the data and arguments to provide an ordinary reader with a clear view of whether viability is proven in full, in part or not at all for the various elements of the plan.

I await your response because I believe this document is obfuscating and unclear to even intelligent lay readers and frankly falls into the category of "drowning readers in data".

Kind Regards

Ian Francis

Dear Sirs,

I refer to the document appearing at:

https://www.rossendale.gov.uk/downloads/file/16410/el80202_action_202_%E2%80%93_viability_study_update

This document runs to 144 pages of complex tabulations, statistical data, acronyms and modelling most of which is relatively unintelligible to a member of the public. That is a problem because the contents of this document are critical to the decision making by developers and should be made understandable for council tax payers who will be affected by any developments.

The various calculations and costing models seem to refer to general Zones and group all housing costs by density of build on a common basis across the sites within a category, e.g. green field sites in that zone. A major site that is not named specifically in the update report is H39, land at the top of Cowtoot Lane and Gordon Street in Bacup.

I find this surprising since that site has a potentially very different building cost basis to other greenfield sites in zone 1, and the characteristics that lead to this have not been addressed in the study.

Firstly, H39 has very challenging access issues both for construction traffic and eventual residents that may well necessitate the compulsory purchase of land and property to permit safe access to be constructed. Such costs are not included in the viability study as far as I can see.

Secondly The Coal Authority (CA) report makes it clear that there is the presence of both known and unknown shallow mine workings from the Meadows Mine under the site and the CA has stated that a Coal Mining Risk Assessment must be undertaken as a part of any planning application and any remedial or mitigating actions undertaken. It is understood that these could range from not building at all in certain areas such as close to original mine entrances, undertaking ground stabilisation, perhaps using piling and raft construction techniques for stability because of the boggy nature of the ground, filling in shallow mine workings etc.

Is it not necessary and proper that prior to any further commitment to selling this public land for development, these potentially large additional costs, seemingly not yet referred to in the viability report, should be fully identified and costed into a realistic viability plan option that relates specifically to site H39, since this would have an impact on the viability of the site for any developer.

I would appreciate your observations on this matter as soon as possible to enable public comment before the closing date for public responses (19th March 2021) and would also request that this e-mail is included in any submission to the Planning Inspectorate.

Yours faithfully

Ian Francis

[REDACTED]
[REDACTED]

Dear Sirs

This viability study document is too technically complex and not understandable by myself, please can you send a synopsis of the findings of this study document that is understandable by a normal person. We are being excluded from commenting or objecting because of the way the document is written and the lack of presence of or clarity of conclusions about each development site.

Please advise how it relates to site H39, which does not seem to appear in the document. Please advise as soon as possible so we can consider the document.

Yours Sincerely
Sheila Goodwin

Document I am referring to is as per below link

https://www.rossendale.gov.uk/downloads/file/16410/e180202_action_202_%E2%80%93_viability_study_update

Sent from my iPad

Dear Sir, Madam,

I tried reading the Viability Study Document (link below) but I couldn't follow it as it was full of jargon that I found difficult to understand. Furthermore I didn't see any direct mention of Site H39, the proposed development of new houses for the open fields north of the Windermere Road estate which I have commented on and objected to recently.

May I request a summary of this document that is understandable to a member of the public?

This sounds to me that the public are being excluded from making comments or objections because the contents of the Viability document are presented in such a complex or obscure way that makes it difficult to digest and respond.

Mr. Charles Ault & Miss Beverley Hartley

[REDACTED]

[REDACTED]

email - [REDACTED]

Landline [REDACTED]

Mobile [REDACTED]

https://www.rossendale.gov.uk/downloads/file/16410/e180202_action_202_-_viability_study_update

To whom it may concern.

The Viability Study Document relating to the above proposal is impossible to understand!
We, the people it concerns cannot put in our objections to this ridiculous building project when we cannot understand the document? Please clarify the proposals for the H39 site and the work involved so we the people in the area can voice our opposition to this proposal. Please do not try to stop our objections by sending out confusing jargon?.

I await your prompt reply.

Regards
Celia Thomas and Jeremy Dodd

[REDACTED]
[REDACTED]
[REDACTED]

5th March 2021

Hi

I wish to raise an objection to policy HS6 Affordable housing which if implemented would mean a reduction from the current RBC policy of 30% affordable housing per development to zero in some areas with a maximum 10% in Bacup

Kind regards

A, Boon



Dear Sir/Madam,

With reference to the Examination Library 8, in particular EL8.015 Action 15.9, New Employment Site NE4 (extension to New Hall Hey).

Green Belt. Once again, the Green Belt land to the west of the River Irwell should not be considered for development having already been classed as 'not recommended for release' 5 years ago during the Green Belt Review (2016). This is even more relevant in preventing the merging of Rawtenstall and Haslingden as industrial units have already been constructed close to that area at New Hall Hey, not to mention the environmental impact it would have on wildlife and flooding which is now evident and exacerbated by the construction of the new units. **(PHOTO 1& 3).**

Access. Vehicular access to the proposed site on the east side of the river Irwell has been subject to the Mott Mac Donald study and concluded that a bridge which would be required to be constructed over the river would cost in excess of a staggering £2m (£2,000,000). This amount of public money cannot be justified to provide private business the opportunity to perhaps employ a relatively small number of people in the area in spite of government targets, when there is other similar land under consideration. Additionally, the Local Highways Authority have already implied that any access road which would include the bridge, is unlikely to be adopted, leaving Rossendale Borough Council (RBC) a continued maintenance cost for the bridge if not the access road itself. The possibility being explored with both United Utilities and North West Electricity of an access road from Holme Lane through their sites and onto the field has so many adverse and potentially dangerous implications. RBC may need to be reminded that Townsend Fold Water Treatment Plant (and not a sewage works as written in your report) contains highly dangerous chemicals and is most probably part of the UK Critical National Infrastructure (CPNI) and that the electricity sub-station and moreover the Pylon exploded in December 2008, albeit due to a gas leak. An access road squeezing through this area would not be acceptable to local residents. Additionally, Holme Lane itself, although just managing to deal with the existing traffic from the small industrial site which includes K-Steels, cannot cope with the extra Large Goods Vehicles (LGV) which would be transiting along the lane especially during unit construction. The junction of Holme Lane and Bury Road is angled such, that any LGV travelling from the direction of Edenfield has to use the Rawtenstall Gyratory to turn around and access the Lane from the direction of Rawtenstall. Similarly, LGV traffic leaving Holme Lane is compelled to use the Rawtenstall Gyratory wherever their destination might be. This would severely increase the traffic at this already talked about Gyratory and subject to EL8.007.2. There is also the question of the Townsend Fold ELR level crossing; at the moment, this is locally manually operated however, i would suggest that this would need to be upgraded to an automatic barrier similar to that at the New Hall Hey crossing creating even more expense and unnecessary work.

Flood Risk. Numerous members of the public have highlighted and complained recently on social media that the public footpath running adjacent to the river Irwell on the west side is flooding on a more regular basis since the construction of the new New Hall Hey units. Building yet more units will exaggerate this problem. Your report mentions that the land on the east side of the river is currently flat and plateau like, therefore not in the high

risk of flooding. During heavy rains a few years ago (**Photo 2**), the River Irwell burst it's banks in this area and had it not been for the bank of the plateau, the whole field on the east side would have been under water. Any construction on this field will inevitably lower the level of the field making it effectively a bowl and place it in risk of flooding.

Landscape. Any proposed landscape initiatives for this area would have absolutely no benefit to those living in Holmeswood Park (closest the land), as those residences are elevated and would have a clear view of any buildings. It is both concerning and disappointing that the only properties mentioned in your reports are those cottages on the north side of Holme Lane and not those on Holmeswood Park!

Conclusion: I can understand the need for RBC to plan for employment land; however, this particular area is so, for many reasons, not right. There are hundreds if not thousands of members of the tax paying public vehemently opposed to these 2 pieces of land being developed. Please consider my comments above.

Thank you.

Andrew Kyme

[REDACTED]
[REDACTED]
[REDACTED]





Nicholas Cousins

16/3/2021

Tel:

E mail:

Dear Sir

This letter is by way of follow up to objections I raised on 20th February 2021 to Rossendale Borough Council's plan to develop land noted as H 39, opposite Cowtoot Lane. This 'H 39' reference is cited in the Council's schedule of actions matter 10.7 contained in the relevant pdf on the Rossendale Borough Council website. Since I wrote my previous letter the '*Rossendale Local Plan Economic Viability Assessment Update Report*', prepared on behalf of Rossendale Borough Council (matter 20.2 of the Further Actions requested by the Local Plan Inspectors) has been published. I am under the impression that this Report in some way seeks to discuss and/or recommend possible development of land including greenfield sites which fall under Rossendale Borough Council's jurisdiction. If this is the case, then presumably the land noted as H 39 opposite Cowtoot Lane falls into this category.

If the *Viability Study Update Report* is indeed a precursor to possible development of greenfield site such as that noted as H 39 off Cowtoot Lane, then I have several complaints to make about it. These are as follows:

1) As a whole the 114 page document, 52 pages of which are appendices, appears impenetrable to the lay reader. There appears no coherent introduction to the Report setting out its aims in a manner comprehensible to the lay reader. No meaningful conclusion seems evident either. One is left musing what the exact purpose of the document is and how it relates to proposed areas of greenfield and brownfield sites identified as having potential for development. There are sections on benchmark land values and construction related costs of development but there appears no coherent section addressing any strategy relating to the development of specific brownfield or greenfield site. If there is a strategy contained in the document, relating to specific sites, then it is not clear or obvious.

2) As the document is impenetrable in terms of providing a strategic summary of possible development of specific brownfield and greenfield site then it lacks democratic accountability. The Report must spell out to the local electorate what the strategy of the Council is with regard to specific sites, *if this is the intention of the Report*.

3) The document must therefore demonstrate its relevance to sites such as that noted as H 39 opposite Cowtoot Lane. The document contains no reference to 'H 39' or 'H39' or 'Cowtoot Lane'. There are 55 references to 'greenfield', but these references appear to be in the context of 'local plan costs' – another vague reference. I do note that section 4.63 on page 47 comments '*that there is now potentially a greater number of Local Plan costs associated with greenfield development*' – though these are not spelt out in a meaningful way.

4) The document contains a plethora of acronyms and several tables of figures which simply reinforces its incoherence to the lay reader.

5) One is left wondering whether the document provides any basis for the development of greenfield and brownfield site given the confusing jargon contained therein and the mystifying nature of the document's purpose with regard to local development.

I look forward to your reply

Yours faithfully

Nicholas Cousins

Dear Sirs,

Loss of childrens play facilities and green space: I wish to lodge my concerns about the proposed housing development sites in and around Bacup, in particular H37 and H29 and H41. Some of these sites are green spaces and include childrens play facilities. By providing more homes you are supposed to provide more play areas not take it away.

Access: Regarding the proposed plan 6 - 10 years for Gladstone Street H29. As is pointed out in the plan there is no current access and provision would have to be between house no.37 and no. 39. I live on Pennine Road at the top of Gladstone Street. In winter the only way to my house is via Pennine Road. You simply do not chance Gladstone Street because of parked cars and being a hill is absolutely treacherous. All these homes accessed by car would not be able to get in or out. Because the road is so bad in winter people abandon vehicles all over it which makes it much worse if you are trying to navigate in skid conditions.

Transport: As pointed out by the agents who composed the earlier report they have already pointed out that transport to this part of Bacup is not good. Public transport going towards Rochdale, Burnley and Rawtenstall laughable. To travel to Burnley from Bacup people (families) have to catch one bus to Rawtenstall then another bus to Burnley which is going 7 - 10 miles out of your way. I used to commute to Manchester from Bacup but found the only way was part car, then tram. This involved 2 hours journey in the morning and 2 hours home. Unfortunately it was too arduous and I left my job.

Affordable Housing: The percentage of affordable housing being allocated is less than 10%. Which means there would npt be affordable housing available in Bacup. Most of the new development and design is catering for the more wealthy households.

Leisure: Exploratory research into amenities and recreation facilities needs further participation. To work on a sustainable local plan requires much more thought and planning. Unfortunately the public have only recently been made aware of the Local Rossendale Plan and with the Covid Restrictions Public opinion has not been able to engage.

Janet Boor [REDACTED]
mobile: [REDACTED] Work: [REDACTED] Hme: [REDACTED]

Please find attached comments I have submitted to Forward Planning re this.

I am sending them to you because I think you need to be made more aware of local feeling, not only with regard to the Plan but because of how the unfairness of the way the legislation is set up to limit the ability of local people to comment unless they commented or showed an interest at the first instant. This was how many years ago and how much has changed! People are now seeing the effects of the easing of the planning regulations and it is not a pretty site. This Valleys fields, and countryside are under rapidly increasing threat and ,yes, more people now want to get involved but are unfairly excluded.

Likewise the Council are barely following minimal guidelines about individual applications. They don't appear to send out even one letter to neighbours or post a notice anywhere, I have checked with a Planning Officer and this is what should happen, but it has not repeatedly. They may inform community groups and the like but it has got to a point where unless people are members of those or they have use of electronic media and actively search out specifically for planning information then they get none! This is inept, inadequate and totally unfair.

So the only other recourse is for people to appeal to their local Councillors to listen to their opinions of local planning and appeal to them to try and influence this unsatisfactory imbalance.

Thank you. Sheila Newton

Comments to planning re H5 Swinshaw Hall Site

I wish to strongly object to this proposal proceeding any further.

In the document from the landowners about this site it refers to historical ribbon development along the edge of Burnley Road dating till the 60's. Ancient history indeed. What of the last 60 years when its history has been that of open space, fields and views, much appreciated by locals and people passing through alike with its view of the historic Hall. Why should we not preserve that?

The Council would seem to want to preserve the whole of the Central part of the site (SHLAA 16206) which is commendable, while the developers want to build up the southern end of this as well, but the whole of the field frontage of the site is important in relation to the Hall.

Goodshaw lane borders the side and rear of the whole site and is described in the owners document as sinuous and characterful. It is, and it also has sweeping field and moorland views which would be lost with the development of the South (SHLAA 16205) and North 16207) areas. These are enjoyed as a

country lane walk by many people, being one of the few in this area suitable for prams and wheelchair users (A lot of the walking in Rossendale is on rough moorland tracks inaccessible to many) and attracting casual tourists (a supposed aim of the Council), being a route between Goodshaw Chapel and Swinshaw Hall.

It is worrying that it is deemed that only a “balanced Judgement” is needed in regard to weighing potential harm against public benefit. How balanced can it be when the Council is under such Governmental pressure to provide unrealistic quotas for housing numbers.

The traffic issues in this area are huge. 295 vehicular trips daily from this site is being deemed as having no detrimental impact! Add this to the trips from 100 and odd houses already disastrously passed for development on the West side of Burnley Road directly opposite this site, the dozen or so in process in Goodshawfold, the site proposed behind Laburnam Cottages and the massive 100 and odd at Broadleys and the road is likely to be gridlocked right down into Rawtenstall at peak times. The dangers of Goodshaw Lane then becoming a “rat run” are evident. Burnley Road is already in third world condition in places and the topography defies alternatives. The idea of a roundabout to serve the sites either side of the road would mitigate little and the time and scale of disruption would be vast. Also if the North and South sites on Swinshaw were to be developed there would be houses fronting onto the main road with a roundabout in front of them and two divergent access roads rising behind and above them. How can that not intrude and detract from the Halls setting, even if they do plant wildflowers in front of it!

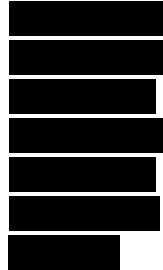
The whole infrastructure of the area is not keeping up with development and will suffer from this. It is mentioned that the schools are close to capacity, always an understatement. Ditto the Doctors, Dentists and other Health facilities. Paltry contribution for the school need only be made “if identified as necessary”! And would it even be ring fenced? Ditto a contribution to parking in Crawshawbooth.

The issue of surface flooding is always a real one around here. Water pours off the banking in front of this site onto the road causing traffic hazard. Why are

the landowners not made responsible for sorting the drainage without it needing to be a mitigation for profitable building.

As well as Goodshaw Lane there are several well used footpaths through this site and although a “movement framework” has been requested re foot and cycle paths, local experience shows that often developers pay only lip service to these ever being retained or made a reality. With no Footpaths Officer in post or in sight even our well established footpaths are rapidly disappearing or being obstructed so it is likely that any scheme would not be adhered to or maintained.

In conclusion, the interested landowners and developers consider this site “virgin land” in an attractive village area with broad appeal. And yes, it definitely is. But who will it appeal to when it has lost it’s open space, expansive views, it’s heritage and history and is no more than a dormitory estate for Manchester from which, due to congestion, will be an unfeasible commute time however else it is marketed. Don’t let greed further destroy our Valley. Its time to call a halt on this one.



18 March 2021

Miss Lauren Ashworth
Economic Development Directorate
The Business Centre
Futures Park
Newchurch Road
Bacup
OL13 0BB

Dear Lauren

Re: Taylor Wimpey – Grane Village Housing Development – Planning number 2019/0335

I write as secretary of Grane Residents' Association regarding the above application. The Association (previously Save Grane) was formed in 1991 when it was discovered the site in question was to be designated for employment purposes in the emerging Local Plan. The Association is not just a protest group of NIMBYs, over many years we have accessed a significant amount of funding to enable volunteers to complete many environmental projects in Grane, and friendships and community spirit have blossomed as a result of the work we have undertaken.

This land is again under threat from developers but unlike 1991 we are not threatened with compulsory purchase of the land, which included residents' gardens and a small holding owned by a local family. For the people who live here, Grane is not just a name, it is an area steeped in history which over the past 100 years has seen many changes, as families and businesses were forced to move during the creation of the Grane reservoirs. Quarrying in Grane lasted longer than its cotton mills, so much so that Rossendale Borough Council recognised the importance of this historical industry and the "Valley of Stone" project was born. As active members of the community, Grane Residents' Association was approached to participate in the development and construction of the Grane Road Access Project, which created an off road route from Heap Clough to Clough Head Information Centre, with disabled access for wheelchair users. We embraced this opportunity and worked alongside Rossendale Groundwork, Rossendale Borough Council, Lancashire County Council, United Utilities, English Heritage and were supported financially by the Heritage Lottery Fund.

This major project enabled volunteers to gain skills in dry stone walling, hedge laying, woodland management and footpath construction, whilst promoting community cohesion. It also documented the history of Grane and the contribution its quarries made to the livelihoods of local families. Stone extracted was used to build local housing stock, St Stephen's Church and the Mission Hall, which sits adjacent to the site. Grane flagstone not only paved the streets of Rossendale but also London's Trafalgar Square.

What has the proposed development got to do with the subject of quarrying and the Valley of Stone you may ask. The answer is simple, the site in question was not included in the project, but it is not too late to rectify this oversight. To the rear of the Mission Hall and alongside the public footpath in the middle of the site are the stone foundations of the quarry's weigh station and office, where incidentally three of my ancestors were employed, dismissed by the developer in its planning application Ecological Assessment 2019 as "a dilapidated farm building," and described in its Archaeology and Cultural Heritage Impact Assessment 2019 "An agricultural building occupied the east side of this area (Plate 2). This is a late 20th century brick and timber structure, which was evidently constructed after the quarry tramway crossing the site had gone out of use. This is not the building depicted on early historic maps of the site at this location, which was associated with the tramway."

Also remaining, running the full length of the site, are the now abandoned narrow gauge railway embankments and cuttings which served the quarries of Musbury and Grane. The railway track ran from the Scrubber Chimney, a monument which was restored during the Valley of Stone project. The loss of these key archaeological and historical features would be detrimental to the area and to the wider Valley of Stone initiative.

Grane's history should not be trampled on by profit hungry developers and a Council eager to destroy historical features to gain revenue from new properties which could be built on a more appropriate, less invasive site. There is much discussion at the moment about the creation of the Lancashire Cycleway Network which includes "Valley of Stone (Rossendale)". There is potential to incorporate a cycle track within the site to link with this facility, to enhance the public footpath which runs through the centre of the site, and to preserve the remains of the former quarry weigh station/office for the benefit of local residents and visitors to the area.

We believe the site should remain under the protection of the current Urban Boundary in order to safeguard the valuable flood protection resource which currently exists, retain the natural habitat for the flora and fauna inhabiting the site and those transient from the Grane SSSI which sits only 0.8km from the site's western boundary.

Taylor Wimpey's Archaeology and Cultural Heritage Impact Assessment quotes the following:

"Local Planning Policy – Rossendale Borough Council's emerging Local Plan for the borough (2019-2034): Strategic Policy ENV2 (Heritage Assets) provides the following guidance: "The Council will support proposals which conserve or, where appropriate, enhance the historic environment of Rossendale. Particular consideration will be given to ensure that the significance of those elements of the historic

environment which contribute most to the Borough's distinctive identity and sense of place are not harmed. (Rossendale Borough Council 2018, 74)."

Had we been approached by Rossendale Borough Council for our input during the process of formulating the new Rossendale Local Plan, rather than being presented with a fait accompli, we would not be on the journey of trying to protect our environment.

Many people have objected to the proposed housing development for all the reasons outlined on the Planning Application website. So far the video created by GRASS to raise awareness of our concerns has been viewed 11,800 times and our petition has been signed by 1,870 individuals, with a significant number stating their reasons for objection. We urge you to take into consideration all the comments put forward in relation to the proposed housing development and seek a route to provide a facility which will benefit all parties and not destroy our village.

Yours faithfully

Margaret Murray
Secretary

ROSSENDALE LOCAL PLAN 2019 – 2034

CONSULTATION ON EXAMINATION LIBRARY 8 (SECOND TRANCHE)

CONSULTATION DEADLINE: 19 MARCH 2021

RESPONDENT: B&E BOYS LTD (**RESPONDENT REF. 5192¹**)

REPRESENTATION: HEATH HILL HOUSE (WOODLAND MOUNT) BOOTH ROAD, STACKSTEADS, BACUP - PROPOSED ALLOCATION H32

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. A First Tranche of consultation was held in December 2020, and this current consultation forms the Second Tranches and ends on **19 March 2021**. Representations will be forwarded to the Inspectors to inform their review of the draft Local Plan.
- 1.3 The Schedule of Actions didn't require the Council to make any further comments on the proposed allocation of the subject site – proposed housing allocation H32 – however in preparing a planning application for the development of the site, Hourigan Connolly has noticed an anomaly on the Submission Version Policies Map for Stacksteads which directly affects the delivery of the proposed allocation H32.
- 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 has notified the Council of the anomaly prior to the submission of this Representation.
- 1.5 Hourigan Connolly reserves the right to submit further comments as part of the emerging Local Plan process to supplement all other Representations submitted at previous stages in relation to the subject site.

¹ Respondent Reference Number as per Hearings held in September & October 2019

2. MATTER 10: HOUSING SITE ALLOCATIONS: BACUP, STACKSTEADS, BRITANNIA AND WEIR

STACKSTEADS POLICY MAP SUBMISSION VERSION

- 2.1 The subject site is known as Woodland Mount or Heath Hill House, on Booth Road in Stacksteads. The site is in a single ownership and is made up of private garden land which is bordered on all sides by trees. There are no environmental or statutory designations or other technical considerations that would prejudice the residential development of the site. The site is sustainably located and is capable of delivering housing now.
- 2.2 As confirmed that the Examination Hearings in October 2019, the site has been the subject of positive pre-application discussions with Officers for a residential development of 14no. dwellings; an increase of 4no. dwellings above the proposed allocation, but a reduction of 2no. units from Representations submitted prior to the Regulation 19 stage. The indicative layout which was presented at the Examination Hearing (also included in the Hearing Statement) and which formed the pre-application discussions with Officers in August 2019 is replicated below at Figure 2.1:



Figure 2.1 Proposed Housing Layout

2.3 Officers agreed at those pre-application discussions that the layout was acceptable in principle.

PREPARATION OF DETAILED PLANNING APPLICATION

2.4 It has come to light during the course of preparing a full planning application for development of the site for the proposed 14no. dwellings, that there is an anomaly in the Submission Version Policies Map for Stacksteads.

2.5 Both Hourigan Connolly and the Council had been working on the basis that the no.14 dwellings would be delivered on a housing allocation which was wholly within the urban boundary of Stacksteads. However, as the images below show, there is a difference between the proposed development site layout and the draft boundary line between the Green Belt and the urban boundary. The urban boundary line is indicated with a red line and the Green Belt shaded in green.

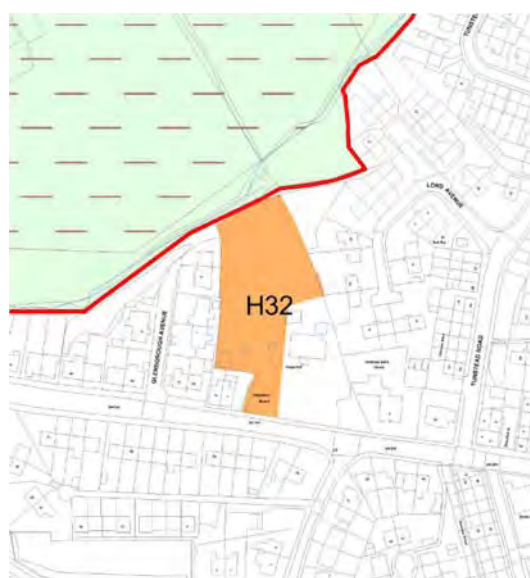


Figure 2.2 Extract from Submission Version Policies Map



Figure 2.3 Extract from Proposed layout tabled at pre-application meeting with approximate Green Belt area identified by green shading following route of existing PROW

- 2.6 On the basis of the current drafting of the Policies Map, all of the land north of the existing route of the Public Right of Way (PROW) which dissects the site (east to west) would be positioned within the Green Belt.
- 2.7 We are requesting that the urban boundary line be amended so that the whole of the site is located in the urban boundary and that therefore requires an alteration to the Green Belt boundary.

EXCEPTIONAL CIRCUMSTANCES: ALTER GREEN BELT BOUNDARY

- 2.8 The emerging Local Plan includes numerous amendments to the Green Belt and urban boundaries. The Council has established exceptional circumstances for the release of land from the Green Belt across the Borough in order to deliver the Council's identified housing requirements over the Plan period.
- 2.9 National planning policy (Paragraph 136 of the Framework) states that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.
- 2.10 Having regard to national policy and the aims that defining Green Belt boundaries in development plans should seek to achieve, it is regarded that the following is applicable in considering an alteration to the Policies Map in relation to the subject site and proposed housing allocation H32.
- 2.11 The Council has established that there is an evidenced and fully justified need to update the Green Belt boundary. The Submission Local Plan Policies Maps include a number of proposed major and minor updates to the Green Belt and urban boundary which are required to deliver the identified strategic housing requirement.
- 2.12 The draft allocation site is in a sustainable location and would therefore be consistent with the emerging plan's strategy to meeting identified requirements for sustainable development.
- 2.13 The part of the subject site which is currently in the Green Belt is not necessary to maintain the openness of the Green Belt. The land is bound by existing trees, a stream and timber fencing and sandwiched by existing development and a public right of way. It is not accessible by the public and makes no contribution to the five purposes of the Green Belt.
- 2.14 There would be no need to alter the Green Belt boundary in this location at the end of plan period.
- 2.15 The subject site is in a single ownership and presents an opportunity to develop out a discrete area of development for 14no. units as part of the proposed allocation H32. The northern boundary line of the application site is defined by an existing stream and represents a sensible 'rounding off' of the urban boundary in this part of Stacksteads.
- 2.16 The boundary between the Green Belt and the urban boundary would be clearly defined by an existing stream which is an existing physical and permanent feature. At present, there is nothing to prevent the PROW route being diverted – it is not a permanent feature – and therefore if the

PROW were to move the Green Belt boundary would be nothing more than an arbitrary line on a plan which didn't follow a physical and permanent feature on the ground.

- 2.17 There are clear exceptional circumstances which support an update to Policies Map so that the line of the stream along the northern boundary of the subject site forms the boundary between the Green Belt and the urban area.
- 2.18 The small area of land which currently sits within the Green Belt does not meet the tests of Green Belt policy in so far as the land:
- a) Is not essential to check the sprawl of a large built-up area.
 - b) Is not necessary to prevent neighbouring towns merging.
 - c) Has a strong relationship with the existing urban area and the sense of openness is limited. Furthermore, existing buildings at Glenborough Avenue and Lord Avenue 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 boundary would not constitute encroachment.
 - d) Does not preserve the setting and special character of a historic town.
 - e) Is associated with, and forms part of, land associated with a private garden and which has been allocated for housing in the urban area.
- 2.19 To conclude, there are fully evidenced and justified exceptional circumstances to update the Policies Map as discussed above and release the land from the Green Belt.

CONCLUSION

- 2.20 Hourigan Connolly has notified the Council that a planning application is being prepared for the development of the site for 14no. dwellings, following positive pre-application discussions based on the proposed layout presented at the Examination Hearings and in those pre-application discussions (both of which were held in 2019).
- 2.21 The Council has provided full and justified evidence that the Green Belt boundary around the Borough of Rosendale is required in the emerging Local Plan.
- 2.22 It has been shown in this Representation that the Green Belt boundary should be altered in Stacksteads to enable the land at the subject site to be delivered holistically and comprehensively within the first five years of the plan period.
- 2.23 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.

Dear Madam/Sir

As advised late yesterday to the LVRA that residents are to be allowed to, I wish to make this submission regarding the APPLICATION PROPOSED LOCAL PLAN ALLOCATION H5 LAND WEST OF SWINSHAW HALL, BURNLEY ROAD, LOVECLOUGH having given careful consideration to the pre-proposal information supplied by the developers.

I understand the deadline for submissions has been extended to end of 19 March 2021 and I would request that my submission is included in the review.

Thank you

Debby Marcy

PRE-APPLICATION INFORMATION – PROPOSED LOCAL PLAN ALLOCATION H5
LAND WEST OF SWINSHAW HALL, BURNLEY ROAD, LOVECLOUGH
(Swinshaw Hall (2020/0014) – Binder 1)

In relation to the above document, please accept the following submission.

Having lived in Dunnockshaw, Crawshabooth and Loveclough for 60 years I am having difficulty in recognising the locale of this proposed development site as it is being represented. To me it's fairly clear that it has been prepared by an organisation who know little of what they write, with a poor grasp of Rossendale's essence and local conditions.

In particular:

- **What is the relevance of the mitigating works referred to be made to the site in the following paragraph, being some 20 miles plus south of Manchester (Page 19 Design Statement/Numbered Page 143 in the.pdf)?**

“Design the layout to include for pedestrian access and links from the Peak Forest Canal and Buxworth settlement across and through the site and to the existing routes.”

None that I can see. It's not just this odd reference. I would call into question many of the 'facts' and 'evidence' cited to support the suggested development. If they are as valid as the paragraph I have taken from the report supporting the suggested development, it may well warrant closer investigation. The Inspector may wish to take note of this.

- The photographs taken of the site and surrounding areas are 'creatively' taken and do not give a true picture of the scale of the necessary works (particularly the access road building) and the very high impact in all respects on the receptors of every variety.
- The description of areas adjacent to and of the proposed site is written as if to suggest that this is a rather degraded and ill-kept wasteland in a built-up semi-urban area of no particular merit and has been photographed in a way to promote that impression. This is totally *not* the case - it is a hidden gem of Rossendale, outstandingly beautiful in its character and peacefulness and one of the very few areas which is accessible for disabled scooters, wheelchairs and pram walkers in this area of Rossendale with good views and pleasant aspects.

[Italicised text in quotations are direct quotes from the Developer's document]

Flooding

“The site is entirely within Flood Zone 1. Other flood zones occur at much lower elevations

and are the site is not considered to have flooding constraints.”

It may well be within Flood Zone 1 but this whole area floods regularly. I have video and photographic evidence which I can make available if required of water gushing through the wall and running into the proposed development site. Residents will tell you that this is an area of extreme bogginess, and that the amount of water running off the hillsides - and straight into the projected development fields has increased significantly over within recent years due to

- a) Accelerated climate change leading to increased rainfall.
- b) The drainage and accumulation of the water table having changed significantly (I suspect that this is probably due to the decommissioning of Greenfold Reservoir and that the springs which fed the reservoir simply have not got anywhere to go other than to run down the hill towards Burnley Road.) This is the case all along Swinshaw/Goodshaw Lane. We live on the old Badgercote estate and for the last 10 years our garage is flooded significantly by water running down through Goodshaw Lane's network of streams and into our property. This is the case for many other residents.

The pictures provided by the developer's own report writers of the roadside boundary of the suggested development clearly shows considerable quantities of water that stands and runs down the lane behind the suggested development. The report also refers to the "poor drainage". The road drainage is not regularly maintained and the run off has nowhere to drain to except the fields below.

Location and accessibility

"The site has very good accessibility to local bus services, being situated within 50m walking distance of two bus stops on the A682 Burnley Road.

We have no footpath gritting here and the accessibility is not good at times of ice and snow eg November to April.

"Buses serving Burnley Road are relatively frequent, and provide access to local areas including Barnoldswick, Burnley, Clow Bridge, Colne, Crawshawbooth, Manchester, Prestwich, Skipton and Waterfoot."

"Relative" is the very operative word here and will bring a wry smile to the face of anyone who stands waiting for an X43 bus for 40+ minutes due to local traffic conditions when the road is closed over the moor to Burnley due to snow, and the ever day, normal effects of the Rawtenstall gyratory system, Valley Road in Colne and also knock on delays caused by Manchester's rush hour. This is the normal daily state of affairs, not every now and again.

Households with two or three cars will not find lack of access to a bus route a serious impediment. However, this development is supposed to be including 'affordable housing' and it's likely that the paucity of the bus service will affect these households more. It's also extremely expensive to travel locally to shopping and healthcare amenities in Crawshawbooth, Rawtenstall or Burnley as the X43 is aimed at more lucrative commuter traffic.

The other bus service cited, 743, runs Monday to Friday, BRGS school days 1 journey at approximately 7.50 am and 1 return journey arriving at Loveclough approximately 3.50 pm. It is a school bus in effect.

"A new junction can be created in the vicinity of the existing bus stop on the east side of Burnley Road.

Locating a new highway access here would seem to work well for a variety of reasons:

Existing Landform: At this location, the site has a gently sloping gradient running eastwards from Burnley Road.

Creating an access in this location is likely to require the least amount of soil removal or reforming of land within.”

This is not a gently sloping slope. This is a steep banking which will take a considerable amount of earth removal. The size of it is actually misrepresented by the use of the fish-eye photograph. This banking regularly pours with water, floods and overflows with water onto the footpath and into the road during longer rainy periods and the road floods and ices over on this dangerous bend. This flooding will need to be addressed by big drainage works, and the icing by appropriate gritting in winter.

From a purely practical point of view, how this access road is going to be built with the heavy lifting and digging equipment that will be needed without closing Burnley Road or throttling the traffic flow considerably is questionable. AND this must happen before the development begins.

*“Driver Visibility: A new junction is capable of incorporating acceptable minimum levels of driver visibility in both directions onto Burnley Road. Burnley Road is subject to a 40mph speed restriction, so (**dependant on observed traffic speeds**) minimum visibility splays of 2.4m x 70m would need to be provided. The indicative layout demonstrates that visibility splays of 2.4m x 90m (in both directions to nearest kerb lines) can be achieved at a new site access junction with Burnley Road.”*



It cannot be stressed how dangerous the A682 is at this point, and the bottom left hand corner of the picture tells the story - it is straight, fast stretch of road is where drivers have really picked up speed after the 40 mile an hour stretch begins at “The Jesters”. Crossing the road is well-nigh impossible without a pedestrian refuge.

I personally knew two people who have been traffic fatalities on this very stretch of road, one at the development access site. Police reports will confirm the numbers of less serious accidents at this very spot.

At both ends of the development - particularly the Crawshawbooth side there are dangerous sudden bends in the road.

The suggestion of a roundabout to cope with the traffic flow coming up from the development currently being built immediately opposite the development and off the suggested development is risible. Similar to this is the bottom of Hollins Lane which is chaos and the cars are not travelling at anything like the speeding traffic at Loveclough. Speeding cars coming along Burnley Road will either deliberately ignore the traffic trying to flow from the two developments or there will be RTAs. This is not a quiet country road, it is the main arterial route from Burnley to Rawtenstall and beyond. Traffic speeds on here and there is already a huge amount of it. This is a documented, truthful fact.

*“As part of the new access creation the existing bus stop on the eastern side of Burnley Road will need to be relocated. The bus stop **appears capable of being safely relocated** to the south of a new site access on Burnley Road, subject to agreement with the Local Highway Authority.”*

Where is the bus stop going to be moved to? The footpaths to the south are too narrow. The bus stop cannot be placed anywhere before the next bus stop at Badgercote which is 2 minutes away on the bus.

There are too many intangible ‘fingers crossed’ assumptions being made in this report: “would seem to work well”, “dependant [sic] on observed traffic speeds”, “A new junction is capable of incorporating acceptable minimum levels of driver visibility in both directions onto Burnley Road”, “bus stop appears capable of being safely relocated”.

Other factors to be considered

There is no doubt that the majority of people and organisations making an objection to this proposal will make the following points and I’m not going to expand particularly on them.

- As I’ve alluded to above, the roads are already at capacity and this is *before* the Commercial Street development starts to add to the congestion and the Broadley site near Crawshawbooth.
- The primary schools is full and over-subscribed for the foreseeable future – and the usual red herring of extra school funding etc. - again *before* the two other housing developments come on stream.
- The nearest GP surgery is creaking at the seams with demand.
- There are few NHS dental services available anywhere in Rossendale.
- The suggestion that extra parking will be provided in Crawshawbooth is ridiculous – where?
- The wildlife of this area is varied and should be cherished not disturbed further. A couple of days ago I was walking along the lane close to the development site and pipistrelle bats were playing just over my head. I met deer last year on the lane, which is not unusual. There are newts and grass snakes if you look for them.
- What guarantees are going to be made to protect the footpaths that go through the site are going to be protected? The Rossendale Way is hugely important to Rossendale’s reputation and tourist potential, and now forms part of yet another National footpath network, the Lancashire Way. The local footpaths are also equally important and sadly, in this immediate area, many of the footpaths have been expunged or rerouted. This is a fact which I can attest without fear of contradiction because I and my husband surveyed every footpath in this area for Rossendale Groundwork in the 1980s, and the LVRA Footpaths Officer will confirm this.

- Heritage. Swinshaw Hall may not be listed, but as is noted in the report, there is a very good case that it should be.

Whether or not this is the place where the last wild boar was killed in the Royal Hunting Forest of Rossendale is just legend can't be proved. However, any suggestion of an historic burial site which is commonly known of in the community, should be formally investigated before any development takes place.

The Heritage section slotted into the proposal bears little or no relationship to the site under discussion and appears to have been written in relation to housing developments around at Goodshaw Village. Yet, there is the glaring omission of reference to the English Heritage site at Goodshaw Chapel 5 minutes easy walk along the lane from the site.

I've tried my utmost to be objective in this submission. It's hard to see a place that you love being systematically dismantled as a place which is still close to moorland and the heart of what is special about Rossendale. Change has to happen and people need houses. But I fully believe there are so many reasons why this development would be the final straw that breaks the balance of amenity and public good over greed in this part of Rossendale. I wouldn't want to live on a development like this and to be honest, I wish we could move away from an area where I have lived for the 50-odd years than watch which is generally acknowledged by the local community as basically being asset stripped for profit and additional council tax income. It will no longer be a desirable high value place to live.

Neither can I understand how it has been once refused on very strong grounds and yet, under the cover of Covid and other bad news it has been slipped back into Planning. The accepted wisdom amongst residents all over Rossendale that any development for new housing is a 'done deal'. Hopefully on this occasion it is not. However, there has been delaying and obfuscation about whether or not we were able to make submissions and right up to last night Rossendale Borough Council didn't confirm to our local community representatives, LVRA, that submissions could be made, even though they had repeatedly asked for that information.

As a final observation, I have to state that, in my opinion, this pre-application document is, at best, poorly written and photographed 'creatively' to try and put a gloss on something that is not good for the community and not good for Rossendale.

Yours faithfully

Debby Marcy

[REDACTED]

I strongly object to the plans for building in the areas around Gordon Steet and Cowtoot Lane.

My objections are as follows :

There is a school and a nursery school on Cowtoot Lane and children's safety is being put at risk of heavy traffic including lorries, diggers and other construction vehicles.

Gordon Street already has cars of people of residence lining and is a narrow road with a children's park on, therefore also putting children's safety at risk.

The farm land at the back of Gordon Street is extremely boggy and water logged with several mines underneath which cannot possibly be suitable for building on. This also leads to flooding which we have already had problems with on Gordon Street cul de sac.

When we purchased the house we were told that the land was greenbelt and would never be built on and we would always keep our beautiful views.

House prices may decrease in value as a selling point of these properties is the fabulous scenic views to the rear of the properties.

I fear that with heavy traffic adding to the area with so many children going to school, nursery and to the park that it is an accident waiting to happen!

With regards

Sarah Goggins

[REDACTED]
[REDACTED]
[REDACTED]

Ms J Starbuck Ashton & Mr F Kinowski

[REDACTED]
[REDACTED]
[REDACTED]

we would like to register our objections the planned Development. This development is trying to be pushed through without any regard for any residents in the area, i am sure you have many objections to this development.

It appears that the council think they have the right to decide whose lives are worthwhile and whose lives they have to right to put at risk, well this may come as a surprise to you, you dont have the right to put anyones life as risk.

May i ask why you think the children in this area are less important than other children in the country, when the development would increase by 100% the possibility of a child/children losing their life in an RTC which with the amount of increased traffic can only be described as an accident waiting to happen, are you really ready to put these children at risk. How can you justify this and would you be able to live with the result!!!!!! I believe the amount of work needed to make this land safe including excluding the possibility of further flooding to the area, has also been brushed under the carpet.

I feel that the public are being excluded from commenting or objecting because of the way the document is written and the lack of presence of or clarity of conclusions about each development site.

Please could I request for clarity on how it relates to site H39, which does not seem to appear in the document. I wonder why that is so?

i have also been told that there are other areas suitable for development but due to cost you have decided to proceed with Cowtoot lane development, please can you clarify this to the public.

Joanne Starbuck Ashton & Francois Kinowski.



REPRESENTATIONS ON ADDITIONAL EVIDENCE (EL8)

ROSSENDALE LOCAL PLAN EXAMINATION

TAYLOR WIMPEY (UK) LTD

March 2021

(KW/GL/MAN.0299/R006v3)

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APPENDIX 1: EDENFIELD ALLOCATION- EDUCATION REPORT UPDATE – FEB 2021

APPENDIX 2: SAVILLS COMMENTS ON VIABILITY STUDY UPDATE (EL8.020.2) – MARCH 2021

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. The 'second tranche' of these documents are contained in Examination Library 8, with a 4-week consultation that was initially due to end on 1st March 2021, but was extended to 19th March 2021, following the delayed publication of the Viability Study Update (Action 20.2) on 1st March 2021.
- 1.3 This consultation follows the 'first tranche' of documents that were published under Examination Library 8, which were consulted on between 6th November and 1st December 2020. Pegasus submitted Representations to this earlier consultation, which should be read in conjunction with these Representations and are contained at EL9.002 (from page 430).
- 1.4 Accordingly, we provide comments on the relevant documents in this second tranche of evidence, which should be read alongside our earlier representations and Hearing Statements.
- 1.5 At the outset, it is important to note that some key evidence base documents remain outstanding, including 'Action 1.1: Duty to Cooperate and signatures of neighbouring authorities'; whilst others were published late in the consultation period, such as 'Action 20.2: Viability Study Update' which was published 4 weeks after the other 'second tranche' documents, requiring the consultation period to be extended as noted above.
- 1.6 Publishing evidence in this disjointed and incomplete manner, makes it extremely difficult to make robust comments on the soundness of the plan, given that many of these evidence base documents are interrelated, particularly in the case of the Viability Assessment.
- 1.7 As such, we reserve the right to comment on any outstanding evidence documents and their implications on the wider plan once they are published.

2. ACTION 1.4 - VISITOR MANAGEMENT PLAN (EL8.001.4)

- 2.1 This Note has been prepared to provide further information regarding the Visitor Management Plan for the South Pennine Moors Phase 2 Special Protection Area (SPA) and South Pennine Moor Special Area of Conservation (SAC) referred to in Policy ENV4.
- 2.2 Appendix 1 of the Note confirms that a proposed Main Modification is to remove all previous references to SANGs, as agreed in the Examination hearings. Taylor Wimpey are wholly supportive of this, as we previously raised concerns regarding the need for SANGs and also negative impacts in terms of viability and deliverability considerations.
- 2.3 The Visitor Management Plan similarly relates to potential impacts on the South Pennine Moors SPA and SAC. Paragraph 5.1 of the Note clarifies that additional work has been undertaken using data from Natural England, which shows that the impact of the Rossendale Local Plan, in combination with growth set out in neighbouring authorities' Local Plans, on visitor numbers is small scale in nature and "unlikely to result in an adverse effect on the site integrity of the SPA/SAC". It is then concluded that the implementation of a Visitor Management Plan is not considered necessary for the delivery of the Local Plan.
- 2.4 We are supportive of the clarification that no Visitor Management Plan is required for the Rossendale Local Plan, which correlates with the decision to remove SANGs as a Main Modification.

3. ACTION 2.2 - SETTLEMENT HIERARCHY (EL8.002.2)

- 3.1 This document provides further clarity on the evidence base for the spatial strategy and clarifies the sustainability/ranking of each settlement.
- 3.2 Notably, Edenfield is now classified as an Urban Local Service Centre. Previously, Edenfield was not identified as a specific settlement in the Spatial Strategy (Policy SS). Instead, category B of the settlement hierarchy stated that Major Sites are to be allocated at Edenfield (as well as Futures Park, New Hall Hey and Carrs Industrial Estate).
- 3.3 Taylor Wimpey support the identification of Edenfield as an Urban Local Service Centre. Indeed, Edenfield is a sustainable settlement in its own right, with a number of local facilities present. This is confirmed at Appendix 1 of the Note, which outlines the settlement hierarchy ranking using the Council's revised criteria. Appendix 1 notes how Edenfield:
- Has a number of key services, including a convenience store, primary school, pharmacy, public house, takeaways etc.
 - Notably, Edenfield has the largest range of facilities of the four identified Urban Service Centres, scoring 13 bullet points compared to Crawshawbooth (12), Helmshore (10), Stacksteads (10) and Waterfoot (12).
- 3.4 In short, Edenfield is a sustainable settlement which is an appropriate location to accommodate growth in the emerging Local Plan. We support its elevation to an Urban Local Service Centre, in the second tier of the revised settlement hierarchy (after the Key Service Centres). As we have demonstrated throughout our Representations and Hearing Statements submitted to date, the West of Market Street (H72) allocation is a highly suitable and sustainable site within Edenfield.
- 3.5 It is also pertinent that the population growth from the West of Market Street allocation, and the other allocations in Edenfield, will generate additional footfall and spending in the area which will attract and support new services and Town Centre uses over the course of the plan period, to complement those existing facilities listed above. This will ensure that Edenfield's role as an Urban Local Service Centre will grow and develop over time, and we comment on this further in Section 5 in respect of the retail hierarchy.
- 3.6 We support the continued identification of Haslingden as a Key Service Centre, at the very top of the settlement hierarchy. This is reflective of the numerous existing services and facilities present in Haslingden, which is again well placed to accommodate higher levels of growth (at suitable sites such as Grane Village (H74)).

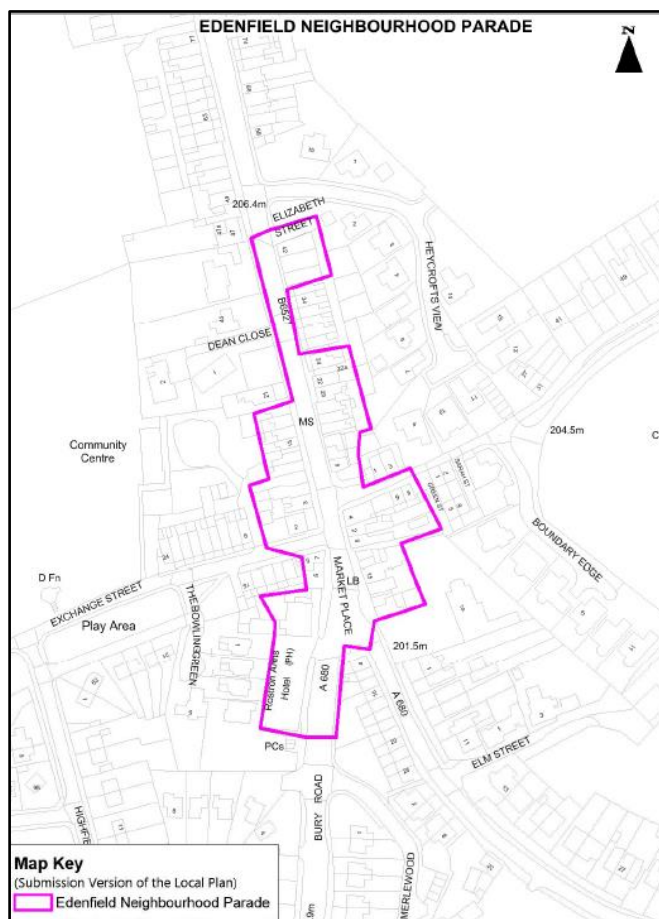
4. ACTION 4.3 - OPEN SPACE STUDY (EL8.004.3)

- 4.1 We welcome the production of this key evidence base document. We are also supportive of the contents of Appendix 4, which confirms that the Market Street, Edenfield allocation (H72) has not been assessed given that it has no public open space use. Appendix 4 also confirms that Grane Village (H74) has also not been assessed in the Open Space Assessment. This confirms that both allocations have no public open space use which would prevent them coming forward for residential development.
- 4.2 The Open Space Study assesses open space provision in Edenfield. Notably, Edenfield Recreation Ground, Edenfield Memorial Gardens, Edenfield Cricket Club, Edenfield Parish Church and Edenfield Playground all score green against the quality and value categories. This indicates that Edenfield has a good quality of open space provision, some of which is in the immediate locality of the H72 Market Street allocation, in particular the Recreation Ground and the Playground; with the allocation providing an opportunity to enhance and supplement these existing facilities with new open spaces and linkages.
- 4.3 At this stage we do not have any detailed comments to make on this report, albeit reserve the right to do so at a later date.

5. ACTION 6.1 - RETAIL HIERARCHY (EL8.006.1)

5.1 We support the continued identification of Edenfield as a 'neighbourhood parade'. This further highlights the sustainability of the settlement and its ability to sustain and accommodate additional housing growth. Indeed, paragraph 5.1 of the Note states that:

*"The retail study shows that Edenfield **is successful in meeting the day-to-day needs of its local catchment population**, with a range of uses provided across a small number of shops. Given its modest scale and very localised catchment, its role is commensurate with that of a 'neighbourhood parade'. Whilst such centres do not have any formal protection in national policy, it is considered appropriate for the Local Plan to support the continued vitality and viability of Edenfield, alongside the Borough's other neighbourhood parades, given their **important role in serving local communities, and reducing the need to travel.**"*



5.2 Of particular note, the H72 Market Street allocation is sustainably located in close proximity to the defined boundaries of Edenfield Neighbourhood Parade, which further demonstrates the sustainability of the site.

5.3 It is also important to note that the existing local facilities and services located in Edenfield will be further boosted (and potentially increased) by the investment generated by the proposed allocations in Edenfield and in particular the 400 dwellings at H72.

-
- 5.4 It is also pertinent, as noted in section 3, that the population growth from the 400 dwellings proposed in the West of Market Street allocation, and the other allocations in Edenfield, will help maintain the vitality and viability of the existing shops and services in the centre, through additional footfall and spending, and will also attract new businesses, which could well see its role as a retail centre develop and grow from a 'neighbourhood parade' to a higher tier centre over the course of the plan period.
- 5.5 We are also supportive of the continued identification of Haslingden as a District Centre.

6. ACTIONS 14.1-14.4- HOUSING SITE ALLOCATIONS: EDENFIELD, HELMSHORE (EL8.014)

Action 14.3

- 6.1 This Action requested a series of additional pieces of information relating to the Land west of Market Street, Edenfield allocation (H72). As Taylor Wimpey are one of the Landowners within this allocation, we set out our comments below on the aspects that the Council have responded to so far in this document (EL8.014).

I) Lancashire County Council Highways Note

- 6.2 Lancashire County Council were asked to provide a note to the Inspector regarding some wording for access and transport improvements in Policy HS3. Paragraph 4.1 of document EL8.014 states that the following comments have been made by LCC Highways (8th July 2020):

Dealing with each site individually,

*The **central site** will be accessed directly from Market Street through the field opposite nos. 88 – 116 Market Street. Although there are no underlying issues with an access formed within this area, the precise position will need to be fully assessed taking account of the available sight lines, existing parking demand etc.*

*To the **north of Church Lane** is a smaller site, it is proposed to form an access onto Blackburn Road in the field adjacent to 5 Blackburn Road. There are site constraints associated with any potential access namely the visibility splay in either direction and the proximity of the signalised junction consequently the junction design and positioning will need careful consideration to achieve an acceptable design*

*The proposed access for the **southern site** is along the length of Exchange Street. There are a number of issues with the use of Exchange Street which are as follows.*

1. the width is approximately 5 m with evidence of on street parking close to the junction with Market Street and further along which is possibly associated with the adjacent recreation ground and children's play area. This parking restricts traffic flow on the street

2. There is no continuous footway to the site on either the north or south side of Exchange Street. There provision is considered essential for the development site to progress but may require third party land acquisition and dedication.

3. The junction of Exchange Street with Market Street is close to an existing zebra crossing and any additional movements at this junction are likely to increase the potential conflict between turning vehicles and pedestrians using the crossing facility.

It is therefore suggested that this area of the site is accessed through the estate to connect to the access formed from Market Street with only pedestrian and cycle links to Exchange Street.

The addition of circa 400 additional dwellings in Edenfield will place additional strain on the local highway infrastructure and any development would be expected to assess this impact and suggest improvements to the Market Street corridor from Blackburn Road to the mini-

roundabout near the Rostron Arms and include measures to assist pedestrian and vulnerable road user interests.

- 6.3 Taylor Wimpey are the landowners of the central site and are supportive of the confirmation provided by LCC that there are no underlying issues with forming an access in the proposed site access location. Indeed, significant work has already been submitted to the Council and Inspector on this matter (prepared by Eddisons, formerly Croft), which confirms that the proposed site access point via Market Street is entirely suitable to accommodate the proposed development.
- 6.4 We do not have any detailed comments to make on the site access points for the two other areas of the H72 allocation, other than to highlight that Neil Stevens of LCC Highways did confirm verbally at the Hearing Sessions that all three access points were acceptable in principle (i.e. for the Taylor Wimpey, Anwyl and Peel landholdings within the allocation). In our view, the matters noted in the latest LCC response can be addressed through detailed design at the planning application stage.
- 6.5 We would also like to reiterate that a detailed highways note considering the cumulative impacts that 400 dwellings will have on the highway network has already been prepared and submitted with our Regulation 19 Reps. Notably, this technical assessment has already assessed the mini roundabout near the Rostron Arms which LCC mention in their response replicated above. The Croft highways note, ultimately concludes that:

"The study has considered the impact of the proposals on the key junction within Edenfield, namely the Market Street/Rochdale Road/Bury Road mini-roundabout, at both 2024 and 2034 assessment years.

Based on the above, it can be concluded that the Market Street/Rochdale Road/Bury Road mini-roundabout can accommodate the likely levels of traffic associated with the draft allocation sites without any significant impacts on the surrounding highway network."

- 6.6 The technical work to date has therefore confirmed that the H72 allocation can be delivered without any significant impacts on the surrounding highway network. Taylor Wimpey will continue to proactively work with LCC to address highways matters at the planning application stage, however for now robust technical information has been provided to demonstrate that the H72 allocation is entirely suitable for housing allocation from a highways perspective.

II) Additional information regarding education requirement in Edenfield- feasibility to expand Edenfield or Stubbins Primary School

- 6.7 Paragraph 4.2.1 of the document notes that although still to be finalised, Lancashire County Council Education Department are looking to accommodate 148 additional primary pupil places in Edenfield, as a result of this proposal. This figure is expected to be a maximum as it is based on all properties having 4-bedrooms. Also of note, the estimate considers pupil projections at the time. These pupil projections are expected to be re-run soon. We note that this is therefore very much a worst-case scenario (as not all properties will have 4 bedrooms) and we also reserve the right to comment on this matter at a later date, once the pupil projections have been re-run and finalised.

6.8 In this regard, we reiterate that we have already submitted comprehensive information on this matter with an Education Report prepared by EFM, submitted with our Reg 19 representations in October 2018, and updated within our Hearing Statements in August 2019. This clarified that contributions towards expansion of existing primary schools in the area should be the preferred solution, as there is simply not sufficient demand or justification for a primary school to be provided within the H72 allocation.

6.9 EFM have provided an Education Update (attached at **Appendix 1**) based on up to date roll and birth rate information, which comes to the same conclusions, although noting that there is actually more spare capacity now, and even less demand for a new school:

*"From a Primary School perspective, planning obligations towards new provision are justified, in spite of falling rolls, and the falling birth rate, which will mean more spare capacity in the coming years. LCC has options for how development mitigation is provided. Further consultation with the three schools discussed in this letter would be prudent in the first instance, as **the business case for a new school Primary School (which would cost in excess of £7m) does not stack up, and this development would only be contributing a small proportion towards the build programme.***

From a Secondary perspective: due to the main school serving Edenfield being at capacity, it would not be excessive for planning obligations to be requested to expand provision at Haslingden High School, although LCC may be reluctant to expand a Secondary School when there is so much spare capacity in the wider planning area. However, if they identify a scheme at the local school, and the request does not make the development financially unviable, it would not be inappropriate for this development to contribute proportionately towards new provision."

6.10 We are happy to see that LCC seem to concur with this position. Paragraph 4.2.2 of the document states that LCC have held initial discussions with both Edenfield CE and Stubbins Primary Schools to ascertain if it is appropriate pursuing further work relating to the feasibility to expand one of these schools to 1.5 form entry. Both schools indicated an interest, although the Education Authority makes it clear that this will require a full and comprehensive statutory consultation process.

6.11 LCC have undertaken an initial feasibility study for both schools. For Edenfield CE, it is indicated that 2,100m² of land would be required from 3rd party owners. This would accommodate the additional building for expansion, potentially on the existing hard surface play area, which would then require replacement.

6.12 For Stubbins, the situation allows for the potential expansion of the existing school up to 1.5 form entry without the need for any additional third-party land, suggesting this may be the most viable option. However, there are varying land levels which may provide challenges, and would need to be explored further.

- 6.13 It is ultimately clarified that LCC have been unable to proceed with the full feasibility study for each school due to staffing issues as a result of Covid. We therefore reserve the right to comment on this matter at a later date, when the full details of the feasibility study have been provided.
- 6.14 Nevertheless, it is concluded that there are certainly options available to ensure that primary school places can be accommodated within close proximity to Edenfield. It is then stated that the County Council is fully aware of the need to accommodate this proposal and this will need to be addressed in the Masterplan work.
- 6.15 In terms of evolving Masterplan, we would reiterate that there is no justification to provide a primary school within the H72 allocation, for the reasons set out in **Appendix 1**. That said, despite this compelling evidence, a school could be incorporated into the Edenfield Masterplan at a later date if LCC can provide definitive evidence that it is needed and that no other expansion options are practicable within an accessible distance of Edenfield. This should include expansion options at Edenfield CE, Stubbins and any other primary schools within the educational catchment area.
- 6.16 In this regard, we reiterate our previous comments raised in our Hearing Statements that the wording of policy HS3 should be updated to take account of capacity in other nearby schools, not just Edenfield:
- "t) provision of a one form entry primary school on the site if Edenfield Primary School, **or other nearby primary schools**, cannot be expanded to the required level"*
- 6.17 Should LCC provide robust justification that no expansion options to existing schools are suitable, the location of such a facility on the H72 site would need to be discussed and agreed with the Council and other landowners. We reserve the right to comment further once these feasibility studies are complete and published.

III) Green Belt Assessment for Edenfield School Extension

- 6.18 LUC have prepared an assessment of Green Belt harm in relation to Edenfield School, contained at Appendix 2 of the document. Paragraph 3.7 of the LUC Assessment clarifies that it has been assumed that the existing hardstanding sports pitch, immediately to the rear of the school (which is in the Green Belt) would be partially built on to accommodate the school extension and that a replacement pitch would need to be built further east into the wider playing field.
- 6.19 Paragraph 3.10 of the Assessment states the following:
- "The playground is contained by inset buildings on two edges, and enclosed by dense tree cover on a third side, so the impact on the integrity of the adjacent Green Belt would be negligible. The creation of a replacement playground within the Green Belt part of the school grounds would constitute only a limited impact on Green Belt openness, and would have little urbanising impact given that the area is already part of school site and therefore functionality associated with the inset settlement. **It is therefore considered that the proposed school extension would not lead to significant harm to the Green Belt.**"*

- 6.20 Taylor Wimpey are supportive of the above findings, which confirm that the extension of Edenfield Primary School would not cause significant harm to the Green Belt, given that the additional Green Belt land would only be used for a playground/ playing field, rather than any buildings. Developers of the H72 allocation will provide proportionate and appropriate education contributions (secured by Section 106 Agreement) towards future school expansion. The Green Belt conclusions in relation to expansion at Edenfield CE further confirm that there are no issues which would prevent the H72 allocation coming forward.
- 6.21 As a final note, we would also highlight that any replacement playground to be located further east within the Green Belt would not be classed as inappropriate development in the Green Belt, in line with paragraph 145 of the NPPF, which states that:

"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

*b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for **outdoor sport, outdoor recreation**, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it"*

Clarify Exceptional Circumstances

- 6.22 Paragraph 4.3.4 onwards of document EL8.014 clarifies that the Council is not arguing Exceptional Circumstances to release the school land. Rather than releasing this land for development per se, the Council considers it necessary to protect it for possible future school expansion to support the development of the housing allocations within Edenfield, as required by LCC Education.
- 6.23 Whilst we are supportive of the logic of this approach, given that it is only a potential school expansion at the moment and Green Belt land should not be released unnecessarily, we reiterate our previous concerns that LCC Education must clarify this matter promptly and before the adoption of the Local Plan. Evidence must be provided by LCC regarding pupil yield and a detailed feasibility study of school expansion as soon as possible. This is not only important to provide the case for very special circumstances for any future school expansion, it is also crucial in ensuring this matter is fully addressed so that it does not hamper the delivery of the H72 allocation, which is the largest and most important site in the emerging Rossendale Local Plan, and therefore it is crucial that it is brought forward as soon as possible and without further delay to meet the Council's ongoing housing needs.

IV) Note to confirm if Green Belt assessment of whole H72 allocation would differ from the assessment of the 3 parcels that has been carried out in the study

- 6.24 Paragraph 3.6 of the LUC Assessment contained at Appendix 2 of the document states the following:
- "When considering the impact on the Green Belt purposes, it is important to recognise that the size of a release does not have a direct correlation with the harm caused. In broader terms it is to be expected that a larger development will typically have a greater impact on landscape*

*and views, and potentially on other sustainability considerations, but the assessment of harm to the Green Belt as a spatial planning designation is focused on the relationship between urban development and countryside. **In this respect all of the H72 site has boundaries which would prevent any significant impact on the wider Green Belt and hence the release of the Allocation as whole will not lead to any greater increase in harm than that identified in the original 2016 Green Belt assessment.***

- 6.25 Taylor Wimpey support this conclusion, albeit reiterate that it is our landscape consultant's view that the potential level of harm caused by the release of Taylor Wimpey's site from the Green Belt is low, as opposed to medium as concluded in the Council's 2016 Assessment.
- 6.26 Furthermore, we reiterate that there are strong exceptional circumstances to release the H72 allocation from the Green Belt, a stance which is shared by the Council.

V) Note to confirm heritage position on H72 Allocation

- 6.27 Growth Lancashire have provided a Heritage Impact Assessment to clarify their position on the H72 allocation, which is contained at Appendix 3 of the document.
- 6.28 It has been provided for clarity, following comments made by the Heritage Officer at the Hearing Sessions regarding the level of heritage harm from the development proposals.
- 6.29 Key conclusions from the heritage assessment are replicated below:

"Using the ICOMOS assessment methodology matrix I find the level of impact to the setting of Edenfield Parish Church to be in the very low/negligible. The level of harm will need to be assessed as being 'less than substantial' under P.196 of the NPPF.

*On the evidence provided and from my own site visit **I conclude that the housing allocation will cause only a very low level of harm to contribution made by the setting to Edenfield Parish Church.** This only affects the area immediately south of the wooded enclosure to the Church and grave yard. As indicated above I think this level of harm could be mitigated by clever design of the housing layout."*

- 6.30 Taylor Wimpey are wholly supportive of this updated position and the conclusions that the level of impact to the setting of Edenfield Parish Church will be very low/negligible. We have previously submitted a Heritage Note, prepared by Pegasus Group, with our Hearing Statements in August 2019, which came to similar conclusions. This Note rebutted the Council's previous assessment that the development proposals would cause substantial harm to the setting of the church, concluding that the change of character within the site will result in a minimal impact on the heritage significance of the asset, being, at most, minor harm at the low end of the less than substantial harm spectrum, a position which the Council now agree with.
- 6.31 In terms of the suggested mitigation measures, the relevant findings in relation to Taylor Wimpey's site are replicated below:

"Given the above, the areas sensitive to change around the Church are likely to be those areas immediately along the east west corridor along Church Lane, where the Church and its west tower can best be experienced. In this context so long as the woodland enclosures remain in place (and are strengthened) to the north and south of the Church yard enclosure any impact from new housing will likely to be minimal.

Given that the area south of the Church grounds contributes little to the overall significance of the Church the level of harm is confined to those reductions in the glimpsed views of the west tower/Church through the trees. In this context I regard the harm to be low/negligible. This level of harm only affects the norther part of the larger site and this diminishes the further south you go."

I feel this level of harm could be mitigated by;

- Carefully planning the layout of the housing parcels to allow those glimpsed views to continue i.e. by aligning the principle road(s) along a north-south or north east – south west axis.*
- The strategic positioning of POS along the sensitive woodland area south of the brook/Church enclosure.*
- Augmenting the existing tree planting in the woodland areas.*

6.32 The illustrative landscape masterplan for the site has already considered key landscape views in and around the site, informed by a detailed Landscape Assessment prepared by Randall Thorp. Whilst the current Masterplan has given consideration to the historic setting and location of Edenfield Church, the recommended mitigation measures from this more detailed analysis can easily be incorporated at the detailed Masterplanning stage and as part of a future planning application.

6.33 To conclude, both our heritage consultant and Growth Lancashire have concluded that the heritage impact of the proposals on the setting of Edenfield Church will be minimal, thereby confirming that the H72 allocation is entirely acceptable and suitable from a heritage perspective.

VI) Note setting out a clear timeline on the delivery trajectory taking account of the different stages

6.34 We have no additional detailed comments to make on this matter, as Appendix 4 of the document confirms the information we have already provided on delivery timescales for the H72 allocation (Pegasus letter ref: GL/MAN.0299/L017).

6.35 It is pertinent that this letter was signed and agreed by representatives of the 3 main landowners within the Edenfield Allocation (Taylor Wimpey, Peel L&P Group and Anwyl Land) demonstrating ongoing cooperation and joint working between to ensure comprehensive development on the site.

6.36 We welcome the Council's confirmation at 4.6.4 that they consider this delivery trajectory appropriate, which in turn demonstrates a commitment to work collaboratively with Taylor Wimpey and the other aforementioned landowners through the Masterplanning and planning application processes to ensure prompt delivery of this strategically important housing site.

Conclusions on updated H72 allocation evidence base

6.37 To conclude, we are supportive of the updated evidence base provided in relation to the H72 allocation, which confirms that:

- **Access:** LCC Highways have provided further confirmation that there are no issues with the location of the proposed access for Taylor Wimpey's section of the Edenfield allocation (H72).
- **Heritage:** Growth Lancashire have concluded that the level of impact of the development on the setting of Edenfield Parish Church will be very low/negligible. This reinforces our position that the site is entirely suitable for residential development from a heritage perspective, with the suggested mitigation measures easily accommodated at the detailed design stage.
- **Education:** The preference of LCC Education continues to be for expansion of existing primary school facilities at Edenfield CE or Stubbins, through developer contributions, and this aligns with the findings of our updated Education Report, which confirmed that spare capacity in existing schools has actually increased in the last 18 months. Initial feasibility studies for expanding these nearby schools have been undertaken, but further detailed work is required, which we reserve the right to make further comments on.
- **Green Belt Impact of School Expansion:** The updated LUC Assessment confirms that any future expansion of Edenfield Primary School would not result in substantial harm to the Green Belt. It also confirms that LUC's assessment of Green Belt harm for the H72 allocation remains unchanged when the H72 is assessed as a whole.

6.38 Ultimately, the updated evidence reaffirms that the H72 allocation is entirely acceptable for residential development. We would however like to reiterate that LCC Education need to provide updated and robust evidence on likely pupil yield and demand for primary education places in Edenfield, so that the H72 allocation can be promptly delivered and to demonstrate that there is a clear case for very special circumstances for primary school expansion at either Edenfield CE, Stubbins, or other primary schools with the educational catchment area.

7. ACTION 17.1 - BUILT SPORTS FACILITIES ASSESSMENT (EL8.017.1)

- 7.1 The production of this evidence was prompted by representations from Sport England during the Local Plan Examination process. They commented on the need to provide a Built Sports Facilities Assessment and suggested the following wording be added to Policy LT1:

"Given the important role indoor sports facilities play in promoting the physical and mental well-being of the community, the Council will work closely with Sport England and other partners to ensure that any future decision on the provision of all sports facilities is based on a robust and up-to-date evidence base. To assist with this, it is the intention of the Council to produce an Indoor Sports Strategy during the next 12-24 months to help underpin effective policy application."

- 7.2 Paragraph 1.4 of the document confirms that subject to the Inspector's agreement, the text above will be a Main Modification. The document later confirms that the Indoor Sports Facility Study is now fairly advanced, but further work is required. The review of the Playing Pitch and Outdoor Sports Study have also been delayed but the Study is expected to be drafted later this year.
- 7.3 We therefore reserve the right to comment on this document once it has been published later this year. It is important that landowners and developers are aware of any potential sports facility deficiencies and associated financial contributions that will be expected from them when considering viability matters.

8. ACTION 19.4 - MANCHESTER ROAD AND CLOD LANE, HASLINGDEN SITE (EL8.019.4)

- 8.1 The Council originally included this site within their housing trajectory for a total of 187 additional units, with 44 dwellings already completed. As part of our previous representations, we raised concerns regarding the validity of this approach, which we succinctly outline below.
- 8.2 This site was included on the basis of it having an extant and part implemented consent from 1972, as presented in written representations to earlier stages of the Local Plan and orally at the Matter 2 session. The written representations include Counsel opinion from David Manley dated 21st March 2013 which confirms that this consent is still implementable and provides a fallback position.
- 8.3 This approach attracted criticism from a number of parties, including ourselves. We stressed that the above approach only applies to that permission as granted in 1972, and its associated details (including layout, housetypes etc). It was our view that no modern developer or housebuilder would be willing or able to build out this scheme without significant (material) amendments, and this is surely reflected by the fact that it has stalled for such a long time (45+ years). As such, whilst this permission remains extant, on the evidence provided at that time our view was that the site is undeliverable. This was not just for the issues relating to the modern-day deliverability of the extant planning permission but also due to the fact that the site remains within the designated Green Belt and the Council were not proposing to remove it.
- 8.4 As a result of this debate, the Council and the Landowner's planning agent (DPP) have since provided further information relating to the deliverability of this site. This includes additional geo-technical information provided by the Landowner, which the Council have reviewed. As explained at paragraph 4.8 of the Council's document, having reviewed the report the Council does not consider the full site area associated to the extant planning permission to be suitable for development. The Council's stance is further clarified at paragraph 4.10:

"Whilst the Council continues to have reservations over the site's suitability for residential development, in its entirety, the Council accepts, based on the evidence submitted, that an area within the site could be suitable for residential development and the extant planning permission could be implemented in this area."

- 8.5 Paragraph 4.15 and 5.1 then confirms the following:

*"(4.15) The extant planning permission (ref. 13/2/2758) is a material consideration which the Council gives substantial weight in the planning balance for any future development proposal relating to the site. Considering the extant permission could still be implemented in the areas deemed potentially suitable for development, as set out in the Report, **the Council does consider the inclusion of the site in the housing land supply to be appropriate subject to the following:***

- A planning application is submitted for a residential scheme within two years of the emerging Local Plan being adopted;*

- *The site area covered by the prospective planning application is restricted to the revised site area for the site, as shown on Figure 4, which is based on the evidence submitted by DPP; and*
- ***The capacity of the site is limited to no. 50 units.*** *This capacity is based on the revised net developable area of approximately 1.68ha and a density of 30 dwellings per hectare.*

*(5.1) Overall, the Council does not dispute that the extant planning permission relating to the site could still be implemented, however, **it is clear based on the evidence submitted that the original permission could not be fully built-out in light of the geological constraints on site.** With reference to the findings of the Report carried out by WML Consulting, the Council accepts part of the site could be suitable for residential development subject to detailed investigation and assessment. Consequently, **the projected capacity of no. 50 units will be included in the Council's housing supply.**"*

- 8.6 The Council therefore intend to reduce the site capacity from the previous 187 dwelling figure to 50 dwellings. This assumption is caveated on the basis that a planning application comes forward within 2 years of the Local Plan being adopted.
- 8.7 Whilst we still have some concerns relating to the deliverability of this extant permission, the revised 50 dwelling figure is more justified given that it is based on updated information. The fact remains that the Council are not intending to release the site from the Green Belt, which would make a new planning application submission very difficult if the extant permission was not to come forward.
- 8.8 The reduced figure of 50 dwellings raises further concerns regarding the Council's housing land supply and the amount of flexibility within it. Ultimately, this provides a further demonstration strategic importance of Taylor Wimpey's H72 and H74 allocations. Being the two largest sites in the emerging Local Plan, it is imperative that they come forward and Taylor Wimpey are fully committed to delivering them as quickly as possible (as evidenced in the live planning application for the Grane Village H74 allocation: Ref 2019/0335).

9. ACTION 20.1 - MONITORING FRAMEWORK (EL8.020.1)

- 9.1 This document has been prepared following the Inspector's request to revise the monitoring framework so that it can effectively monitor the delivery and effectiveness of the plan. It covers Duty to Cooperate, Neighbourhood Planning, Infrastructure, SPDs, relation with the Housing Action Plan and trigger point for a Local Plan Review.
- 9.2 Table 1 of the document outlines the monitoring framework for Rossendale Local Plan Policies. In relation to Policy HS1 (Meeting Rossendale's Housing Requirements) two trigger points are outlined, namely shortfall in 5-year supply greater than 1 year and HDT results and consequences. If these triggers are hit, in the action required column the following is stated:
- "Review Local Plan including call for sites and potential review of capacity via the SHLAA
Consider a review Local Plan"*
- 9.3 Taylor Wimpey fully support this proposal, as it is important that the Council closely monitor housing delivery and in particular whether they hit their 5 year requirement. The wording relating to considering a Local Plan review is therefore welcomed, as there may be a need for additional strategic sites to be identified as part of an early Local Plan review, should unexpected housing land supply issues arise in the future.
- 9.4 Including mechanisms for an early Local Plan Review provides the flexibility and comfort to allow the current plan to be found sound and adopted as soon as possible, such that the allocated sites can begin delivering and contributing to the 5-year supply; with the Review addressing development requirements in the later years, where it is acknowledged that the supply is more marginal.

10. ACTION 20.2 – VIABILITY STUDY UPDATE (EL8.020.2)

- 10.1 We must reiterate that this critical document was published on 1st March 2021, 4 weeks after the other 'second tranche' documents were published and has therefore been on consultation for less than 3 weeks, allowing limited time to review comprehensively.
- 10.2 That said, Taylor Wimpey have commissioned Savills to review the document in detail, with their comments attached at **Appendix 2**. These focus on the site-specific assessments of the Grane Village (H74) and Edenfield (H72) allocations, with Savills reaching the following conclusions and recommendations in section 5:

"We have identified some areas relating to the site-specific testing in the LPEVA that need to be addressed in order to ensure the viability testing and resultant policy requirements are robust and deliverable. As it stands, the LPEVA does not comply with the need in the PPG to test each strategic site on an individual basis.

We also note that no appraisals have been provided for the site-specific testing so it is difficult to comment in any great detail. We would expect full disclosure of this information to enable a meaningful review.

H74 (Grane Village)

In the case of this site, in the period between the initial LPEVA and updated LPEVA a planning application has been submitted for development on site. As part of this a wealth of information is available relating to the scheme and associated site technical information. It is clear there has been no communication between the Council and Keppie Massie in this regard, as all of this information has been ignored.

The LPEVA needs to provide a site-specific assessment of BLV and GDV and re-assess the costs associated with known abnormal development items and planning requirements on site.

This is based on known abnormal costs of £47,542 per plot, compared to the allowance of £2,293 per plot by Keppie Massie. In relation to the cost of planning requirements, we have assessed these to be £17,564 per plot, compared to an allowance of £7,710 per plot by Keppie Massie. There is clearly a significant cost difference that needs to be accounted for in any site viability testing to ensure the LPVA findings are robust.

We believe that the site-specific information that is available for H74 mean that the cumulative impact of abnormal development costs and planning requirement costs hinder the ability of the site to deliver 30% affordable housing on site.

In line with the PPG, we would therefore expect the Council's policy requirements for this strategic site to be amended at the plan making stage to ensure the delivery of the site. At the very least, there should be an awareness that the site-specific information should take precedent over the local plan viability test findings at the application stage, with key changes to any assumptions made reflected in the delivery of planning obligations on site.

H72 (Market Street, Edenfield)

There has been no site-specific assessment of BLV or GDV within the LPEVA, which is not compliant with the PPG. We also believe that the cost assessment for this site is wholly insufficient, which undermines the validity of the LPEVA conclusions in respect of viability.

This is based on the Keppie Massie abnormal cost database, for which average total abnormal costs range £185 - £193 per sq.m, £17 - £18 per sq.ft and £15,761 - £18,767 per plot. The actual assumed costs are £14.93 per sq.m, £1.39 per sq.ft and £1,150 per plot which falls well below average, when we would expect above average abnormal costs on this site.

We would therefore expect the viability of site H72 to be re-tested based on more robust assumptions, and for the viability to be re-assessed at the application stage should new or updated information become available. Should the viability of the site be compromised we would expect the policy requirements to reduce accordingly to allow for site delivery."

- 10.3 In short, this confirms that the Viability Study is not PPG compliant as currently drafted, as it significantly underestimates abnormal costs and fails to provide Benchmark Land Value or Gross Development Value assessments for either example site. Nor does it take account of any of the site-specific information that has become available since the original Viability Study was published in 2019.
- 10.4 As such it fails to properly consider the viability position of the two largest sites in the plan, casting doubt on the deliverability of the emerging policy requirements as a whole (most notably the 30% Affordable Housing and 20% Biodiversity Net Gain requirements), an issue which was raised during the 2019 EIP Hearings by both the Inspector and other representors, and has yet to be satisfactorily addressed.

11. CONCLUSIONS

- 11.1 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 and evidence, notably the Viability Study and its site-specific assessments of the Grane Village (H74) and Edenfield (H72) allocations; we are supportive of the overall strategy and consider it a sound plan overall, particularly with the proposed mechanisms for an early review.
- 11.2 It is 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. That said, there are still important gaps in the evidence base, including further Duty to Cooperate information and a robust Viability Study, which are fundamental elements to help confirm the overall soundness of the Plan. We therefore reserve the right to comment on these additional matters at a later date.
- 11.3 It is important to reiterate that Taylor Wimpey's land interests at Edenfield (within Housing Allocation H72) and Grane Village, Helmshore (within Housing Allocation H74) are the two largest sites in the Local Plan. As such, it is imperative that these strategic sites deliver as quickly as possible in order to help achieve the overall development targets of the Local Plan. With regards to the former, we have concerns that LCC Education have still not provided updated information relating to demand for primary school places. Our updated evidence provides further justification for expansion of existing schools in the area as opposed to a new primary school being provided on the H72 allocation, which is simply not required or justified.
- 11.4 It is important that the Local Plan is adopted as soon as possible to help facilitate growth, and Taylor Wimpey are keen to continue working positively and proactively with the Council to achieve this aim.

APPENDIX 1: EDENFIELD ALLOCATION- EDUCATION REPORT UPDATE – FEB 2021



Adam Riding
Taylor Wimpey
BY EMAIL ONLY

24th February 2021

Dear Adam,

REF: EDUCATION AT LAND WEST OF MARKET STREET, EDENFIELD, ROSSENDALE

The purpose of this letter is to provide an update to the Education Report that was submitted in August 2019 against your development discussed above and shown below in Map 1:



Map 1: Approximate Development Outline

There have been a number of new releases of information since the original submission. These are discussed below, with commentary. This letter is to be read alongside the original Education Report. The conclusions and recommendations are included in this letter to take account of the new information.

Community Infrastructure Levy

Rossendale Borough Council (“RBC”) has not adopted a CIL. They state on their website in relation to the published Infrastructure Funding Statement¹ (“IFS”):

Rossendale has not adopted a Community Infrastructure Levy Charging Schedule. Obligations relating to the provision of education is a matter for Lancashire County Council, and Section 278 agreements are a matter for the Highway Authority (also Lancashire County Council).

It is still assumed that any development mitigation that is required will be provided via Section 106 Planning Obligation.

Dwellings

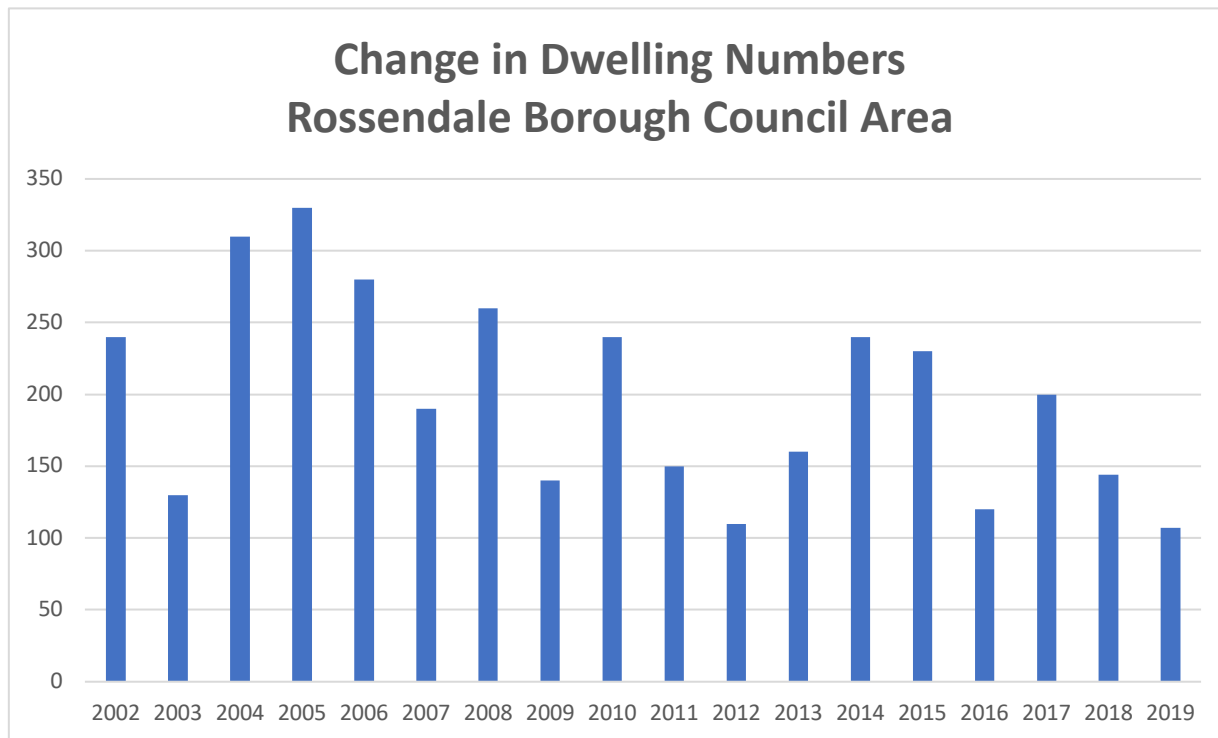
In 2001, the RBC administrative area consisted of 28,580 residential dwellings. By 2019, this had increased to 32,161. This is an additional 3,581 dwellings in the 18-year period shown in Table 1, or an average of 199 new dwellings per annum. The percentage increase over the review period is 13% growth:

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
28,580	28,820	28,950	29,260	29,590	29,870	30,060	30,320	30,460	30,700	30,850	30,960	31,120	31,360	31,590	31,710	31,910	32,054	32,161

Table 1: Change in Dwelling Numbers – RBC Area

When looking at new dwelling delivery on a year-by-year basis, it has been falling since 2017, so that by 2019 new dwelling delivery was at the lowest it had been in over two decades with 107 new dwellings constructed in a calendar year. The most active year for housing delivery was 2005 at 330.

¹ https://www.rossendale.gov.uk/downloads/file/16289/infrastructure_funding_statement_2019_to_2020



Graph 1: RBC Change in Dwelling Numbers

In the Eden Ward in which this development is located, dwelling numbers equated to 1,524 in 2001. This grew to 1,644 by mid-2019. This is an increase of 120 dwellings in the 18-year period, which is an average of seven new dwellings per annum. The percentage increase over the period is 8% growth, indicating that new dwelling delivery was slower in the Ward than it was in the Borough.

Births

Births in the Ward averaged 801 per annum in the period 2001-2019, as shown below:

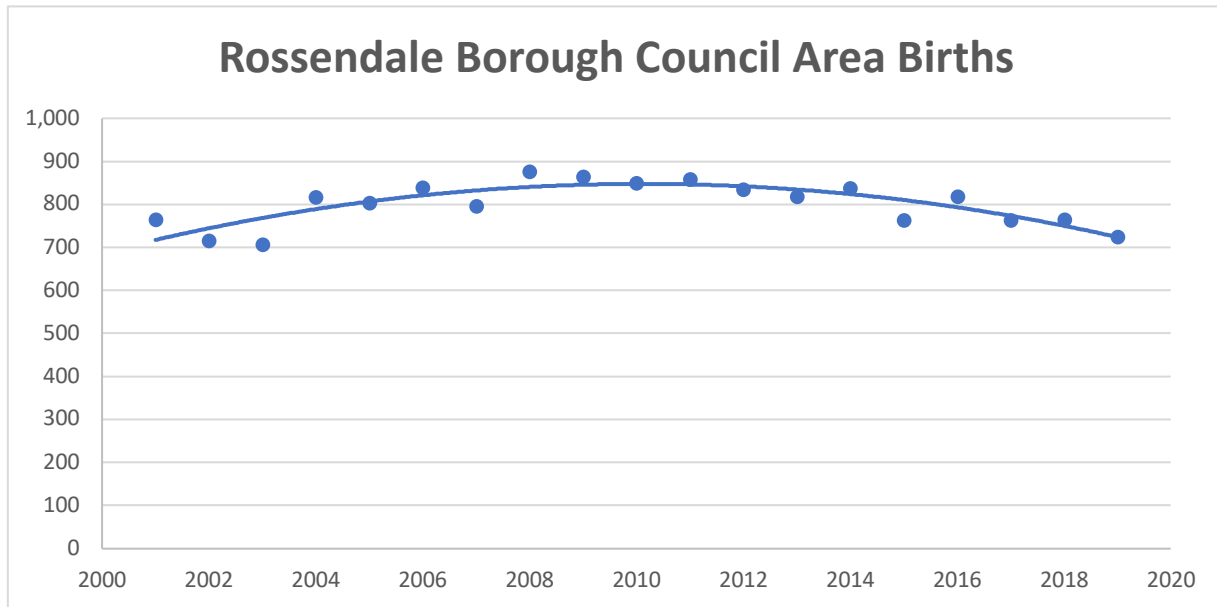
2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
764	715	706	817	803	839	796	876	865	849	859	835	818	837	763	818	763	764	724

Table 2: RBC Births per annum

2019 saw the lowest number of births in the RBC area since 2003. Birth numbers have been declining considerably in the recent years nationally², and the indication is that this is likely to continue in to 2020³ (these birth numbers are due to be released later in 2021).

² <https://www.independent.co.uk/news/uk/home-news/birth-rate-england-wales-low-uk-ons-fertility-brexit-climate-a9031641.html>

³ <https://news.sky.com/story/covid-19-talk-of-a-uk-baby-boom-turns-into-fears-of-a-baby-bust-heres-what-the-data-reveals-12199154>



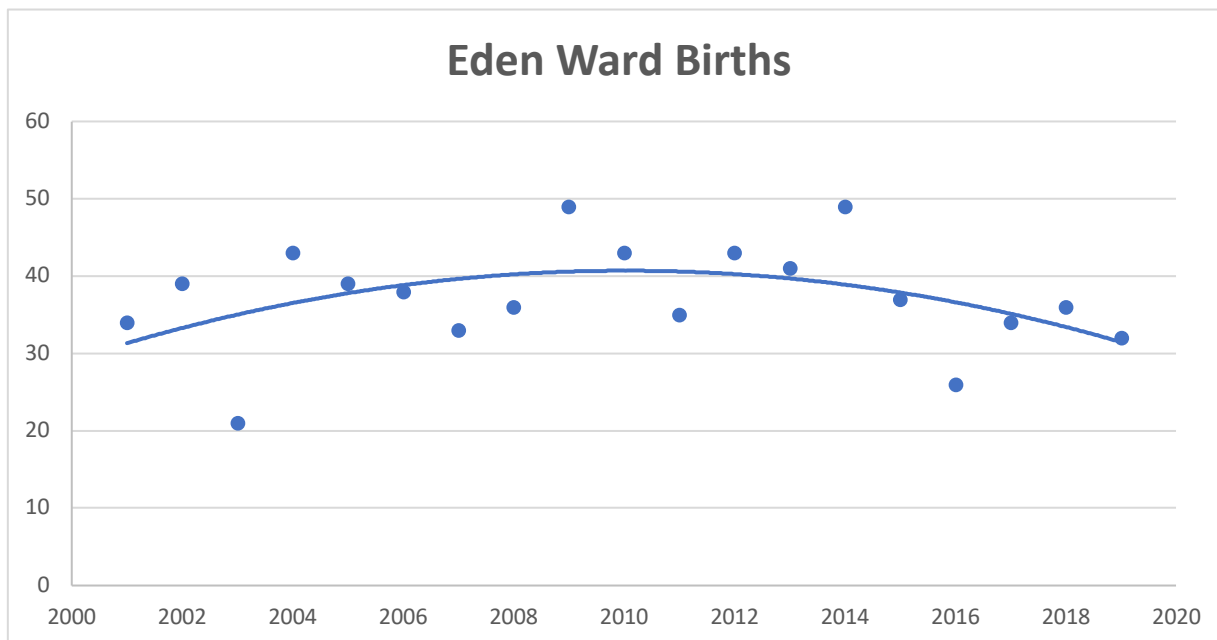
Graph 2: Trend in RBC Births per Annum

In the Ward, birth numbers averaged 37 per annum in the period 2001-2019.

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
34	39	21	43	39	38	33	36	49	43	35	43	41	49	37	26	34	36	32

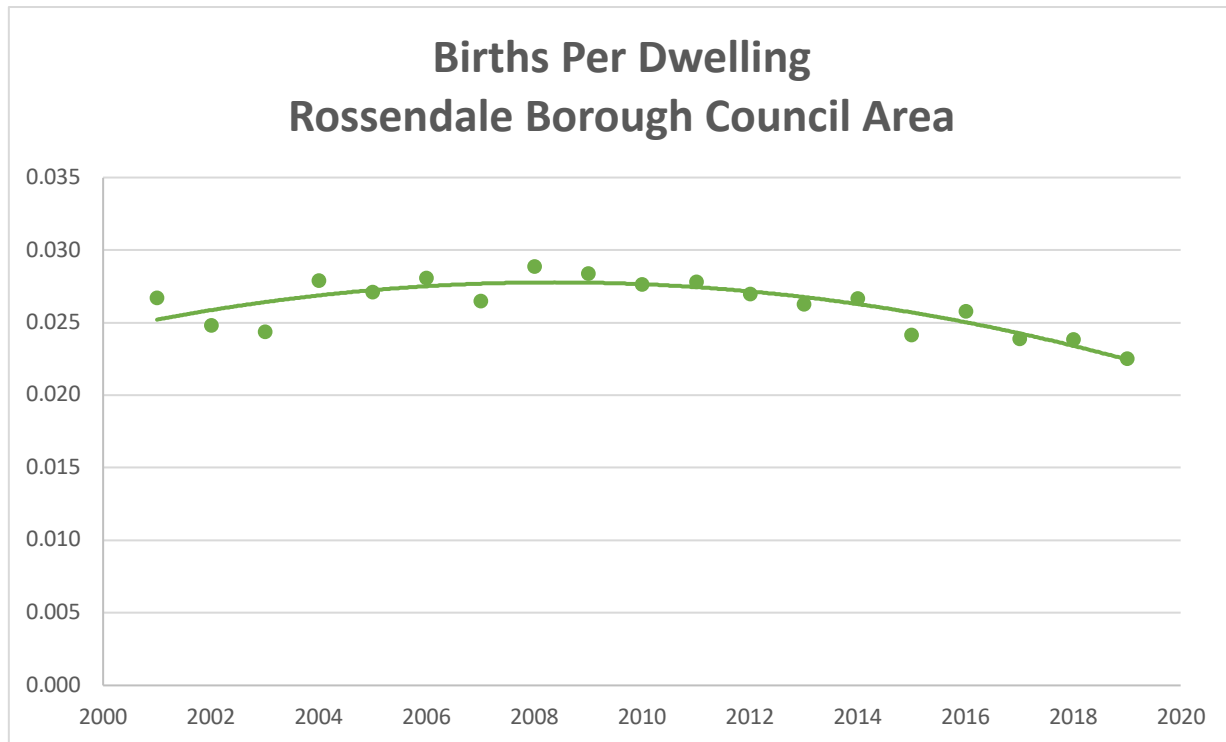
Table 3: Eden Ward Births per annum

As with the wider Borough, the trend is a falling one, with 2019 seeing the third lowest birth numbers in the past two decades.



Graph 3: Trend in birth numbers in the Ward

When looking at births per dwelling in the RBC area, they are at their lowest in the previous two decades, and are falling as a trend. This indicates that new births are not coming forward at a pace with new housing delivery. In the Ward, births per dwelling are even lower (0.019 v 0.023):



Graph 4: Births per Dwelling in the RBC Area

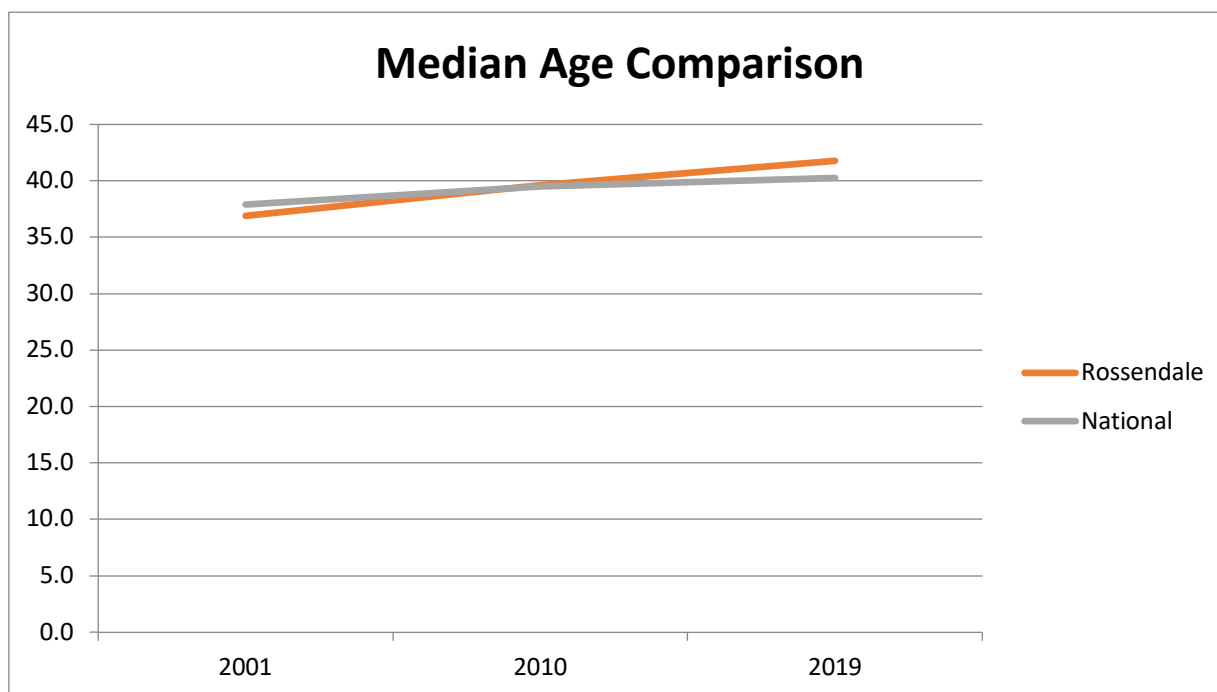
Age Profile

The Rossendale area has seen a change in their age profile from younger than average, to older than average, in the space of two decades. In 2001, the difference between the median age of RBC area, and the national picture, was one year, with the RBC population being younger. By 2019, the trend had reversed, and the RBC area was 1.5 years older than the national picture (41.8 v 40.3) indicating that the RBC residents were older, and ageing faster than in the rest of the UK:

Year	2001	2010	2019
Rossendale	36.9	39.6	41.8
National	37.9	39.5	40.3
Difference	1.0	-0.1	-1.5

Table 4: Median Age Comparison

The change can be seen below in Graph 5:



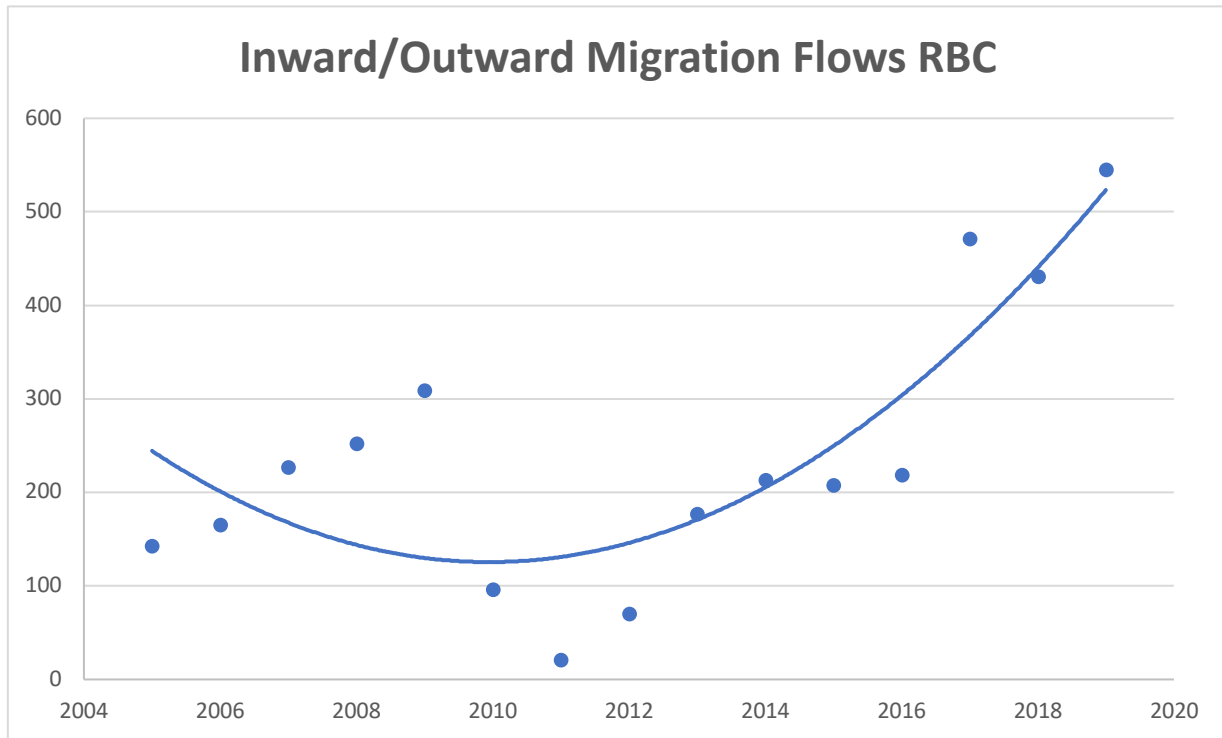
Graph 5: Median Age Comparison

The median age of the Ward, in 2019, was 45 years of age. This is significantly older than both the Borough and national median averages. An older population is usually consistent with a lower rate of fertility, which may be contributing to the lower birth per dwelling ratio.

Migration

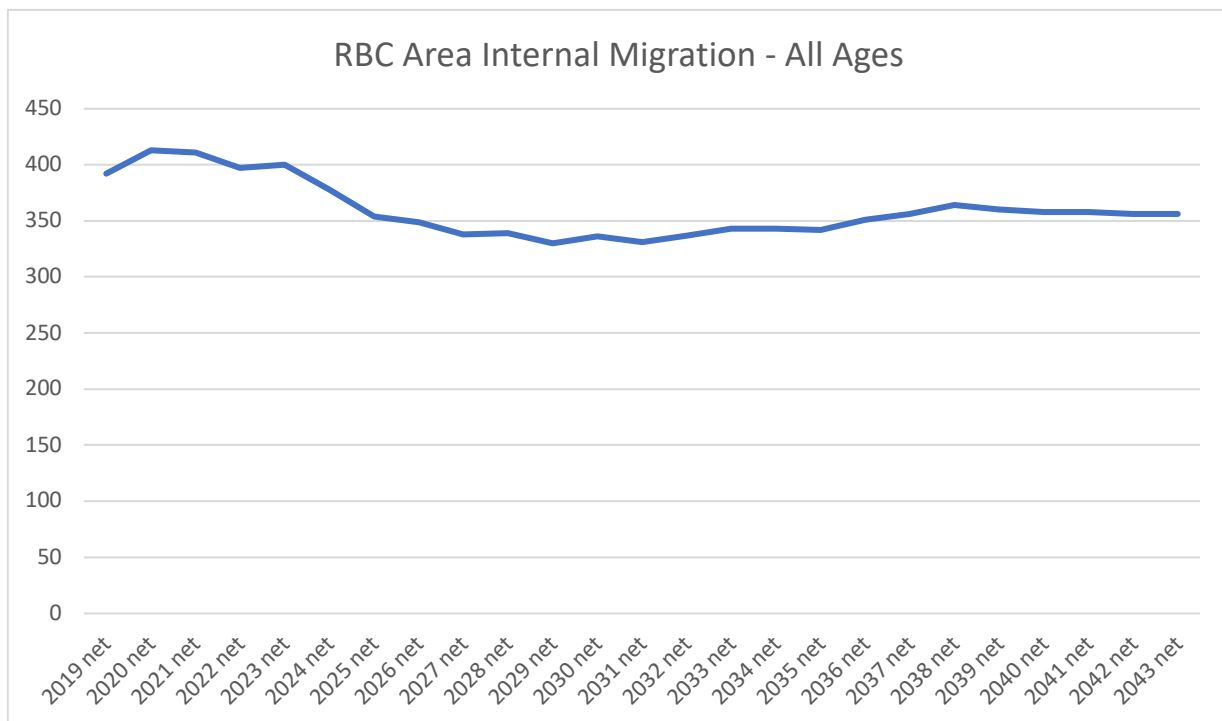
When looking at the change in inward/outward migration in the most recent years for which data is available, the RBC area is a consistent net importer of people. The average over the period 2004/05 to 2018/19 was a net additional 236 people moving in to the RBC area from a different Authority region.

The trend can be seen below in Graph 6. It demonstrates that the number of people moving in to the area is growing, with the financial year 2018/19 seeing the highest number (545), and 2010/11 seeing the lowest number (21):



Graph 6: RBC Inward Migration Trend

The ONS forecasts that the trend will continue, with a net 8,992 people moving in to the area from a different one in the next 25 years, which is an average of 360 per annum:



Graph 7: ONS Migration Forecasts

When looking at individual age groups, the RBC administrative area is a net importer of most years of age, with an average 58 Primary School aged children, and 23 Secondary School aged children, moving in to the area per annum:

Age	NET MIGRATION children						Average
	2014	2015	2016	2017	2018	2019	
0	2	5	12	-7	-5	9	3
1	17	2	7	12	6	15	10
2	22	-3	-27	22	29	20	11
3	10	18	-2	24	33	-4	13
4	-13	-10	34	9	-18	22	4
5	-2	14	-1	6	13	4	6
6	4	14	1	-4	3	6	4
7	-2	1	-28	12	23	29	6
8	21	5	-1	7	17	23	12
9	14	17	43	-1	8	42	21
10	5	-1	5	12	8	9	6
11	17	-6	-22	-5	-4	7	-2
12	6	11	11	9	12	16	11
13	4	7	11	14	24	-8	9
14	3	-5	8	12	8	9	6
15	3	24	17	-13	-21	-13	-1
16	-9	6	2	10	3	-9	1
0-3	51	22	-10	51	63	40	36
4-10.	27	40	53	41	54	135	58
11-15.	33	31	25	17	19	11	23

Table 5: Individual Age Migration – RBC Area

ONS forecast that this inward trend will continue at around the same level it has been over the previous six years for which data is available:

Age Group	2019 net	2020 net	2021 net	2022 net	2023 net	2024 net	2025 net	2026 net	2027 net	2028 net	2029 net	2030 net	2031 net	2032 net	2033 net	2034 net	2035 net	2036 net	2037 net	2038 net	2039 net	2040 net	2041 net	2042 net	2043 net	Average
0	8	8	8	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	8	8	8	8	8	7
1	9	10	10	10	9	9	9	9	9	9	9	8	8	8	8	8	8	8	9	9	9	9	9	9	9	9
2	11	7	7	8	7	7	7	7	7	7	7	6	6	6	6	6	6	7	7	7	7	7	7	7	7	7
3	18	20	17	17	17	17	16	16	16	16	16	16	16	16	16	16	16	16	16	16	17	17	17	17	17	17
4	14	14	16	13	13	13	13	13	13	13	13	12	12	12	12	12	12	13	13	13	13	13	13	13	13	13
5	5	5	6	7	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
6	11	10	11	11	12	10	10	10	10	10	10	10	10	9	9	9	9	9	10	10	10	10	10	10	10	10
7	11	12	11	12	12	13	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11
8	12	12	12	12	12	12	13	12	11	12	12	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11
9	7	8	8	8	8	8	8	8	8	8	8	8	8	7	7	7	7	7	7	7	7	7	7	7	7	8
10	12	11	13	13	13	12	13	13	14	12	12	12	12	12	11	11	11	11	11	11	11	11	11	11	11	12
11	7	7	6	8	7	8	7	7	8	9	9	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7
12	11	12	11	11	12	12	13	12	12	13	12	12	12	11	11	11	11	11	11	11	11	11	11	11	11	12
13	5	6	6	6	6	7	7	7	7	7	7	8	7	7	7	7	6	6	6	6	6	6	6	6	6	6
14	8	6	8	8	8	7	9	8	9	8	8	9	9	8	8	8	8	8	8	8	8	8	8	8	8	8
15	-3	-5	-7	-4	-6	-8	-7	-6	-7	-8	-8	-5	-5	-4	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5
16	-3	0	-2	-4	-3	-3	-3	-3	-3	-3	-3	-2	-2	-2	-1	-2	-2	-2	-2	-2	-2	-2	-2	-2	-2	-3
0-3	46	45	42	42	40	40	39	39	39	39	39	38	37	37	37	37	37	37	39	39	39	41	41	41	41	40
4-10.	72	72	77	76	75	73	73	73	72	71	71	69	69	67	66	66	66	66	67	68	68	68	68	68	69	70
11-15.	28	26	24	27	27	28	29	28	29	31	31	31	29	30	28	28	28	27	27	27	27	27	27	27	27	28

Table 6: Individual Age Migration Forecast – RBC Area

LCC Planning Obligation Policy

LCC updated their Education Contribution Methodology⁴ in September 2020. The pupil yield has not changed from the previous iteration. The document still states the following:

With Outline applications, an assumption will be made that all dwellings will be eligible 4 bedroom housing and the development will be assessed on this basis.

On that basis, the figures used in the Education Report still stand:

- 400 dwellings x 0.38 = 152 Primary School pupils
- 400 dwellings x 0.15 = 60 Secondary School pupils

When applying the indicative housing mix (20% 2 bed / 50% 3 bed / 30% 4 bed) to the LCC Pupil Yield you get the following:

- (80 x 2-bed dwellings) x 0.07 = 6
- (200 x 3-bed dwellings) x 0.16 = 32
- (120 x 4-bed dwellings) x 0.38 = 46

- **TOTAL = 84 Primary School Pupils**

- (80 x 2-bed dwellings) x 0.03 = 3
- (200 x 3-bed dwellings) x 0.09 = 18
- (120 x 4-bed dwellings) x 0.15 = 18

- **TOTAL = 39 Secondary School Pupils**

The issue with RBC using four-bedroom dwellings only is it distorts the picture considerably. As shown above, when applying the expected dwelling mix of the development, the Primary child yield essentially halves.

In terms of planning obligation multipliers, LCC utilises £16,750 for new Primary School places, and £23,062 for new Secondary School places. This is in line with the DfE averages, which are shown below in Table 7:

⁴ <https://www.lancashire.gov.uk/media/919346/annex-2-education-methodology.pdf>

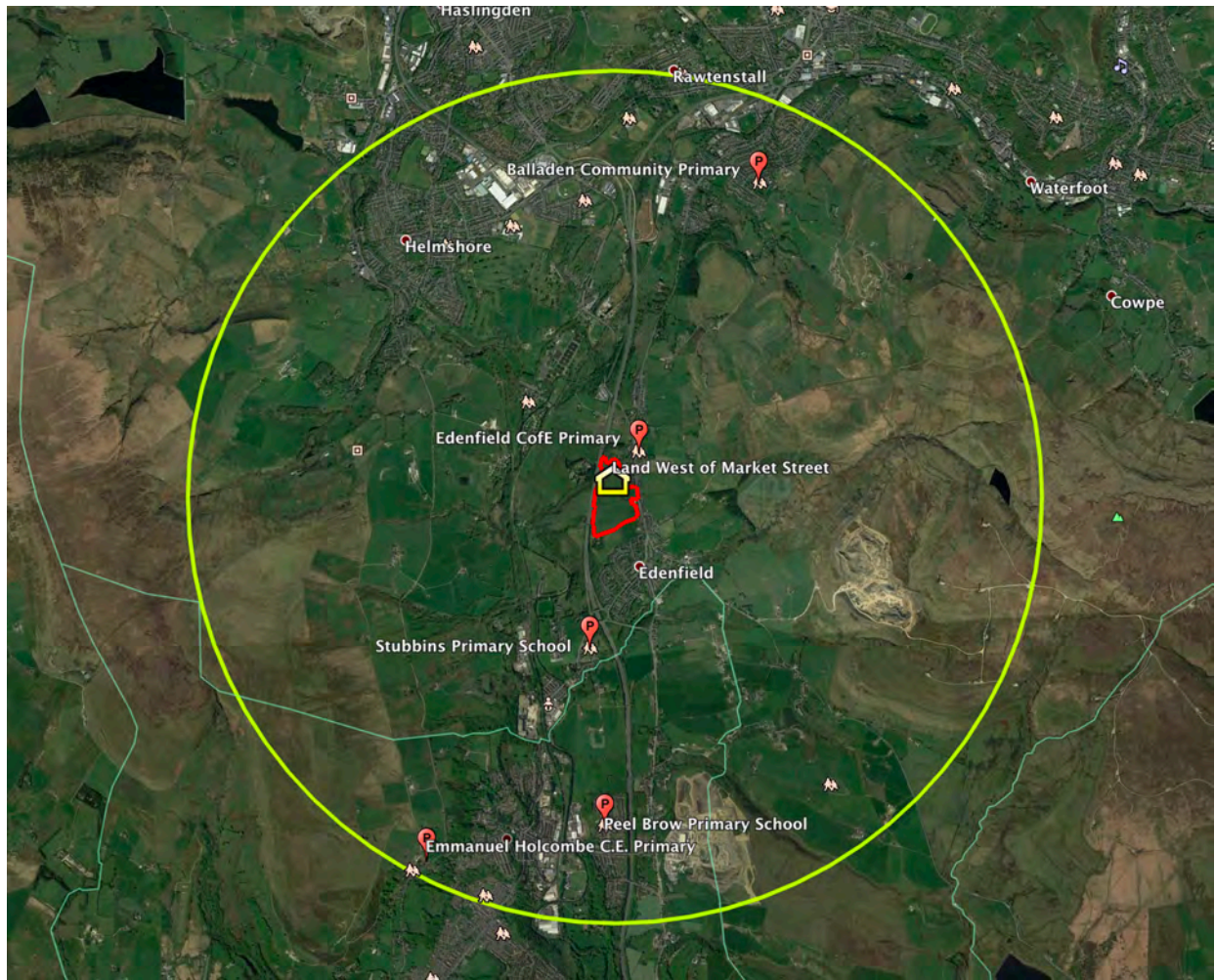
Inflation				
DfE Scorecard: Regional Factor 1.00: 1Q2019				
		New Build	Perm Expansion	Temp Expansion
	Primary	£ 19,611.00	£ 16,596.00	£ 7,878.00
	Secondary	£ 23,962.00	£ 22,738.00	£ 8,889.00
DfE Scorecard: Regional Factor 1.00: 1Q2020				
		New Build	Perm Expansion	Temp Expansion
	Primary	£ 20,508.00	£ 17,268.00	£ 8,196.00
	Secondary	£ 24,929.00	£ 23,775.00	£ 9,248.00
Adjustment				
		New Build	Perm Expansion	Temp Expansion
	Primary	4.6%	4.0%	4.0%
	Secondary	4.0%	4.6%	4.0%

Table 7: DfE Cost Multipliers for Education

Primary Education

There are five state-funded schools accommodating Primary School aged children within a two-mile radius of the development site. Of these schools, three are in the Lancashire County Council (“LCC”) administrative area, with the remaining two over the administrative border in to Bury. Only two of the schools are within an appropriate walking distance.

The location of the schools in relation to the development site can be seen below in Map 2:



Map 2: Two-Mile Radius around the Development Site

The most recent school roll data in the public domain is shown below in Table 8:

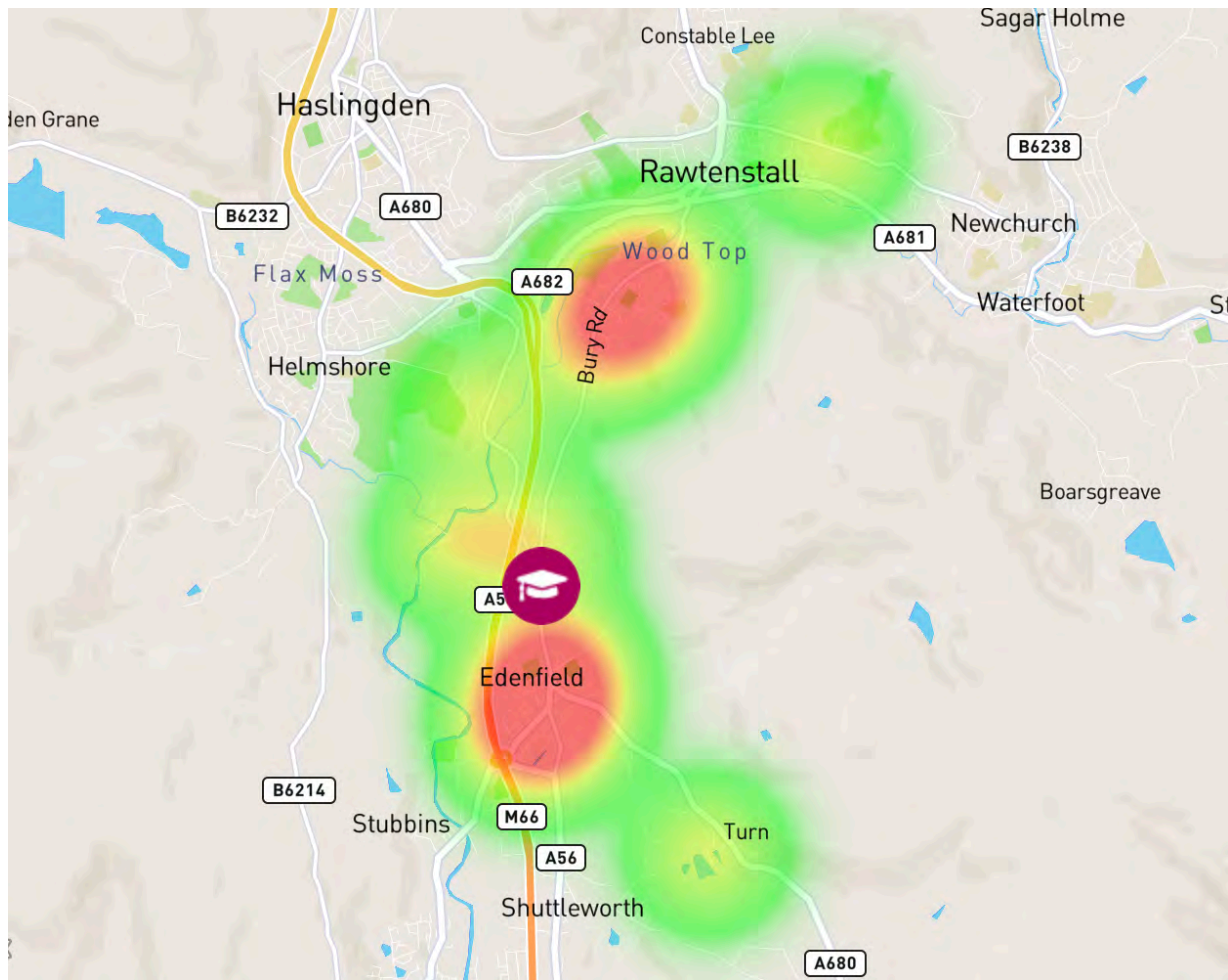
Primary School Name	Postcode	LA Name	Distance (miles)	Capacity	PAN	NoR	Yr R	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6
Edenfield CofE Primary School	BLO 0HL	Lancashire	0.3	175	25	192	27	29	24	26	29	29	28
Stubbins Primary School	BLO 0NA	Lancashire	0.8	210	30	209	30	30	30	30	30	29	30
Peel Brow Primary School	BLO 0BJ	Bury	1.8	210	30	129	19	18	21	29	19	13	10
Balladen Primary School	BB4 6DX	Lancashire	2	210	30	207	27	30	29	30	29	30	32
Emmanuel Holcombe C.E. Primary	BL8 4PA	Bury	2.3	112	16	105	14	14	14	18	15	14	16
TOTAL				917	131	842	117	121	118	133	122	115	116
Surplus							14	10	13	-2	9	16	15
Available Surplus %							11%	8%	10%	-2%	7%	12%	11%

Table 8: School Roll Data

PAN = Planned admission Number; NoR = Number on Roll

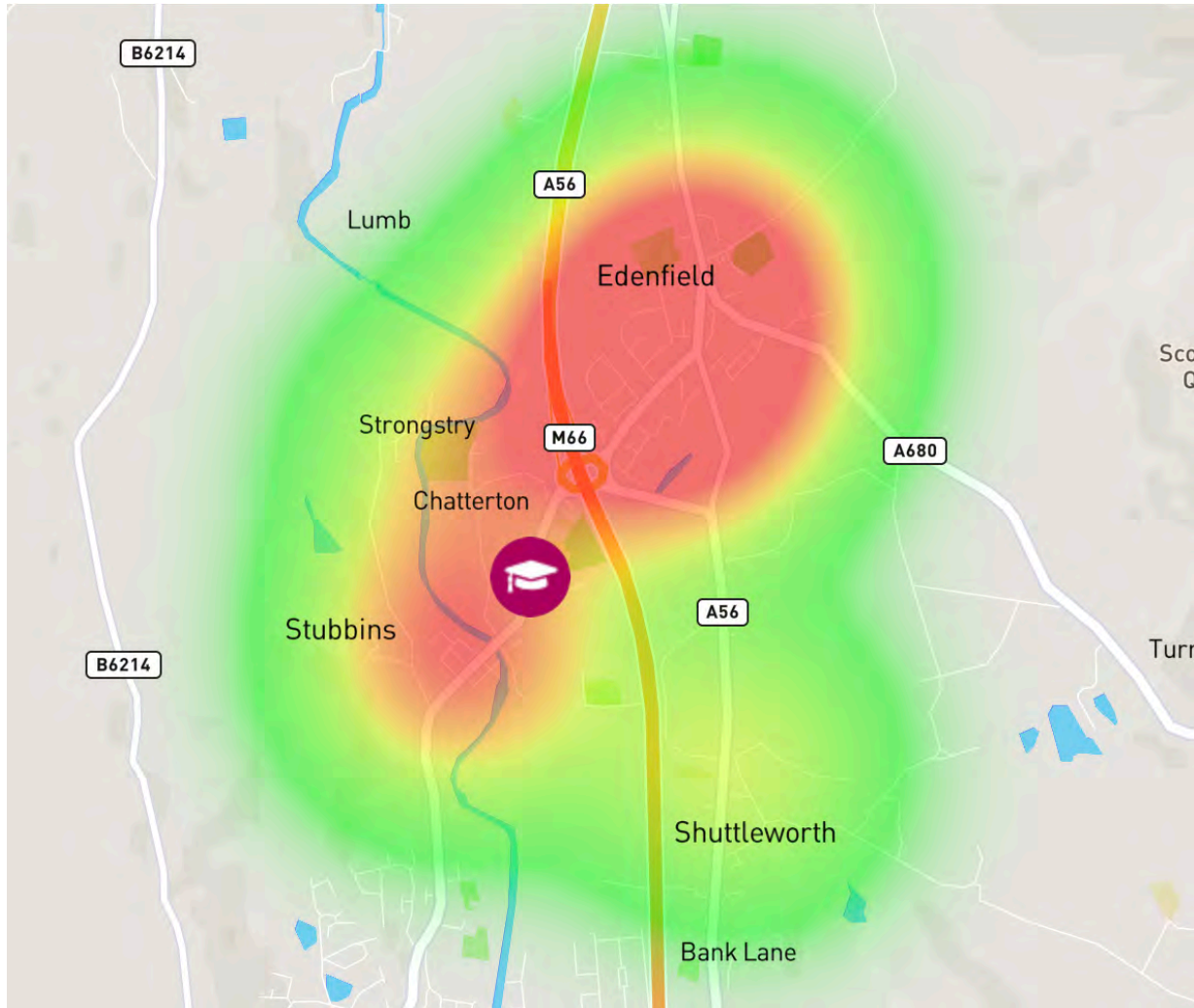
The closest school to the development (0.3 miles walking distance) is Edenfield CofE Primary School, which offers 25 places per Year Group (slightly less than a full 1FE), and was full as of the previous academic year.

However, the school is currently accepting a large proportion of pupils from the Rawtenstall area, which is in a different Primary Planning Area. The Wood Top/Rawtenstall area shown in Map 3 is closest to Balladen Primary School, in the Rossendale/Rawtenstall Primary Planning Area. Therefore, additional capacity added to this Primary Planning Area would potentially free up space for additional pupils coming forward in Edenfield, as pupils attending from further afield are pushed back in to schools nearer to their immediate locality during the admissions process:



Map 3: Edenfield C of E Primary School Catchment Area Heat Map

The second closest school to this development is Stubbins Primary School. This is a 1FE school, approximately 0.8 miles walking distance from the development site, and was also full as of the previous academic year. This school draws pupils exclusively from the Edenfield area, as shown below:



Map 4: Ramsbottom Stubbins Primary School Catchment Area Heat Map

The remaining three schools do not have pupils attending them that live in Edenfield, and are too far to be considered reliable capacity for this development.

The two schools that serve Edenfield are in the Rossendale/Ramsbottom Primary Planning Area. The schools have a net capacity of 385 places:

LA Name	School Name	May 19 NOR	Net Capacity	Primary Capacity	Secondary Capacity	NOR Total	Net Cap Total
Lancashire	Ramsbottom Stubbins Primary School	209	210	210	0	401	385
Lancashire	Edenfield Church of England Primary School	192	175	175	0	401	385

Table 9: Rossendale/Ramsbottom Primary Planning Area Schools

The current SCAP projections produced by LCC suggest that the roll at the two schools is going to fall in the coming years by 49 places, and that the schools will have a collective 35 spare places by 2023/24:

LA 888

Area Code 8881403

LA Name Lancashire

Area Name Rossendale/Ramsbottom

Primary Change -49

Year Group	R		
Actual 1819	59	Sum 1819	399
Forecast 19-20	57	Sum 1920	401
Forecast 20-21	42	Sum 2021	389
Forecast 21-22	44	Sum 2122	376
Forecast 22-23	44	Sum 2223	361
Forecast 23-24	44	Sum 2324	350

Table 10: LCC SCAP Projections

The indicative housing mix of this development suggests that the child yield will be circa 84 Primary aged pupils, or 12 per Year Group (or 22 per Year Group using LCC’s worst-case scenario calculations). What this indicates is that a solution of 1FE is more than sufficient to be able to accommodate the demand of this development. The ESFA does not usually approved new schools of smaller than 2FE (420 places) as this is the size that schools tend to be most financially viable and optimal from a managerial perspective. It also allows them to reduce their numbers if rolls fall (which they are forecast to do, and may continue to do if the birth rate continues to plunge) and still be sustainable.

Planning obligations towards additional provision are appropriate. In terms of what they will be spent on, there are four potential solutions, which are discussed below:

Option 1: Expand Edenfield Primary School

The school is not landlocked, and if land could be acquired adjacent to the site then this would be an ideal solution – increasing the size of the school to either 315 (1.5FE - 140 place increase) or 420 places (2FE – 245 place increase).

Option 2: Expand Stubbins Primary School

The school is on a site of 1.67ha. BB103 stipulates that a 2FE school can be on a site of 1.6-2ha. Whilst this would be on the lower end of the scale, it should be possible to expand the school by either 105 or 210 places on the site.

Option 3: Expand Balladen Primary School

This is a 1FE school on a site of approximately 1.7ha, so there is room for expansion. Whilst the school does not directly serve Edenfield, pupils from Balladen's catchment are attending Edenfield Primary School. By expanding this school, the pupils currently attending Edenfield Primary from the Rossendale area would stay in their immediate localities, and Edenfield can be a school more focused on local children. This would also help to achieve the Government objective of reducing the need for travel.

Option 4: New School on this site

This seems like the least appealing solution.

Firstly, providing 420 pupils would be a significant over-provision of pupils for a village where births and demand for school places is falling.

Secondly, it is the costliest, and the business case does not justify it.

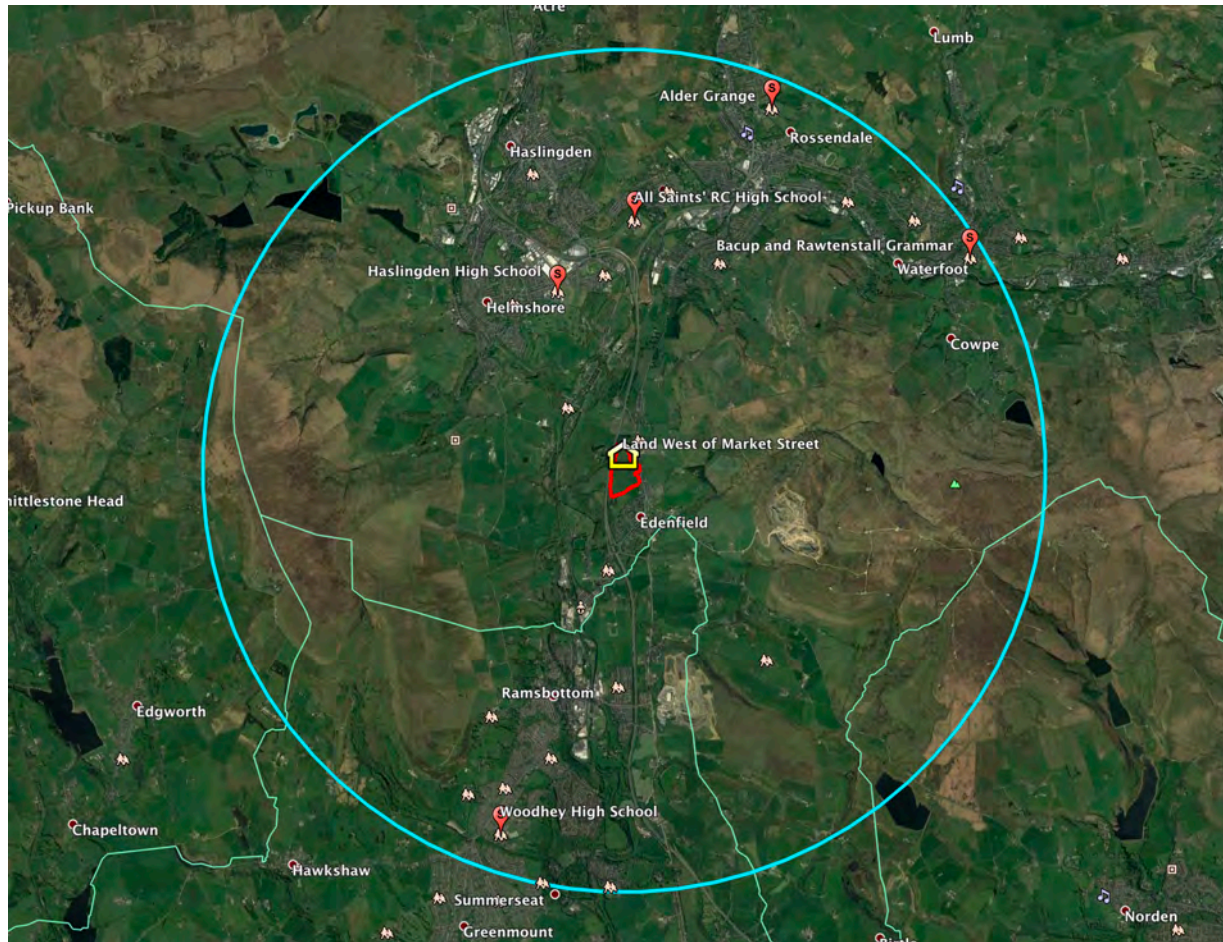
Thirdly, a new school is not sustainable until it reaches circa 30 Reception Year pupils. According to LCC's child yield multipliers, it would take 553 four-bed dwellings to reach this threshold, or 1,312 three-bed dwellings. This development will never justify that level of new provision.

Additionally, a new school would be detrimental to the existing schools as it would draw pupils away from the established facilities, as parents often prefer new schools when considering where their children will go.

To summarise the above: planning obligations towards new provision are justified, in spite of falling rolls, and the falling birth rate, which will mean more spare capacity in the coming years. LCC has options for how development mitigation is provided. Further consultation with the three schools discussed above would be prudent in the first instance, as the business case for a new school Primary School (which would cost in excess of £7m) does not stack up, and this development would only be contributing a small proportion towards the build programme.

Secondary Education

There are five Secondary Schools within a three-mile radius of the development site, although only one non-selective school that directly serves Edenfield. The schools, in relation to the development site, can be seen below in Map 5:



Map 5: Three-Mile Radius around the Development Site

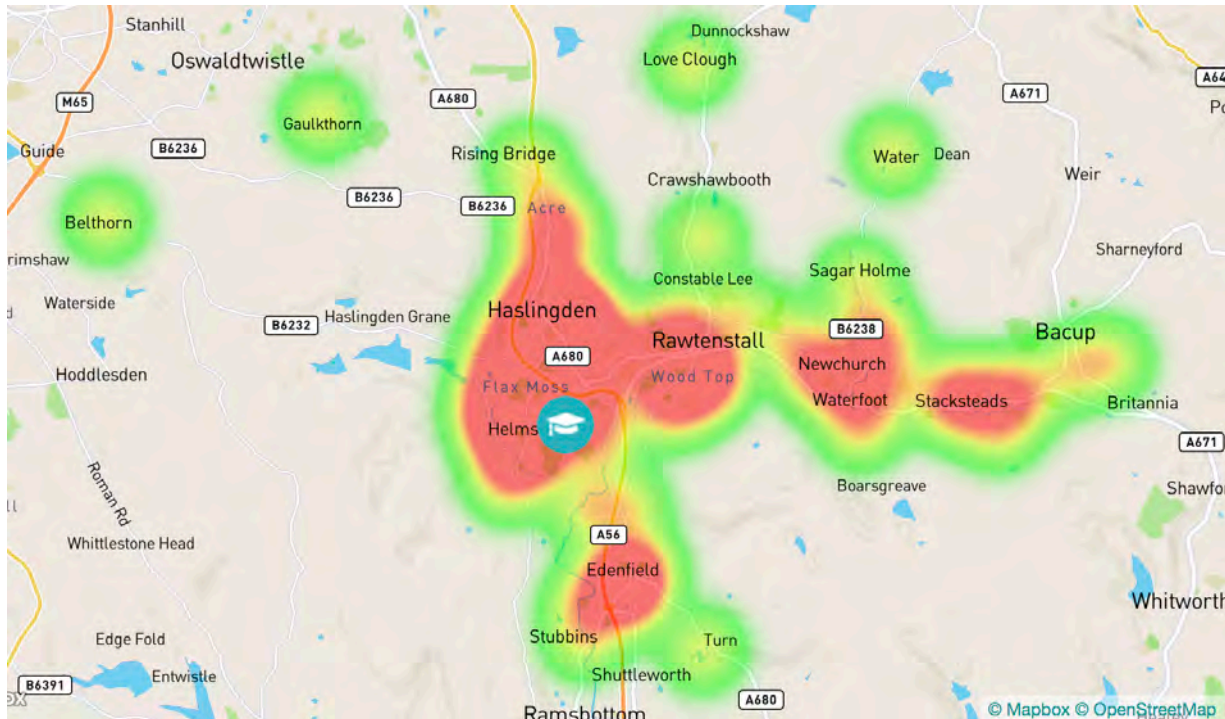
The latest school roll data in the public domain can be seen below:

Secondary School Name	Postcode	LA Name	Distance (miles)	Capacity	PAN	NoR 7-11	Yr 7	Yr 8	Yr 9	Yr 10	Yr 11	Post 16
Haslingden High School	BB4 4EY	Lancashire	1.6	1,493	270	1,345	270	276	269	272	258	259
All Saints RC High School	BB4 6SH	Lancashire	2.5	588	116	480	99	100	99	98	84	0
Woodhey High School	BL0 9QZ	Bury	2.8	1,161	210	1,118	232	220	226	223	217	0
Alder Grange	BB4 8HW	Lancashire	3.3	902	135	698	142	147	137	139	133	134
Bacup and Rawtenstall Grammar	BB4 7BJ	Lancashire	3.8	1,121	180	899	180	180	180	180	179	395
TOTAL				5,265	911	4,540	923	923	911	912	871	788
Surplus							-12	-12	0	-1	40	
Available Surplus %							-1%	-1%	0%	0%	4%	

Table 11: School Roll Data

PAN = Planned admission Number; NoR = Number on Roll

The closest school to the development is Haslingden High School. This school is a 9FE facility that, as of the previous academic year, was essentially full. It should be noted, however, that there were 46 students⁵ accepted in to Year 7 in the 2020/21 academic year from outside of the Geographical Priority Area. This development is only forecast to generate circa 8 pupils per Year Group, which means that if Year 7 applicants on this development had applied in the appropriate admissions window, they would have successfully gained a place:



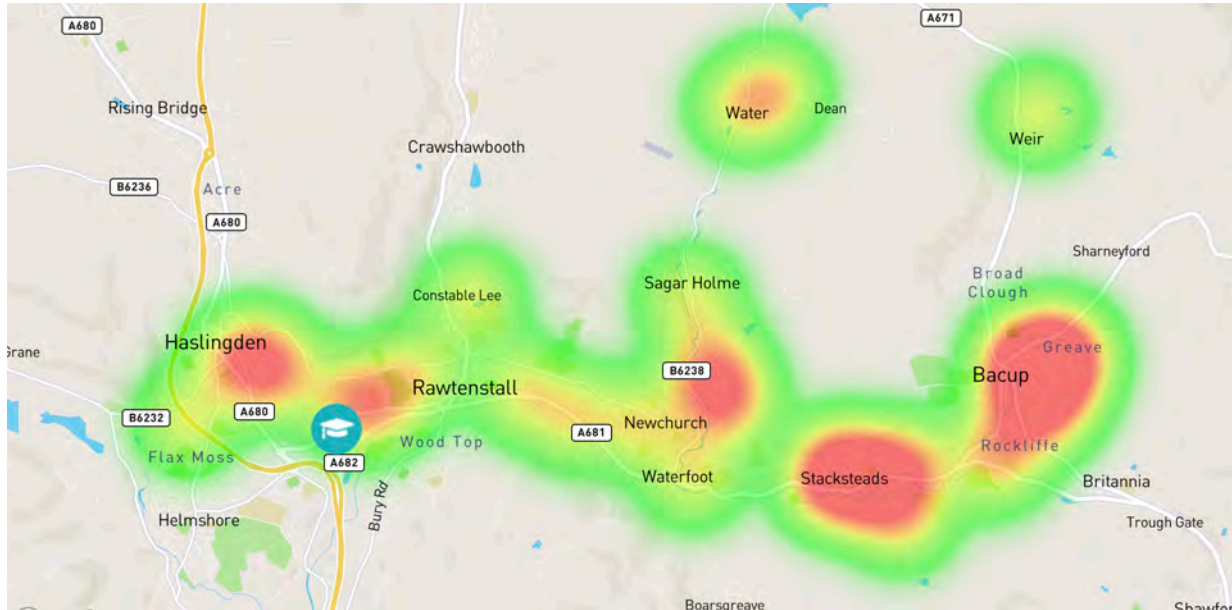
Map 6: Haslingden High School Catchment Area Heat Map

*This school mainly services the area of HASLINGDEN - Haslingden, Helmshere, Rising Bridge, **Edenfield**, Stubbins, Turn, Chatterton and Strongstry.*

The second closest school to this development is All Saints Roman Catholic High School. Due to the admissions criteria favouring those Baptised Catholic, it is not reliable capacity for this development when it is full, but could be an option for those who fulfil the admissions criteria, or who want a religious-based education for their children. As of the previous academic year, the school (which is approximately 4FE) had spare places in every Year Group.

The catchment area is shown below:

⁵ <https://haslingdenhigh.com/admissions/>



Map 7: All Saints RC High School Catchment Area Heat Map

The four Lancashire schools shown in Table 11 are grouped with two additional schools to form the Rossendale Secondary Planning Area. The six schools have a combined capacity of 5,805 places:

LA Name	School Name	May 19 NOR	Net Capacity	Primary Capacity	Secondary Capacity	NOR Total	Net Cap Total
Lancashire	Alder Grange School	831	902	0	902	5056	5805
Lancashire	Fearns Community Sports College	286	1024	0	1024	5056	5805
Lancashire	Whitworth Community High School	632	650	0	650	5056	5805
Lancashire	Haslingden High School and Sixth Form	1563	1501	0	1501	5056	5805
Lancashire	All Saints' Roman Catholic High School, Rossendale	471	607	0	607	5056	5805
Lancashire	Bacup and Rawtenstall Grammar School	1273	1121	0	1121	5056	5805

Table 12: Rossendale Secondary Planning Area Schools

In the 2018/19 academic year, the schools had a roll of 5,094, meaning there were 711 spare places (most of which were in the formally named Fearns Community Sports College, now known as The Valley Leadership Academy in Bacup). By 2025/26, the roll is expected to grow to 5,349, reducing the spare capacity to 456 places:



LA 888
LA Name Lancashire
Secondary Change 255

Area Code 8880014
Area Name Rossendale Secondary

Year Group	7		
Actual 1819	918	Sum 1819	5094
Forecast 19-20	972	Sum 1920	5245
Forecast 20-21	884	Sum 2021	5281
Forecast 21-22	940	Sum 2122	5342
Forecast 22-23	920	Sum 2223	5387
Forecast 23-24	915	Sum 2324	5395
Forecast 24-25	886	Sum 2425	5349
Forecast 25-26	905	Sum 2526	5349

Table 13: LCC SCAP Projections

Due to the main school serving Edenfield being at capacity, it would not be excessive for planning obligations to be requested to expand capacity at Haslingden High School, although LCC may be reluctant to expand Secondary provision when there is so much spare capacity in the planning area. However, if they identify a scheme at the local school, and the request does not make the development financially unviable, it would not be inappropriate for this development to contribute proportionately towards new provision.

Final note: LCC does not request funding for Early Years, Sixth Form, and SEN Provision. They state the following in their latest Methodology document:

The DfE 'Securing developer contributions for education' guidance advises that education contributions can be sought for the following provision:

- *Special Education Needs*
- *Early Years*
- *Post-16*

The assessment approach for each of these is under development as part of the relevant service strategies.

On that basis, currently nothing is necessary in terms of development mitigation for this development in relation to these three elements.



Conclusion

From a Primary School perspective, planning obligations towards new provision are justified, in spite of falling rolls, and the falling birth rate, which will mean more spare capacity in the coming years. LCC has options for how development mitigation is provided. Further consultation with the three schools discussed in this letter would be prudent in the first instance, as the business case for a new school Primary School (which would cost in excess of £7m) does not stack up, and this development would only be contributing a small proportion towards the build programme.

From a Secondary perspective: due to the main school serving Edenfield being at capacity, it would not be excessive for planning obligations to be requested to expand provision at Haslingden High School, although LCC may be reluctant to expand a Secondary School when there is so much spare capacity in the wider planning area. However, if they identify a scheme at the local school, and the request does not make the development financially unviable, it would not be inappropriate for this development to contribute proportionately towards new provision.

Please let me know if you need anything further, or would like to discuss.

Kind regards,



Ben Hunter
Education Consultant
EFM

APPENDIX 2: SAVILLS COMMENTS ON VIABILITY STUDY UPDATE (EL8.020.2) – MARCH 2021

Local Plan Viability Review

Rossendale Local Plan

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Appendices

1. Savills Local Plan Viability Assessment Response, dated August 2019
2. H74 LPEVA Cost Assessment
3. Keppie Massie Abnormal Cost Database Analysis
4. H72 LPEVA Cost Assessment

1. Introduction

- 1.1 Savills has been instructed by Taylor Wimpey to review the Rossendale Local Plan Economic Viability Assessment Update Report, (hereafter known as the “LPEVA”) produced by Keppie Massie on behalf of Rossendale Borough Council, dated February 2021. This document was produced following the publication of the Rossendale Local Plan Economic Viability Assessment, produced by Keppie Massie on behalf of Rossendale Borough Council, dated March 2019 and subsequent Examination Hearings. A Schedule of Further Actions was issued by the Inspectors and the LPEVA is intended to address these.
- 1.2 The original updated evidence base for the Local Plan was issued on 1 February 2021, with a 4 week consultation period finishing on 1 March 2021. The LPEVA was made publically available on 1 March 2021, with the consultation period extended to 12 March 2021 to allow time for responses to be submitted. In light of the short timescales associated with the amended deadline, an extension of time was requested and the consultation period was extended to 19 March 2021 in order to provide additional to review and respond to a key Local Plan document.
- 1.3 We provided a response to the initial public consultation period in respect of Rossendale Local Plan Economic Viability Assessment, dated 29 August 2019. This is attached at **Appendix 1** for information.
- 1.4 This report is intended to review the evidence base, methodology and findings of the LPEVA, with particular reference to two allocated sites, being H74 (Grane Village) and H72 (Market Street, Edenfield). These sites are allocated for the delivery of 174 and 400 residential dwellings respectively. We have considered the relevant NPPF, Viability PPG and RICS Professional Statement Financial Viability in Planning: conduct and reporting, throughout this report.
- 1.5 Savills are currently instructed by Taylor Wimpey in respect of site H74 to assess scheme viability following the submission of a planning application for the development of 131 residential dwellings on site (ref: 2019/0335). Given that this instruction is relevant to the Local Plan viability, we do not consider this to be a conflict of interest and can confirm that there are no conflicts of interest that affect our independent opinion being provided. We have acted with objectivity, impartiality, without interference and with reference to all appropriate available sources of information. We can also confirm that no performance related or contingent fees have been agreed in respect of the provision of this report and any subsequent viability advice.
- 1.6 As per Professional Standards 1 of the RICS Valuation Professional Standards January 2014 Incorporating the International Valuation Standards – Global and UK Edition, advice given expressly in preparation for, or during the course of, negotiations or possible litigation does not form part of a formal “Red Book” valuation and should not be relied upon as such.
- 1.7 We have reviewed the LPEVA and detailed the relevant assumptions that we believe need to be reviewed. We have focussed on the approach to greenfield residential testing in general as well as the site specific testing in respect of sites H74 and H72. It should be noted that our lack of comment on assumptions does not imply our agreement with them and we reserve the right to make further representations at a later stage where relevant.

2. Site Specific Testing

- 2.1 The emphasis of the PPG is clear in that there is an expectation that Local Planning Authorities will test viability at the plan making stage to ensure planning policies are set at a level that does not compromise sustainable development.
- 2.2 It set outs a need to follow a typology approach for plan making viability assessments, to ensure viability is tested based on the type of sites that are likely to come forward over the plan period. The typologies should be based on shared characteristics, such as greenfield and brownfield and can be group based on likely GDV, as is the case within the LPEVA.
- 2.3 That said, strategic sites such as those that account for a significant proportion of planned supply, should be tested on a site specific basis:
- “It is important to consider the specific circumstances of strategic sites. Plan makers can undertake site specific viability assessments for sites that are critical to delivering the strategic priorities of the plan.”*
Paragraph 005 Reference ID: 10-005-20180724
- 2.4 We note that the LPEVA provides a site specific assessment of costs for H72 and H74, which we will comment on later on this report, but no site specific assessment of Benchmark Land Value (BLV) or Gross Development Value (GDV). Both of these factors are key in determining site viability and cannot be ignored.
- 2.5 In the case of H74 (Grane Village) a planning application has been submitted for the development of 131 residential dwellings on site (ref: 2019/0335). This was submitted in September 2019 and the application is still awaiting determination. As a result of this planning application, there is site specific information readily available to assist with a site specific assessment of viability in the LPEVA but all of this has been ignored.
- 2.6 We do not believe this is appropriate or compliant with the PPG. The Local Authority has the benefit of site specific information that has not been considered and there has been no engagement with Taylor Wimpey in respect of the updated LPEVA, despite it being updated concurrently with a site specific planning application.
- 2.7 The PPG requires plan makers to engage with landowners, site promoters and developers to ensure the evidence underpinning any local plan viability assessment is realistic and accurate. This has not been done in respect of H74, therefore failing to accord with the PPG and Duty to Co-operate.
- 2.8 We have therefore considered sites H74 and H72 in more detail in this report and would expect the site specific assessment of viability for both sites to be updated accordingly. There is an expectation that plan makers would revise their proposed policy requirements to ensure policies are realistic and deliverable. We believe this is required in the case of the strategic sites in Rossendale.

3. H74 (Grane Village)

3.1 A planning application was submitted for this site in September 2019 for the development of 131 dwellings on site. As part of this, information has been submitted throughout the course of the application, including a Viability Assessment that has been updated and amended to reflect the increased levels of technical information that has become available and the ongoing discussions with the Council and their advisors, Trebbi Continuum, in respect of site viability.

3.2 This information and these discussions are relevant to many of the assumptions made in the LPEVA, but none of this has been considered as set out below.

3.3 Site Coverage

3.4 The site coverage assumptions are detailed in the LPEVA, with testing taking place based on 30, 35 and 40 dwellings per hectare. In respect of site H74 the assumed net area and capacity results in an assumed scheme of 174 units and a site coverage of 16,006 sq.m (172,289 sq.ft).

3.5 Again, the site specific application has been ignored, with the site having capacity to deliver 131 units across a site coverage of 12,317 sq.m (132,579 sq.ft). This reduction in scheme density impacts on viability and has not been considered in the LPEVA.

3.6 Abnormal Costs

3.7 The LPEVA considers the site specific costs associated with site H74. We believe the abnormal costs to be grossly underestimated and there has been no consideration of the full suite of technical information available for the site on the planning portal or the cost information submitted to the Council.

3.8 A copy of the cost assessment by Keppie Massie is enclosed at **Appendix 2**. The abnormal cost allowance for H74 in the LPEVA is summarised as follows:

Item	Cost	Per Sq.m	Per Sq.ft	Per Plot
Allowance for slopes	£174,000	£10.87	£1.01	£1,000
Allowance for substation	£75,000	£4.46	£0.44	£431
Allowance for demolition	£20,000	£1.25	£0.12	£115
Allowance for acoustic requirements (20%)	£35,000	£2.19	£0.20	£201
Allowance for remediation	£75,000	£4.69	£0.44	£431
Allowance for habitat survey	£20,000	£1.25	£0.12	£115
Total:	£399,000	£24.93	£2.32	£2,293

Figure 1: LPEVA H74 Abnormal Costs

3.9 These abnormal costs are considered to be particularly low and we are not aware of any sites of this scale in the region that have been developed on the basis of total abnormal costs of £24.93 per sq.m, £2.32 per sq.ft and £2,293 per plot.

3.10 Savills has an in-house cost database that collates abnormal cost data from information provided to us for agency, consultancy and valuation purposes. Over the last three years across the North West the abnormal costs on sites of a comparable scale have ranged between £86 - £613 per sq.m (to the nearest pound), £8 - £57 per sq.ft (to the nearest pound) and £9,600 - £57,300 per plot (to the nearest hundred), without any adjustment for inflation.

- 3.11 The assumed abnormal costs here fall well outside of this range, and we have assessed the abnormal costs provided in the Keppie Massie database summary on the same basis. We have focussed our analysis on the schemes that range in size from 100 – 149 dwellings and 150 – 199 dwellings undertaken by national housebuilders. These are considered to be the most comparable to H74 on the basis the site is currently being progressed by a national housebuilder, with a live application for 131 units on site and Keppie Massie assuming a 174 unit scheme on site in the LPEVA.
- 3.12 In order to ensure the data is anonymised Keppie Massie have provided a range of unit numbers and overall site coverage in sq.m for each site within their database. We have therefore analysed the total abnormal costs for each of the relevant sites based on this information. This results in the following range of total abnormal costs on a per sq.m, per sq.ft and per plot basis:

Abnormal Costs	Per sq.m (min)	Per sq.m (max)	Per sq.ft (min)	Per sq.ft (max)	Per plot (min.)	Per plot (max)
£3,055,138	£359	£339	£33	£32	£30,860	£24,638
£2,197,340	£191	£183	£18	£17	£17,720	£14,747
£1,292,827	£144	£136	£13	£13	£13,059	£10,426
£1,370,085	£130	£125	£12	£12	£11,049	£9,195
£3,763,844	£290	£279	£27	£26	£30,354	£25,261
£913,102	£122	£114	£11	£11	£9,223	£7,364
£1,151,075	£100	£96	£9	£9	£9,283	£7,725
£2,487,954	£249	£237	£23	£22	£25,131	£20,064
£1,544,263	£147	£140	£14	£13	£15,599	£12,454
£4,548,861	£303	£293	£28	£27	£36,684	£30,529
£667,025	£74	£70	£7	£7	£6,738	£5,379
£597,437	£70	£66	£7	£6	£6,035	£4,818
£3,976,001	£215	£209	£20	£19	£19,980	£17,750
£7,296,517	£374	£365	£35	£34	£41,934	£36,666
£1,590,874	£110	£106	£10	£10	£10,677	£9,143
£5,252,807	£300	£292	£28	£27	£26,396	£23,450
£2,971,266	£170	£165	£16	£15	£17,076	£14,931
£2,703,099	£159	£154	£15	£14	£15,535	£13,583
£1,973,637	£152	£146	£14	£14	£13,246	£11,343
Average Cost:	£193	£185	£18	£17	£18,767	£15,761

Figure 2: Keppie Massie Abnormal Cost Database Analysis

- 3.13 The abnormal costs in the Keppie Massie database range from £66 - £374 per sq.m, resulting in average costs of £185 - £193 per sq.m across the sample. On a per sq.ft basis, the abnormal costs range from £6 - £35 per sq.ft across an average of £17 - £18 per sq.ft. On a per plot basis, the abnormal costs range from £4,818 - £41,934 across an average of £15,761 - £18,767. The more detailed breakdown of this analysis is enclosed at **Appendix 3** for information.
- 3.14 Evidently, the average total abnormal costs across the Keppie Massie sample sites are well in excess of the total abnormal costs allowed for in respect of site H74. This raises serious concerns over the robustness of the viability testing for the site.
- 3.15 The extensive site technical information and breakdown of abnormal costs provided to the Council during the application for site H74 has been ignored. A site specific assessment of abnormal costs has been provided to the Council and this equates to total costs of £7,500,994 based on the most recent breakdown of costs. This equates to £609 per sq.m, £57 per sq.ft and £57,259 per plot. These costs are in the process of being reviewed by the Quantity Surveyor at the request of the Council, despite there being no PPG

requirement to provide this, and a full breakdown and suite of supporting technical information has already been provided.

3.16 The cost associated with site specific constraints arise for the following reasons:

- i. ground conditions requiring remediation;
- ii. ground conditions require all plots to have piled foundations;
- iii. no space on site for a swale feature so all surface water storage must be in oversized pipes or underground crates;
- iv. foul water requires a pumping station;
- v. levels across the site requiring retaining walls, underbuild and excess material cart away (including retention to existing Grane Road);
- vi. service diversions and sub-station required on site.

3.17 These costs total £6,228,047, which equates to £506 per sq.m, £47 per sq ft and £47,542 per plot. The site specific assessment demonstrates that the abnormal costs associated with this site are particularly high, which impacts on scheme viability. the remaining costs are associated with meeting planning requirements and are considered below.

3.18 We would invite Keppie Massie to re-assess the site specific cost assessment in light of the above information and the publically available information on the planning portal in respect of site H74.

3.19 Planning Requirements

3.20 Given that there is no site specific appraisal it is not clear what planning requirements have been allowed for in this site specific assessment, but it would appear that the following has been included:

Item	Cost per dwelling	Total Cost
Public open space	£1,800	£313,200
Playing pitches	£750	£130,500
Additional S.106 costs	£1,000	£174,000
Electric vehicle charging points	£220	£38,280
Biodiversity net gain (20%)	£3,739	£650,536
M4(2) requirements (20%)	£1,000	£35,000
Total:	£8,509	£1,341,516

Figure 3: LPEVA Planning Requirement Cost Assumptions

3.21 We have however analysed the actual planning requirements on site in more detail. The abnormal costs items that arise as a result of planning requirements are as follows:

- i. S.278 requirement to construct a roundabout at the site entrance and improve Grane Road/Haslingden Road
- ii. Provision of a LEAP and an overprovision of on-site POS which arises due to the site technical constraints, decreasing net developable area
- iii. Reconstituted stone wall and dry stone wall to the site boundary
- iv. Artstone detailing and elevational treatments to the house types
- v. Electric vehicle charging points

3.22 These costs total £1,272,947, which equates to £103 per sq.m, £10 per sq.ft and £9,717 per plot.

3.23 The Council have also requested additional materials in the form of reconstituted stone upgrades, natural stone upgrades and slate rooves to a number of plots on site. This is not included in the above list but the cost is estimated to be in the order of £575,000, which equates to £47 per sq.m, £4 per sq.ft and £4,389 per plot. Allowing for this would evidently have additional cost and viability implications.

- 3.24 The Section 106 contributions requested on site also total £452,887 to cover education (£314,407), biodiversity net gain (£64,334) and off-site outdoor sports (£74,146). The East Lancashire NHS Trust have also requested a contribution of £183,838 towards acute hospital care; however the Council have indicated they are not pursuing this request at the current time (on this or any other scheme) as they yet to decide whether it meets the CIL tests.
- 3.25 This reflects a cumulative total cost of £2,300,834 for all requested items associated with planning requirements. This equates to £17,564 per plot and is significantly above the figure of £1,341,516 (£7,710 per plot) allowed for by Keppie Massie in the LPEVA.
- 3.26 Again, there appears to have been no communication between the Council and Keppie Massie in respect of the actual planning policy requirements on site and the cost implications of these, which further highlights the lack of robustness associated with the LPEVA findings.
- 3.27 We would invite Keppie Massie to re-assess the site specific cost assessment in light of the above information and the publically available information and requests made by the Council in respect of planning requirements on site.

3.28 **Benchmark Land Value**

- 3.29 The approach to BLV in the LPEVA has been amended to reflect the PPG requirement to follow the EUV (Exiting Use Value) plus a premium approach when assessing BLV. There has however been no change to the overall BLVs adopted, with the greenfield BLVs for residential sites as follows:

Value Zone	EUV		Premium	BLV	
	(£/ha)	(£/acre)		(£/ha)	(£/acre)
1	£25,000	£10,000	x 14	£370,500	£150,000
2	£25,000	£10,000	x 16.5	£432,250	£175,000
3	£25,000	£10,000	x 21.5	£555,750	£225,000
4	£25,000	£10,000	x 24	£617,500	£250,000

Figure 4: LPEVA BLV Assumptions – Greenfield Sites

- 3.30 The approach adopted here is often referred to as the multiplier approach, whereby the premium is assessed by using a multiplier across the EUV. The multipliers in this instance range from 14 – 24 times EUV, giving a range of BLVs equivalent to between 15 – 25 times EUV.
- 3.31 There are however a number of problems with this method and we note that whilst the PPG prescribes the EUV plus a premium approach, there is no set methodology associated with this. The problem with adopting a fixed multiplier is that it does not reflect the workings of the market because landowners do not have regard to this methodology when releasing land. It is also not a basis for valuation and is relatively unique to viability in planning. We therefore question the use of this method to assess the premium above EUV that should be adopted.
- 3.32 That said, the issue here is that the BLV for the allocated sites has not been individually assessed and it would appear that Keppie Massie have adopted the £250,000 per acre for their site specific testing. This is on the basis that they believe the site should be included in Zone 4 and their typology approach reflects this level of BLV for this zone. The typologies are however not comparable to site H74 as they only cater for sites of up to 50 dwellings, which typically attract lower infrastructure cost and can generally afford higher levels of affordable housing.
- 3.33 This approach to the testing also directly contradicts the approach of the Council and it's advisors in respect of the viability of the scheme that is currently the subject of the planning application on site. Our initial assessment of site viability for this scheme adopted a BLV of £300,000 per acre on the basis that our response to the LPEVA dated March 2019, set out a need for the BLVs across the respective zones to increase and for site H74 to be located in Zone 3.

- 3.34 The Council and their advisors objected to this on the basis that the site is affected by high levels of abnormal costs and the PPG sets out a requirement for abnormal costs to be considered in an assessment of BLV. We accept that high levels of abnormal costs can justify a reduction in BLV and therefore reduced our assessment of BLV accordingly to £150,000 per net acre and an EUV of £10,000 per gross acre.
- 3.35 Throughout the application period, the Council and its advisors have maintained that our reduced assessment of BLV is also too high, on the basis of the extent of abnormal costs. That said, no alternative assessment has been offered. Instead there is an assertion that assessing the BLV should involve calculating the cost of all planning policies and abnormal costs, with whatever is left in effect forming the BLV, provided that this provides some form of premium over the EUV. For example, the Council are suggesting that if the EUV is £10,000 per acre, and the cost impact of planning policy and abnormal costs result in a development land value of £15,000 per acre, this should be considered acceptable.
- 3.36 This method of assessing BLV would however deem every development site viable, unless the EUV cannot be reached, and viability appraisals would serve no purpose. We do not however believe this is the intention of the guidance as this methodology does not consider the PPG when it states that *“the minimum return at which it is considered a reasonable landowner would be willing to sell their land in comparison to other options available.”*
- 3.37 We do not believe it is the intention of the guidance to reduce BLVs to a point well below reasonable expectations and create a development market whereby if land is allocated and there is any premium above EUV it would be expected that this land came forward. Unless there is an attempt to establish what level of “reasonable return” a landowner would accept, a viability appraisal would not serve any purpose.
- 3.38 We have considered this in our current assessment of BLV for the site. Landowners are generally aware of what their land is worth *“in comparison to other options available”*. We have therefore adopted a minimum premium of £150,000 per acre to reflect a minimum return. This figure is supported by the LPVA evidence base, as the range of BLVs for greenfield sites is between £150,000 – £250,000, demonstrating that the minimum benchmark in Rossendale is in fact £150,000 per acre. On this basis, the premium cannot reasonably be reduced any further and it would be reasonable to assume that a landowner would not release the land for development for a value below this level.
- 3.39 We would have expected the updated LPEVA to consider the site specific circumstances and at the very least, the view of the Council and its advisors in respect of the site specific viability assessment. The approach adopted by Keppie Massie has been directly contradicted by the Council throughout the planning application. We also believe that the Council’s current view misinterprets the PPG guidance in respect of BLVs based on the commentary above.
- 3.40 Gross Development Value**
- 3.41 It would appear that there is no site specific assessment of GDV in the LPEVA. This is difficult to verify given that no appraisals are provided for the site specific testing, but we have assumed that Keppie Massie have adopted the average GDV they have assessed to be appropriate for Zone 4 of £240 per sq ft.
- 3.42 We would however expect a site specific assessment of GDV for site specific viability testing, which has not been provided in the LPEVA. We would therefore invite Keppie Massie to update the LPEVA accordingly.
- 3.43 Summary**
- 3.44 The site specific testing for H74 in the LPEVA is insufficient as it is confined to costs, which are grossly underestimated. Other key inputs into the appraisal have also not been assessed on a site specific basis and instead reflect the typology approach adopted, which is not comparable to site H74. All site specific planning application information has been ignored in the updated LPEVA despite this being submitted and refined concurrently with the update period.

- 3.45 We also note that no appraisals have been provided for the site specific testing so it is difficult to comment in any great detail. We would expect full disclosure of this information to enable a meaningful review.
- 3.46 We believe that the site specific information that is available for H74 mean that the cumulative impact of abnormal development costs and planning requirement costs hinder the ability of the site to deliver 30% affordable housing on site.
- 3.47 In line with the PPG, we would therefore expect the Council's policy requirements for this strategic site to be amended at the plan making stage to ensure the delivery of the site. At the very least, there should be an awareness that the site specific information should take precedent over the local plan viability test findings at the application stage, with key changes to any assumptions made reflected in the delivery of planning obligations on site.

4. H72 (Market Street, Edenfield)

4.1 This site is allocated for 400 residential dwellings. As per site H74 Keppie Massie have only undertaken a site specific assessment of costs, which appear to be grossly underestimated, and no site specific assessment of BLV or GDV. We do not believe this is in line with PPG requirements to fully test strategic sites to ensure plan delivery is not undermined.

4.2 Site Coverage

4.3 The assumed scheme in the LPEVA is for 400 dwellings across a total floor area of 36,832 sq.m (396,460 sq.ft). At this stage, we would comment that this seems broadly reasonable but should site density reduce this would impact on scheme viability.

4.4 Abnormal Costs

4.5 A copy of the cost assessment by Keppie Massie for this site is enclosed at **Appendix 4**. The abnormal cost assessment is summarised as follows:

Item	Cost	Per Sq.m	Per Sq.ft	Per Plot
Allowance for slopes	£400,000	£10.86	£1.01	£1,000
Allowance for substation x 2	£150,000	£4.07	£0.38	£150
Total:	£550,000	£14.93	£1.39	£1,150

Figure 5: LPEVA H72 Abnormal Costs

4.6 Taylor Wimpey and the other landowners associated with the allocated land are in the process of gathering the required information to produce a master plan for the site. Some high level assessments of the site have been undertaken and we understand that the known technical constraints are as follows:

- i. Slope stability constraints – issues identified to the western border which may result in no build zones, retaining walls and abnormal foundations
- ii. Ground conditions – remediation likely to be required which may result in site preparation works and abnormal foundation
- iii. Infrastructure/services – upgrades likely to be required
- iv. Noise constraints – potential for acoustic bund to mitigate highway noise to the north and north west corner of the site
- v. Invasive weeds – Himalayan Balsam, Japanese Rose, Montbretia, Rhododendron, Cotoneaster are located on the northern and eastern parcel of the site
- vi. Broad leaf trees – existing trees on site which range from category A – C
- vii. Existing services – overhead power cables cross the southern part of the site, BT infrastructure, UU infrastructure and a Lower Pressure Gas Mains are all located within the site boundary
- viii. There is a former pond identified on the site as well areas of running water and a location of a geological fault is also identified from the south to western boundary.

4.7 There is evidently a range of technical constraints expected on site as would be expected for sites of this scale and within Rossendale itself. It is important to note that Rossendale is characterised by varying topography and ground conditions that often require remediation measures and abnormal foundations. In general, we would therefore expect abnormal costs to be above average in this location. We would also expect abnormal costs to be above average on schemes of scale such as this as there are often additional costs associated with infrastructure and services.

4.8 Again, if we look at the Keppie Massie cost database, this suggest average total abnormal costs across comparable development sites in region are between £185 - £193 per sq.m, £17 - £18 per sq.ft and £15,761 - £18,767 per plot, as set out in Figure 2. Based on the information above, we would expect above average abnormal costs on site H72.

4.9 The Keppie Massie assessment reflects a cost allowance of £15 per sq.m, £1 per sq ft and £1,150 which falls even further below the range established by their own evidence base as set in Figure 2. Whilst we understand we are unable to quantify the full extent of abnormal costs at this stage, it would be sensible

to assume above average abnormal costs on this site for plan stage viability testing. Once the true extent of abnormal costs are known, we would expect the viability to be re-assessed at the planning application stage should they differ from the assumptions made in the LPEVA.

4.10 **Planning Requirements**

4.11 Given that there is no site specific appraisal it is not clear what planning requirements have been allowed for in this site specific assessment, but it would appear that the following has been included:

Item	Cost per dwelling	Total Cost
Public open space	£1,800	£720,000
Playing pitches	£750	£300,000
Additional S.106 costs	£1,000	£400,000
Electric vehicle charging points	£220	£88,000
Green belt compensation measures	£269	£107,494
Biodiversity net gain (20%)	£4,999	£1,999,686
M4(2) requirements (20%)	£1,000	£80,000
Total:	£10,038	£3,695,180

Figure 6: LPEVA Planning Requirement Cost Assumptions

4.12 The following planning requirement costs also need to be allowed for:

- i. Any material upgrades such as artstone detailing, reconstituted stone and slate roof tiles
- ii. Education contribution and any other contributions that may be required on site such that are not covered by the assumed costs in Figure 5
- iii. S.278 work requirements to off-site highways
- iv. Any potential over provision of public open space and additional need for play areas that may arise
- v. Provision of a primary school on site

4.13 Again, we understand that these are unknown at this stage but as it stands there is no allowance in the LPEVA. We would expect some sensible assumptions to be made for the purpose of plan wide testing and for site viability to be re-assessed at the planning application stage to capture any additional costs in this regard.

4.14 **Summary**

4.15 There has been no site specific assessment of BLV or GDV within the LPEVA, which is not compliant with the PPG. We also believe that the cost assessment for this site is wholly insufficient, which undermines the validity of the LPEVA conclusions in respect of viability.

4.16 We would expect the viability of site H72 to be re-tested based on more robust assumptions, and for the viability to be re-assessed at the application stage should new or updated information become available. Should the viability of the site be compromised we would expect the policy requirements to reduce accordingly to allow for site delivery.

4.17 We also note that no appraisals have been provided for the site specific testing so it is difficult to comment in any great detail. We would expect full disclosure of this information to enable a meaningful review.

4.18 Given the strategic nature of the site we would also expect viability to be re-tested at the application stage based on known information, and for any planning policy requirements to be subject to change on this basis.

5. Conclusions and Recommendations

- 5.1 We have identified some areas relating to the site specific testing in the LPEVA that need to be addressed in order to ensure the viability testing and resultant policy requirements are robust and deliverable. As it stands, the LPEVA does not comply with the need in the PPG to test each strategic site on an individual basis.
- 5.2 We also note that no appraisals have been provided for the site specific testing so it is difficult to comment in any great detail. We would expect full disclosure of this information to enable a meaningful review.
- 5.3 **H74 (Grane Village)**
- 5.4 In the case of this site, in the period between the initial LPEVA and updated LPEVA a planning application has been submitted for development on site. As part of this a wealth of information is available relating to the scheme and associated site technical information. It is clear there has been no communication between the Council and Keppie Massie in this regard, as all of this information has been ignored.
- 5.5 The LPEVA needs to provide a site specific assessment of BLV and GDV and re-assess the costs associated with known abnormal development items and planning requirements on site.
- 5.6 This is based on known abnormal costs of £47,542 per plot, compared to the allowance of £2,293 per plot by Keppie Massie. In relation to the cost of planning requirements, we have assessed these to be £17,564 per plot, compared to an allowance of £7,710 per plot by Keppie Massie. There is clearly a significant cost difference that needs to be accounted for in any site viability testing to ensure the LPVA findings are robust.
- 5.7 We believe that the site specific information that is available for H74 mean that the cumulative impact of abnormal development costs and planning requirement costs hinder the ability of the site to deliver 30% affordable housing on site.
- 5.8 In line with the PPG, we would therefore expect the Council's policy requirements for this strategic site to be amended at the plan making stage to ensure the delivery of the site. At the very least, there should be an awareness that the site specific information should take precedent over the local plan viability test findings at the application stage, with key changes to any assumptions made reflected in the delivery of planning obligations on site.
- 5.9 **H72 (Market Street, Edenfield)**
- 5.10 There has been no site specific assessment of BLV or GDV within the LPEVA, which is not compliant with the PPG. We also believe that the cost assessment for this site is wholly insufficient, which undermines the validity of the LPEVA conclusions in respect of viability.
- 5.11 This is based on the Keppie Massie abnormal cost database, for which average total abnormal costs range £185 - £193 per sq.m, £17 - £18 per sq.ft and £15,761 - £18,767 per plot. The actual assumed costs are £14.93 per sq.m, £1.39 per sq.ft and £1,150 per plot which falls well below average, when we would expect above average abnormal costs on this site.
- 5.12 We would therefore expect the viability of site H72 to be re-tested based on more robust assumptions, and for the viability to be re-assessed at the application stage should new or updated information become available. Should the viability of the site be compromised we would expect the policy requirements to reduce accordingly to allow for site delivery. We would also expect viability to be re-tested at the application stage based on known information, and for any planning policy requirements to be subject to change on this basis.

6. Important Note

- 6.1 Finally, in accordance with our normal practice, we would state that this report is for general informative purposes only and does not constitute a formal valuation, appraisal or recommendation. It is only for the use of the persons to whom it is addressed and no responsibility can be accepted to any third party for the whole or any part of its contents. It may not be published, reproduced or quoted in part or in whole, nor may it be used as a basis for any contract, prospectus, agreement or other document without prior consent, which will not be unreasonably withheld.
- 6.2 Our findings are based on the assumptions given. As is customary with market studies, our findings should be regarded as valid for a limited period of time and should be subject to examination at regular intervals.
- 6.3 Whilst every effort has been made to ensure that the data contained in it is correct, no responsibility can be taken for omissions or erroneous data provided by a third party or due to information being unavailable or inaccessible during the research period. The estimates and conclusions contained in this report have been conscientiously prepared in the light of our experience in the property market and information that we were able to collect, but their accuracy is in no way guaranteed.

Appendix 1

29 August 2019



Graham Lamb
Pegasus Group



Laura Mackay



Dear Graham

RE: ROSSENDALE LOCAL PLAN – VIABILITY ASSESSMENT

In respect of the hearing statements you are preparing for the Rossendale Local Plan Examination, I set out our initial review of the Rossendale Local Plan Economic Viability Assessment (VA) which has been produced by Keppie Massie and dated March 2019.

We have been instructed by Taylor Wimpey to undertake a review of the VA, with particular reference to the H74 (Grane Village) and H72 (Edenfield) site allocations. Our comments at this stage are summarised as follows:

	Keppie Massie Assumptions	Comments
Methodology	Typology approach	<p>On the whole, we agree with the methodology adopted in the VA.</p> <p>As per PPG guidance, the sites of strategic importance have been tested on an individual basis, although it is not clear if the GDV has been assessed on a site specific basis or if the figure for each zone has been adopted. This is important because the GDV is often fundamental in determining viability and as per the PPG, a ‘more detailed assessment may be necessary for particular areas or key sites on which the delivery of the plan relies’.</p> <p>Please note the specific appraisals have not been provided so we cannot comment on these in any detail. We would therefore request full disclosure of the allocated site appraisals because we cannot undertake a meaningful review of the site specific testing without it.</p>
Benchmark Land Value (BLV)	<u>Greenfield (per net acre)</u> Zone 1 - £150,000 Zone 2 - £175,000 Zone 3 - £225,000 Zone 4 - £250,000	Whilst we agree with a zoned approach to benchmark land values, the extent of evidence used to inform the greenfield BLV assumptions is not clear.



	<p><u>Brownfield (per net acre)</u> Zone 1 - £150,000 Zone 2 - £200,000 Zone 3 - £300,000 Zone 4 - £350,000</p>	<p>There is a contention that the BLV should not be based on a site having the benefit planning permission, but this is not stated in the PPG.</p> <p>In fact, the PPG is clear in that when assessing BLV there should be an assumption that all up to date planning policies are accounted for. We therefore believe that a landowner would have reference to market evidence of other land that transacts with planning permission in place, when establishing a reasonable level of minimum return (the 'premium'). This market evidence is therefore key to underpinning BLV assessments because a landowner would not sell significantly below the level of land values established by sites with planning permission in place.</p> <p>We have therefore reviewed market evidence on this basis. The Dale Moor View site in Rawtenstall for example, was purchased for c. £600,000 per net acre with 20% affordable housing and S.106 costs of c. £1,260 per unit. This site is located in Zone 4. On this basis, we would expect BLVs in this zone to be well in excess of £250,000 per net acre for greenfield sites when accounting for a minimum return and the need for land to be assessed on the basis it is policy compliant. On a comparative basis, this would lead to an increase in BLVs across Zone 3. We believe figures in the order of £300,000 per net acre for Zone 3 and £450,000 per net acre for Zone 4 are more appropriate.</p> <p>It is reasonable to assume that BLVs will be higher in higher value locations, as per the Keppie Massie zonal assessment, but we believe that they are too low. This is particularly the case for Zones 3 and 4.</p> <p>We also believe that site H74 (Grane Village) has been incorrectly zoned and should be located in Zone 3, rather than Zone 4. This is because, even though the site falls within the Helmshore ward, it is more closely related to the larger settlement of Haslingden, which is lower value and located in Zone 3. Whilst the site benefits from some proximity to Helmshore (a Zone 4 location), it is located on outskirts of Haslingden (a Zone 3 location) and directly off a busy through road, which will impact on values. Most purchasers in this location are local and are unlikely to pay Helmshore values for a site that is located on the outskirts of Haslingden. It is also unclear what BLV has been adopted to reflect the mixed brownfield and greenfield nature of the site.</p> <p>As set out in the PPG, the BLV is key to assessing viability because ensuring an appropriate premium to a landowner is key to ensuring the delivery of the Local Plan. Should this be set at a level that is too low, land will not come forward and development will not take</p>
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		place. We would therefore strongly recommend that particular care is taken when assessing BLVs to ensure that land owners release land for development.
Private Sales Values	<p>Zone 1 - £175 per sq ft</p> <p>Zone 2 - £195 per sq ft</p> <p>Zone 3 - £215 per sq ft</p> <p>Zone 4 - £240 per sq ft</p>	<p>On the whole we agree with a zoned approach to GDV.</p> <p>Again, we would suggest that the H74 (Grane Village) site is incorrectly zoned. As per the evidence submitted in the VA, the Dale Moor View site in Rawtenstall is achieving gross values of £229 per sq ft. This is a higher value and more popular location compared to Haslingden, where Grane Village is located. On a site specific basis we would expect an average GDV in the order of £210 - £220 per sq ft to reflect an appropriate discount for the inferior location and setting.</p> <p>This would also suggest that the Zone 3 pricing is at the higher end of where would be expected, with values in Haslingden itself likely to be lower still. We also note that the Keppie Massie assessment of Zone 3 GDV references developments in Rawtenstall which are located in Zone 4. Given that the VA assumptions need to reflect the market characteristics across each zone, we would therefore suggest a more general view of pricing in this zone would be appropriate and therefore the GDV should be slightly lower.</p>
Site Density	<p>Less than 0.4 ha = 100% site coverage</p> <p>0.4 – 2 ha = 90% site coverage</p> <p>Over 2 ha = 75% site coverage</p>	<p>The net developable area of a site can vary significantly compared to the gross area because of site specific constraints. This is particularly the case across larger strategic sites in excess of 100 units.</p> <p>Whilst the typology testing does not consider sites over 50 units, the site specific testing considers allocations for unit numbers well in excess of this. We would expect sites for over 100 units to have less site coverage to account for site specific development constraints. For example the site levels, drainage and access requirements at Grane Village result in capacity for 131 units, rather than 174 units as suggested, which affects site viability. The gross area is 15.3 acres and net area is 9 acres, which results in a site coverage of 59%.</p> <p>On a more general basis, our experience with sites of scale would suggest a site coverage more in the order of 60 – 65% for sites of between 100 - 250 units and 55% for sites of up to 500 units. We therefore believe that the site coverage assumptions are too low for the allocated sites.</p>
Housing Mix	<p><u>Private Housing</u></p> <p>5% x 1 beds</p> <p>25% x 2 beds</p> <p>45% x 3 beds</p> <p>20% x 4 beds</p>	<p>A number of data sources have been used to inform the mix assumptions and we note that the scenarios have been testing based on different site densities, which we support as an approach.</p>

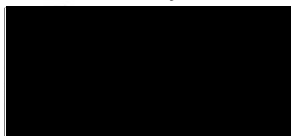
	<p>5% x 5 beds</p> <p><u>Affordable Housing</u> 65% x 1 and 2 beds 35% x 3 and 4 beds</p>	<p>We would stress that the mix set out in the SHMA 2016 for 40% x 1 and 2 beds and 60% x 3 and 4 beds is not reflective of private market demand. The planning consent data in Table 3.8 is considered to be more reflective of market demand as this is what developers have chosen to build to meet market demand when not restricted by mix policies. This data shows development is weighted towards 3 bedroom (39%) and 4 bedroom (46%) housing.</p> <p>We therefore strongly support Keppie Massie's view that the assumed mix 'leads to a reduction in the level of square footage per acre to below a considered to be an optimum position by the development industry'. This means that any imposition of a housing mix across sites in the borough will affect viability and the deliverability of the Local Plan.</p> <p>In respect of the affordable housing, delivery is typically for 1, 2 and 3 bedroom housing. We understand there is limited RP demand for 4 bedroom units, creating difficulties with delivering these house types. We therefore believe that the mix assumptions should reflect this and not contain any 4 bedroom housing.</p>
<p>Costs</p>	<p>Various assumptions as set out in Appendix 5.</p>	<p>The cost assumptions that have informed the typology testing vary depending on the number of units and greenfield/ brownfield nature of the site. They are based on a Keppie Massie internal database that cannot be published for confidentiality reasons.</p> <p>In respect of the typologies up to 35 units in particular, these are likely to be progressed by local developers. Developers of this nature typically employ contractors to undertake building work. We would therefore expect smaller developers to attract contractor overhead and profit costs on this basis, and disagree with the exclusion of these from the cost assessment. Artificially low construction costs with exclude smaller local developers from the market. Given that the local plan is dependent on the delivery of a range of sites of this nature, we would expect higher construction costs for these typologies.</p> <p>In respect of the allocated H72 and H74 sites, the standard costs are in the order of £99 per sq ft. In terms of an evidence base, whilst it is not directly comparable, BCIS data is a useful and accessible benchmark for volume housebuilder costs. We have referenced BCIS data for Rossendale, which is attached at Appendix 1.</p> <p>For estate housing generally, the lower quartile costs are £100 per sq ft and the median costs are £113 per sq ft. We would expect these costs plus an additional allowance for external works to be appropriate for large</p>

		<p>regional and national housebuilders. This would therefore suggest that the adopted costs in the VA are too low.</p> <p>We are also concerned that the allowance for abnormal costs in respect of the allocated sites is too low. The brownfield nature and site specific constraints of the Grane Village site in particular results in abnormal costs items for re-grading the site levels, retaining structures, abnormal foundations, ground remediation and a roundabout at the site access.</p>
8 Yj YcdYfEg DfcZhi	20% on GDV	<p>We support this profit margin, albeit would also raise the significance of Internal Rate of Return (IRR) for the Edenfield allocation to reflect its scale. IRR becomes increasingly important on large scale sites and given that this site has capacity for c. 400 dwellings we believe that the IRR will be a key performance indicator on this site.</p>
F Yj JYk A YW UbJga g	No detail provided	<p>Market conditions change over time and market evidence typically becomes out of date within 12 months. The NPPF, at paragraph 11 states: 'plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.'</p> <p>We would therefore expect there to be review mechanism provisions that account for all appraisal inputs or annual VA updates to account for this and ensure the delivery of housing over the plan period.</p> <p>Keppie Massie have advised for planning policy to be flexible on viability grounds and we support this stance.</p>

We trust that the information provided is useful for your hearing statements. It is difficult to comment on the conclusions in any great detail without seeing the site specific appraisal summaries and we would welcome the opportunity for these to be provided by the Council for further comment.

Should you have any queries or require any additional information, please do not hesitate to contact me.

Yours sincerely



Laura Mackay MRICS
Associate Director

Appendix 2

H74**Grane Village, Helmshore**

Site area	6.63 ha	
PoS %	33%	
Net Dev area	49725 m2	14022 ft2/ac
PoS Area	16575 m2	
Sales rate	3.0 per month	
No of dwellings	174 Nr (35.0dph)	

14 3 2019

		Mix Data		GFA/unit	Total GFA
1b--terraced	2 P	4.00%	7 Nr	58 m2	406 m2
2b bungalow--Semi	4 P	3.00%	5 Nr	70 m2	350 m2
2b--terraced	4 P	23.00%	40 Nr	70 m2	2800 m2
3b--Detached	5 P	22.00%	39 Nr	90 m2	3510 m2
3b--Semi	5 P	22.00%	38 Nr	90 m2	3420 m2
4b--Detached	6 P	20.00%	35 Nr	116 m2	4060 m2
5b--Detached	8 P	6.00%	10 Nr	146 m2	1460 m2
	869 P		174 Nr	Av= 91.99 m2	16006 m2

Subs and Superstructures		£11,609,887	£66,723.49
External Works within curtilage costs		£799,177	£4,592.97
Road and footpath works beyond curtilage		£922,099	£5,299.42
Garages		£506,154	£2,908.93
Drainage costs		£960,608	£5,520.74
Inc Services costs		£628,435	£3,611.70
Public Open Space		£259,123	£1,489.21
Preliminaries for 66 months		£1,430,232	£8,219.73
SUBTOTAL		£17,115,716	£98,366
Abnormals		£399,000	£2,293.10
Fees		£963,309	£5,536.26
Contingencies		£923,901	£5,309.78
Total		£19,401,926	£111,505

Abnormals

Provisonal allowance for slopes; medium.	174 Nr	£1,000	£174,000
Provisonal allowance for Substation	1 Nr	£75,000	£75,000
Provisonal allowance for minor demolitons / clearance	Item		£20,000
Provisonal allowance for acoustic requirements (20% assumed)	35 Nr	£1,000	£35,000
Provisonal allowance for remediation to former gas works area	Item		£75,000
Provisonal allowance for habitat survey	Item		£20,000
Total of abnormals			£399,000

Appendix 3

Developer Type	Location	Date	Adjustment	Units min.	Units max.	Overall m2 min.	Overall m2 max.	Abnormals	Per plot (min.)	Per plot (max)	Per sq.m (min)	Per sq.m (max)	Per Sq.ft (min)	Per Sq.ft (max)
National	Sefton	May-16	1.039	99	124	8,500	9,000	£3,055,138	£30,860	£24,638	£359	£339	£33.39	£31.54
National	High Peak	Feb-16	0.937	124	149	11,500	12,000	£2,197,340	£17,720	£14,747	£191	£183	£17.75	£17.01
National	Sefton	Feb-15	1.075	99	124	9,000	9,500	£1,292,827	£13,059	£10,426	£144	£136	£13.35	£12.64
National	St Helens	May-16	1.075	124	149	10,500	11,000	£1,370,085	£11,049	£9,195	£130	£125	£12.12	£11.57
National	St Helens	Jan-17	1.013	124	149	13,000	13,500	£3,763,844	£30,354	£25,261	£290	£279	£26.90	£25.90
National	St Helens	May-18	0.956	99	124	7,500	8,000	£913,102	£9,223	£7,364	£122	£114	£11.31	£10.60
National	CWAC	May-16	1.071	124	149	11,500	12,000	£1,151,075	£9,283	£7,725	£100	£96	£9.30	£8.91
National	St Helens	Apr-18	0.956	99	124	10,000	10,500	£2,487,954	£25,131	£20,064	£249	£237	£23.11	£22.01
National	High Peak	Oct-18	0.818	99	124	10,500	11,000	£1,544,263	£15,599	£12,454	£147	£140	£13.66	£13.04
National	West Lancs	Sep-17	0.984	124	149	15,000	15,500	£4,548,861	£36,684	£30,529	£303	£293	£28.17	£27.26
National	Rochdale	Jan-14	1.248	99	124	9,000	9,500	£667,025	£6,738	£5,379	£74	£70	£6.89	£6.52
National	Wirral	Aug-16	1.106	99	124	8,500	9,000	£597,437	£6,035	£4,818	£70	£66	£6.53	£6.17
National	West Lancs	Apr-16	1.071	199	224	18,500	19,000	£3,976,001	£19,980	£17,750	£215	£209	£19.97	£19.44
National	South Ribble	Nov-18	0.978	174	199	19,500	20,000	£7,296,517	£41,934	£36,666	£374	£365	£34.76	£33.89
National	South Ribble	Jul-17	0.941	149	174	14,500	15,000	£1,590,874	£10,677	£9,143	£110	£106	£10.19	£9.85
National	South Ribble	Jun-18	0.975	199	224	17,500	18,000	£5,252,807	£26,396	£23,450	£300	£292	£27.89	£27.11
National	South Ribble	Jan-18	0.975	174	199	17,500	18,000	£2,971,266	£17,076	£14,931	£170	£165	£15.77	£15.34
National	South Ribble	Oct-16	1.089	174	199	17,000	17,500	£2,703,099	£15,535	£13,583	£159	£154	£14.77	£14.35
National	St Helens	Apr-16	1.067	149	174	13,000	13,500	£1,973,637	£13,246	£11,343	£152	£146	£14.10	£13.58

Appendix 4

H72**Land west of Market Street, Edenfield**

Site area **20.38 ha**
 PoS % **33%**
 Net Dev area **152850 m2** 10497 ft2/ac
 PoS Area **50950 m2**
 Sales rate **3.0 per month**
 No of dwellings **400 Nr (26.2dph)**

14 3 2019

		Mix Data		GFA/unit	Total GFA
1b--terraced	2 P	4.00%	16 Nr	58 m2	928 m2
2b bungalow--Semi	4 P	3.00%	12 Nr	70 m2	840 m2
2b--terraced	4 P	23.00%	92 Nr	70 m2	6440 m2
3b--Detached	5 P	22.00%	88 Nr	90 m2	7920 m2
3b--Semi	5 P	22.00%	88 Nr	90 m2	7920 m2
4b--Detached	6 P	20.00%	80 Nr	116 m2	9280 m2
5b--Detached	8 P	6.00%	24 Nr	146 m2	3504 m2
	2000 P		400 Nr	Av= 92.08 m2	36832 m2

Subs and Superstructures		£26,015,314	£65,038.29
External Works within curtilage costs		£2,182,676	£5,456.69
Road and footpath works beyond curtilage		£2,386,501	£5,966.25
Garages		£1,135,377	£2,838.44
Drainage costs		£2,150,182	£5,375.46
Inc Services costs		£1,406,661	£3,516.65
Public Open Space		£775,559	£1,938.90
Preliminaries for 141 months		£3,187,595	£7,968.99
SUBTOTAL		£39,239,864	£98,100
Abnormals		£550,000	£1,375.00
Fees		£1,989,493	£4,973.73
Contingencies		£2,088,968	£5,222.42
Total		£43,868,325	£109,671

Abnormals

Provisonal allowance for slopes; medium.	400 Nr	£1,000	£400,000
Provisonal allowance for Substation	2 Nr	£75,000	£150,000
NO allowance of provision of school			£0
Total of abnormals			£550,000

Dear Forward Planning

I wish to object in the strongest terms to the proposals for Townsendfold under the Local Plan.

My primary objections are that

- 1) This area is currently used by people for walks, play, connecting with nature, exercise and other forms of relaxation.
- 2) The plans have not sufficiently considered the future needs of Rossendale given the impact of the pandemic on society.
- 3) The dual carriageway is the gateway to Rawtenstall. More industrial units, particularly here, would be a tragedy to this beautiful Valley entrance and make the Valley less attractive to tourism. The latest developments - Slingco and another currently under construction unit - are recent examples of such eye-sores – which could be located elsewhere.

The pandemic affords us an opportunity. Given the increased public interest in nature, the environment, fitness and wellbeing including mental health. The area could stay as is, maintaining benefits for current users. Or we could enhance the area with a development which would still bring employment and tourism, environmental, health and wellbeing gains as well. For example, the re-establishment of an organisation such as Rossendale Groundwork which was on this site previously and was so progressive it attracted interest nationally such as from Richard Branson (who visited).

This site is particularly suited to this given the river, it's existing greenery and wildlife. It would be a travesty to destroy it, when the primary driver – jobs could still be achieved. The site is at the end of the East Lancs train line and would give tourists another reason to visit the Rossendale. Valley residents could enjoy an enhanced space to relax, enjoy nature, and undertake educational and recreational activities. I appreciate funds would need to be found for such a development since the NWDA has been disbanded but there must be a way to do this, especially with the government support pandemic packages. I copy Jake Berry in to solicit his support and invite him to drive this as MP.

Regards

Gillian Fielding

Im writing to strongly object to the proposal of house built around bacup! How do you propose to get all the infrastructure in place to help the traffic, schools, doctors and schools cope with the extra load! Also the proposal is building on local fields and in green belt area! For once think of the constituents end this madness!!!

My MRD-LX1. On O2.

Dear Team

With reference to my previous letter and with wildlife awakening from its winter hibernation I am caused to reflect further on how this building proposal - ref; 2019/0335 would be a serious threat to the ecological balance of this area should it materialize

Living on Holcombe Rd and surrounded by the areas adjoining the proposed site I am privileged to be able to enjoy all the wildlife that this particular area supports. Bats are very much in the equation and roosts are found and surveyed and protected by LCC where they are in areas for which they are responsible - such as the bridge immediately behind my house. Bats use all the open spaces in this vicinity and can fly 10km in their foraging trips resting and roosting in different places for different purposes at different times of the year. They are regularly seen on the land in question and will inevitably use as your report states the hedgerows, trees and I would suggest from observation the building in the centre of the area. Since your report, two breeding seasons have passed with another in the offing so hopefully we will see even more healthy young bats soon.

As you will be aware bats are of great value to humans in terms of insect control and pollination and like all our wildlife becoming endangered through man's greed and ignorance resulting in **all bats being protected..**

BATS AND THE LAW

In Britain all bat species and their roosts are legally protected, by both domestic and international legislation. This means you may be committing a criminal offence if you:

1. Deliberately take , injure or kill a wild bat
2. Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats.
3. Damage or destroy a place used by bats for breeding or resting (roosts) (even if bats are not occupying the roost at the time)
4. Possess or advertise/sell/exchange a bat of a species found in the wild in the EU (dead or alive) or any part of a bat.
5. Intentionally or recklessly obstruct access to a bat roost.

Please refer to the legislation for the precise wording - the above is a brief summary only

Your survey of three years ago (named Holcombe Rd HASLINGDEN which I presume is Holcombe Rd HELMSHORE) was limited with only short dusk observations at one particular time of the year and gave no indication of the scale of the impact of the proposed activity or subsequent mitigation. It was stated that all hedgerows and trees were used and I can definitely confirm that the whole area is used and traversed in foraging which some bats do EARLY IN THE EVENING and some bats do LATER. Roosts change for different purposes for different seasons.

Any disturbance of this site would again impact negatively on bats and thus on humans causing a further degeneration of our ecological balance and putting our world in further jeopardy and we now have to realize that every little counts. Again this would contravene Consultation on Examination Library 8 para 4.1 as there would be no net gain and only net loss. A feeding area of this size as well as a spasmodic roosting area as a minimum would have a major negative impact on all of Helmsshore's bat world -

"Do not use bat boxes as a like-for-like replacement for existing roosts" quote

What your restricted report did clarify was the variety of bats that did use the site and this is of importance.

Your bat survey lists as recorded within the site;

Common;

pipistrelle common

pipistrelle species

Brown long-eared bat

Rare;

Myotis species (including - Daubenton's, Nattererers and whiskered/Brandt's/Alcathoe0

Big bat species (noctule. serotine and Leister's)

Government guidelines state that there must be ;

- whiskered
- Brandt's
- Daubenton's
- Natterer's

No more than three of the above species at any one site "

I note that your bat survey includes MORE than three of these species and therefore this contravenes the criteria for BLICL and needs serious contemplation.

I hope that the above information will give rise to serious investigation and that we can all acknowledge our roles as guardians of the world.

Yours faithfully

Marie-Louise Charlton

ref. gov.uk

Standing advice for local planning authorities to assess impacts of development on bats.

Marie-Louise Charlton B.A.(Hons) M.Ed. A.C.P.
Education Consultant and Writer

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Additional information



Via [tenor](#)

[Bat Survey Guidelines 2015](#)

The document is also to be found on the Bat Conservation Trust website
- <http://www.bats.org.uk>

Bat Conservation Trust: [Homewww.bats.org.uk](http://www.bats.org.uk)

The Bat Conservation Trust was formed in 1990 as an umbrella organisation for the rapidly growing network of bat groups, providing support, training and ...

Guidance for professionals

The Bat Conservation Trust encourages people working ...

Advice

Help! I've found a bat - Living with bats - Bats and the law - ...

Surveys

The National Bat Monitoring Programme surveys are ...

Bat groups

There are more than 80 bat groups in the UK. They are made up of ...

Contact us

The Bat Conservation Trust (known as BCT) is a registered ...

About Bats

Types of bats - Where do bats live? - Fun facts about bats - ...

More results from bats.org.uk »

Marie-Louise Charlton



Marie-Louise Charlton B.A.(Hons) M.Ed. A.C.P.
Education Consultant and Writer



Bats are essential to human life. Human life is not essential to bats.

Loss of roosting and foraging habitats is one of the biggest threats to bat populations worldwide

Tragically, with the clearing of Britain's forests, **bat** populaces have endured colossal misfortunes. Along these lines, they have been compelled to adjust to living in artificial structures. How far does the law secure them? **Bats** are viewed as of **worldwide** significance and are **protected** by U.K. law

[Bat Conservation International / Ending Bat Extinctions ...](#)

www.batcon.org

Marie-Louise Charlton B.A.(Hons) M.Ed. A.C.P.
Education Consultant and Writer



1.

We have the power. At **Bat Conservation International**, we're fiercely passionate, expert conservationists and scientists who are leading the charge to ensure the ...

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Reference to the Tranche 2 Consultation

Specific Objection to the Housing Development H39 Land at the top of Gordon Street and Cowtoot Lane and to the North of Windermere Road

Previous reports on this land from 2017 has said that this land is unsuitable for development

8.3

The high ground building in the Sentinel field appears to now be abandoned as the land is recognised as being classified as Moorland Fringe Landscape Character Type and also as being in a prominent position, presumably relating to unacceptable damaging of the landscape.

However this "loss" of land has been compensated for by pulling in more of the lower level land to the North side of the site with the number of houses increased to 94. An overall negative change since it relates to even more problems with the number of vehicles requiring access to the site.

This means more houses, more vehicles, more traffic and consequential access problems. This is a significant increased problem.

8.6

The council says that it is taking a proactive approach in bringing the site forward for development. This is disingenuous and misleading.

The farm at the top of Gordon Street has been in the hands of the same tenant family farmer for over 100 years. The council has been trying to evict the farmer to presumably aid the sale of the land to developers.

The council is needing funds to help after the Empty Homes Scandal and the likely failure of the councils medium term financial strategy.

I think that this paragraph is misleading and hides more than it reveals.

8.7 - 8.10

Mining Legacy Impact

The Coal Authority has declared that there are 3 known mine entrances on the site. Also there are known and unknown shallow mine workings that can lead to ground collapse and sink holes. This need for significant Coal Mining Risk Assessment makes the land further unsuitable for development . High costs of development will make the site uneconomic to develop.

8.11 - 8.13

Surface Water run off from more land development will only increase the flood risk in Bacup the Irwell Valley and further down river. The flood risk assessment is based on historical data and does not take account of the impact of further climate change, higher levels of rainfall and therefore more water running into the Irwell over more concrete and roads.

8.14 - 8.16

This statement that harm to the landscape will be outbalanced by the developed housing needs is 100% subjective and the vast majority of local residents would have the opposite view and belief.

I think that this development is borne of commercial pressures and will severely impact the rural aspect and environment in the Valley.

8.17 - 8.20

Access/Highway safety

This is a MAJOR ISSUE of public safety and the development in this area would be reckless and dangerous to the residents and children in the area.

The access to the site is ridiculous on two counts - safety of children and residents and also because of the narrowness of the roads in the area, which are already gridlocked at school start and end of the day plus the on street parking makes the passage in and out the area difficult and unsafe.

There are playgrounds and schools in the access routes planned and this will be made impossible during any construction and bring noise, large vehicles and dangerous traffic to areas where young children walk to and from school and the resulting traffic from 90+ houses will ensure that access and egress from the estate will be dangerous and distressing families and school staff in the area.

Traffic calming measures is a glib and false statement which takes no account of the level of additional traffic that would ensue. There will be increased danger to children and the sheer volume of additional traffic will make the already narrow roads in the area unpassable, chaotic and dangerous beyond belief.

I object in the strongest terms to this proposed development from both a safety and wellbeing perspective but also because of the negative environmental, social and economic impact on the area

Best regards
P

PETE ACKERLEY
SPORT DEVELOPMENT

[Redacted]

[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

#makingadifference

Phone: [REDACTED]
Fax:
Email: Schoolplanning@lancashire.gov.uk

Your ref:
Our ref:
Date: 19th March 2021

Dear Sir/Madam

Lancashire County Council School Planning Team has received information from Rossendale Borough Council requesting a response to the council's latest consultation on Examination Library 8 (second tranche)

The School Planning Team will only seek to comment on specific actions that reference or have bearing on the provision of education across the district.

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 enable 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.

Consultation Response

A full review of the documents available on the Council's website (document EL6.001) has taken place and conclude that only the following require comment.

EL8.0013 Action 1.3 – SA Addendum

EL8.020.2 Action 20.2 – Viability Study Update

SA Addendum

The School Planning Team responded to SA Appraisal carried out by Lepus Consulting on behalf of the council on 2nd December 2020. We made reference to the fact the appraisal of the additional 46 sites had been carried out without any input from the education provider. Since this response a meeting has taken place between The School Planning Team and RBC Planning officers. It was agreed the additional sites will require further review of the potential impact on the education provision, on a site by site bases, and reiterated the education methodology provides the mechanisms for assessing developments and their infrastructure impact.

As the education provider we have established a good working relationship with the planning team and continue to offer our support and advice on the future provision of education across the borough and assist the council make decisions of that are sustainable to meet their housing delivery.

Viability Study Update

The issue of viability is one that is seen across all of the planning areas of Lancashire but a particular issue in the east of the county. The report produced by consultants Keppie Massie makes a number of references to education contributions, and a degree of uncertainty of contributions for education across the Borough. There is still some uncertainty of what the £1000 per dwelling covers, and if this

includes education or not. A separate request has been sent to the council to clarify this sum of money and the reference in the consultation document how education and highways costs will be met.

The issue of viability is one that has continued to rise across all of the planning areas in Lancashire and something the Government has updated its guidance in line with the updated NPPF July 2018.

It is clear there will be challenges to deliver the housing targets across the country as we emerge out of the pandemic and head towards economic recovery. Developers may consider some sites less viable than others and consider the infrastructure costs too high to enable their required return from the site and seek a contribution reduction from the planning authority.

It is expected that the planning authority adopt a robust methodology of assessing claims of viability, including early engagement with infrastructure providers such as LCC. This assessment methodology may be applied from within the council or engage with a third party qualified to carry out viability assessments. Either way we would welcome early engagement to discuss any viability concerns raised.

Viability Statement

LCC assesses a development for the impact it would have on the education provision in close proximity to new dwellings. A development allocated in the Local Plan should be brought forward by the LPA already tested for viability in presumption of achieving planning approval, and therefore considered sustainable. This will take into account all infrastructure costs, including education.

Where sufficient education contributions are not achieved, LCC will object to the development; this objection is overcome by an education contribution to mitigate the education impact of and used to provide additional places within proximity to that development in order to make it sustainable.

Where viability concerns are raised, this may prevent the education contribution from mitigating the impact on education by the new dwellings. At this stage, the LPA may need to make a judgement on a development which has viability concerns that is not able to mitigate its impact on infrastructure, whether that development is sustainable.

LCC will continue to assess developments in accordance with their published methodology and will not discount education contributions to account for viability concerns. Where the development cannot mitigate its impact due to viability concerns and education provision and contribution secured, then LCC will make an objection and request written response how the LPA will provide assurances of how the potential pupils from that development will be educated.

In conclusion, the issue of viability will continue to be an ever-present factor across all of the Lancashire planning authorities. The School Planning Team request the earliest opportunity to discuss the situation and find an equal and fair solution for all infrastructure providers to facilitate and deliver sustainable housing delivery.

Yours Sincerely

School Planning Team

Asset Management

Lancashire County Council

FAO: Forward Planning Team
Rossendale Borough Council,
The Business Centre,
Futures Park,
Bacup,
OL13 0BB

By email: forwardplanning@rossendalebc.gov.uk

19 March 2021

Dear Forward Planning Team,

I am responding on behalf of the Campaign to Protect Rural England (CPRE) Lancashire, Liverpool City Region and Greater Manchester to the Rossendale Local Plan Examination: Schedule of Actions 2nd Consultation.

CPRE, the Countryside Charity

CPRE wants a thriving, beautiful countryside for everyone. We're working for a countryside that's rich in nature, accessible to everyone and playing a crucial role in responding to the climate emergency.

With a local CPRE group in every county, we're advocating nationwide for the kind of countryside we all aspire to: one with sustainable, healthy communities and available to more people than ever, including those who haven't benefited before.

We stand for a countryside that enriches all of our lives, nourishing our wellbeing, and that we in turn nourish, protect and celebrate. For more information please visit www.cprelancashire.org.uk.

Local Plan Examination; Schedule of Actions (2021)

CPRE wants to see local plan enable true sustainable development principles to achieve well designed rural places, with adequate infrastructure to ensure a good quality of life for all in the future.

MATTER 1 – LEGAL AND PROCEDURAL MATTERS

CPRE agrees it is important to ensure strategic planning by neighbouring authorities through the Duty to Cooperate and signed statements of common ground.

EL8.001.4 Action 1.4 - Visitor Management Plan Update

CPRE recommends the value of all of Rossendale's rural places is recognised by the Local Plan.

[REDACTED]

[REDACTED]

www.cprelancashire.org.uk

Patron
Her Majesty the Queen
President
Emma Bridgewater
Chair
Debra McConnell

In particular, we are pleased with the focus on the Visitor Management Plan for the South Pennine Moors Phase 2 Special Protection Area (SPA) and South Pennine Moors Special Area of Conservation (SAC) referred to in Policy ENV4 (Biodiversity, Geodiversity and Ecological Networks) of the submitted Local Plan.

We acknowledge the important role of 'Pennine Prospects' the Local Nature Partnership for the South Pennines and we trust the local plan policies will enable the delivery of the projects, such as 'The South Pennines Park' joint project with Natural England that stems from the Glover review aimed at promoting, protecting and enhancing the built, natural and cultural heritage of this area.

MATTER 2 – VISION AND SPATIAL STRATEGY

EL8.002.2 Action 2.2 – Settlement Hierarchy

CPRE agrees that it is important to focus new development on previously developed land that now vacant or underused, in existing urban settlements that are well served by rail and bus, with a range of community facilities in advance of rural places. We note the intention to make the following revisions.

MATTER 3 – HOUSING NEED AND REQUIREMENT

From East to west Making Rossendale the Best Core Strategy Development Plan Document: The Way Forward (2011 - 2026) Adopted 8th November 2011, Policy 2: *Meeting Rossendale's Housing Requirement* sets out the net housing requirement for the period 2011-2026, will be achieved through: 1. Providing at least 3,700 net additional dwellings over the plan period 2011-2026 equating to 247 dwellings per year. CPRE considers this to be a high number when considering the 2020 revision to guidance.

The Government u-turned on its proposed flawed housing algorithm much as a result of CPRE lobbying, and published guidance that focuses more on building the homes we need in cities, using previously used land. On the 16th December 2020 the Government announced a revised housing method for use by local planning authorities. The Local Plan should consider the local housing need based on this revised methodology, which for E07000125 Rossendale is 190 dwellings per annum.

Therefore, CPRE recommends a review of the housing number to justify how much can be delivered on previously developed land as captured on the Brownfield Register. It is important previously developed land is used in advance of greenfields. We note the Core Strategy includes a target of 65%, in line with the previous North West Regional Spatial Strategy.

Affordable Housing

CPRE believes that it is important enough affordable housing is forthcoming to meet local needs. Developers tend to target higher value executive and family houses in rural places, and this is not supporting constrained households or needs, and it is unsustainable due to the increase in journeys by private motor vehicles. The amount of affordable housing in rural areas is problematic as property prices have risen eleven times more than wages in recent times. Covid is forecast to exacerbate the problem. Recent performance on delivery of affordable housing across the country is poor, but we note that this is largely as a result of the NPPF's developer viability focus.

MATTER 8 – APPROACH TO SITE ALLOCATIONS AND GREEN BELT RELEASE

Climate change

We are in the midst of an undeniable climate crisis, which is without doubt the most pressing issue our environment faces today.

Please update the local plan policies for climate change in line with the introduction of the Statutory Instrument 1056: Climate Change Targets, July 2019 which requires the net UK carbon account for the year 2050 to be lower than the 1990 baseline from original 80% to a current more ambitious 100% target. The Local Plan must be up to date in this regard.

All opportunities to design in flood resilience with sustainable urban drainage and provide renewable energy, such as roof mounted solar and combined heat and power should be planned in at an early stage. Electric car charging points should be available for each home.

In addition, there is now a 6th Carbon Budget to rely on, see here for further information:

<https://www.theccc.org.uk/publication/sixth-carbon-budget/> and also note (amongst many other reports of interest!) the report on Local Authorities and the 6th Budget at [Local Authorities and the Sixth Carbon Budget - Climate Change Committee \(theccc.org.uk\)](#)

MATTER 9 - 14 SITES ALLOCATIONS

When the Council has revised its housing requirement the quantum of housing sites can be better understood.

CPRE agrees that new development must therefore reduce our demand for carbon, such as car dependency by focusing development on previously used land in urban places, relying on rail and bus services, incorporating good networks for walking and cycling based on a '20 minute neighbourhood model'.

All local facilities, including shops, schools, doctors and play parks should be within easy walking distance with surface treatment of pavements and public rights of way that can accommodate all users, including wheelchairs.

Allocated development sites impacting rural places should require developers to demonstrate how the development contributes in a positive way to local character, respecting heritage and cultural assets, including that of rural Rossendale. There should be an effort to design for local distinctiveness

Green Belt

Green Belt land ought to be protected and enhanced for the benefit of us all. It stirs up negative emotions when threatened.

CPRE is proud of its countryside successes, including Green Belt planning policy, which was introduced due to the public concern over the harm being caused by unrestricted urban sprawl, merging of distinct towns, countryside encroachment, protecting heritage setting and supporting urban regeneration came about due to our work. Rossendale's Green Belt plays these important functions, and keeps land permanently open

in a spatial and visual way for everyone's benefit and we would welcome any opportunity to add to the amount of designated Green Belt.

Green Belt must not be easily allowed for development, even in the context of the NPPF, which in our experience has led to an acceleration of Green Belt development (five times more than previously) despite Government promises to protect it.

Elsewhere CPRE has identified issues with permitted glasshouses, with concrete foundations in the Green Belt being treated as previously developed land, and therefore weakening Green Belt protection. We therefore recommend that this issue may be for the local plan policy to clearly set out any such development would require restoration clauses to make sure that the land is to be returned to the same 'structure free' improved agricultural land use in the future. Otherwise Green Belt protection may be unintentionally diluted.

We support the protection of high grade agricultural land.

Soils and agricultural land

The Natural Capital Committee report, July 2020 shows despite the Government's 25-Year Environment Plan there is widespread degradation across all type of natural assets and much more needs to be done. Soils, among other assets, came out with a red-warning and it is an asset that cannot be replaced once lost. Rare and fragile habitats must be protected by the local plan policy.

Future generations need high grade farm land to grow food.

CPRE is supportive of farm diversification. Brexit means change to traditional trade and environmental stewardship payments and this may result in an increase in diversification. We do advise caution on any policy that weakens Green Belt purpose. All rural worker accommodation should be of a decent standard, but be temporary in nature, so that the permanent openness of Green Belt is not harmed.

Open Space Assessment

CPRE agrees with the approach to enabling all residents to benefit from good access to a diverse range of greenspaces and features.

CPRE undertook recent research evidencing how people have relied on exercise in local place for good health and well-being and we should value our greenspaces. Click here for more details: [Over two thirds want to see their local green space enhanced - CPRE](#)

We agree planning for the retention of greenfields in rural places, and urban greenspace is important for environmental health.

Planning conditions and obligations

We agree new developments need appropriate contributions to ensure the positive long term sustainability of our neighbourhood.

Planning conditions and obligations

The National Planning Policy Framework, (NPPF) is heavily focused on developer viability; worryingly this can materialise at the expense of community infrastructure. CPRE queries whether the text is necessary in the local plan as it duplicates what is already in the NPPF, and could be to the detriment of Rossendale's local communities when infrastructure is not forthcoming.

MATTER 16 – ENVIRONMENT

CPRE is supportive of the 20% Biodiversity Net Gain, which is double the Government's advisory minimum of 10%. We need a brownfield focus, good masterplanning with generous ecological and landscape designed areas and on-site mitigations to provide a strong network of greenspace to support biodiversity.

Trees, woodland and hedgerows

Mature trees are important for future biodiversity. Tree felling should be strongly discouraged. On site mitigations should be preferred. Please reference the Hedgerow Regulations 1997, highlighting the statutory protection afforded to those considered 'important'. Enforcement of hedgerows is important, as often landowners are oblivious to their biodiversity value and legal protection.

Air quality, pollution and hazards

There must be inclusion of local plan policy to control pollution across air, water, land, noise, etc.

Summary

CPRE wishes the team every success in achieving an adopted local plan that will support sustainable neighbourhoods offering protection and enhancement of rural places, and urban greenspace.

We need a high quality of life for people and wildlife of Rossendale in the future. Enhancing rural places and urban greenspace is for everyone's benefit, and new development should be planned in a considered way to achieve this.

Yours sincerely



Jackie Copley MRTPI MA BA(Hons) PgCERT
Planning Manager



Dear sir/madam

I agree with the decision to build houses specially in the bacup area as there are never any houses specially 3 beds. I'm just writing to say that I hope you are building some houses for the disabled in your new buildings. [REDACTED]

[REDACTED] so they won't allow any renovations to be done at the property as we will need to move in a few years and with all the new builds going on the b with us website there's never any being done for the disabled and it's getting to the point where we are desperate [REDACTED]

[REDACTED]
Kind regards
Ms Barker

CBRE Limited
One St Peter's Square
Manchester M2 3DE

Switchboard
Fax

[REDACTED]

[REDACTED]

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

19 March 2021

By email only forwardplanning@rossendalebc.gov.uk

Dear Sir/Madam

ROSSENDALE LOCAL PLAN (2019 - 2034) - CONSULTATION ON EXAMINATION LIBRARY 8 (SECOND TRANCHE)

I write on behalf of my client, United Utilities Property Services (UUPS), in respect of their sites at Sheepphouse Reservoir, Bacup (ref. H28) and Cowm Water Treatment Works, Whitworth (ref. H69), in response to the consultation on the second tranche of documents within the Examination Library published by Rossendale Borough Council (RBC).

Following the Local Plan Examination in Public Hearings held in September and October 2019, the Inspectors asked for additional information on the Local Plan and Evidence Base documents, as is set out in the Schedule of Actions (document EL6.001). RBC has now responded to most of these Actions within the Examination Library 8 with a second tranche of documents now being published for consultation. Of relevance to UUPS' sites at Sheepphouse Reservoir (ref. H28) and Cowm Water Treatment Works (ref. H69) are the following documents:

- Schedule of Actions Matter 10 (Housing Site Allocations: Bacup, Stacksteads, Britannia And Weir) - Actions 10.1 – 10.9; and
- Schedule of Actions Matter 13 (Housing Site Allocations: Whitworth, Facit And Shawforth) - Actions 13.1 – 13.2.

Over the last 10 years, CBRE has held numerous discussions with the Forward Planning Team at RBC and has submitted a number of representations on behalf of UUPS in respect of both sites to a variety of Local Plan documents and this letter should be read alongside the previous representations made by United Utilities. A pre-application request has also been submitted in respect of Sheepphouse Reservoir and is currently being considered by planning officers at RBC.

UUPS is committed to working with RBC in this respect and fully support them in bringing forward this new Local Plan. UUPS particularly support the allocation of these two important sites for much needed housing in the borough.

LAND AT SHEEPHOUSE RESERVOIR, BACUP (REF. H28)

Action 10.1

Action ref. 10.1 required RBC produce a note to set out that the Sheephouse Reservoir site could be delivered in years 1-5. The Council has now responded to this within the Schedule of Action 10.1-10.9. UUPS support the summary provided by the Council and provide additional commentary as follows.

The site has been promoted by CBRE on behalf of UUPS for many years. As a result, the site was allocated for housing development within the Local Plan Submission Version (March 2019) under Policy HS2, site number H28 – Land at Sheephouses Reservoir. The accompanying Proposed Green Belt Changes and Urban Boundary Changes (Local Plan Submission Version) confirmed that the urban boundary around Bacup would be amended to include the site as part of the urban extent. The associated Housing Trajectory set out that the site would be delivered within years 6-10 – primarily in years 6 and 7 (2024-2025) - and stated that the estimated yield is 63 dwellings, taking into account the site specific opportunities and constraints¹.

CBRE submitted detailed representations to the Local Plan Submission Version in September 2019 along with a request for pre-application advice. This request was supplemented with additional information in 2020, as described below. In addition to this, we have remained in regular contact with Council officers in this regard.

2019 Technical Work

A number of technical assessments were undertaken during 2018/2019 to demonstrate the development potential of the site. They assessed the topography of the site, flood risk and drainage considerations, ecological value, landscape and visual impact and highways and access. These detailed studies were shared with RBC and referred to within representations submitted in September 2019. In summary, the technical work undertaken demonstrates that the site is suitable, based on the following key points:

- The development of the site would have minimal impact upon the site and surrounding area;
- The site is well located adjacent to the existing urban boundary and is already influenced by the adjacent suburban townscape character;
- The site would form a logical and appropriate location for new housing; and
- The location and physical characteristics of the site will enable the natural extension to the surrounding residential areas to the east of Bacup, with the potential to provide open space to meet local deficiencies and improve community and recreational facilities.

Based on the findings of these technical assessments, an illustrative plan was prepared to identify a potential developable area on site, areas for mitigation and an indicative site access.

¹ The Landscape Study, which forms part of the Council's evidence base, concluded that the entirety of the site can be developed, subject to suitable mitigation in the more sensitive locations.

Following this technical work, the Council revised the delivery timescale during the Local Plan examination hearings from years 6-10 to years 1-5.

2020 Technical Work

Further to this, in preparation for bringing the site to market, UUPS appointed technical consultants to undertake further technical work and subsequently submitted a pack of additional information to supplement the pending pre-application request during May 2020. This included the following supporting technical reports and drawings:

- Indicative Masterplan, prepared by mck associates limited (Ref: 20-018 dated 21st May 2020);
- Pre-application Highways and Transport Note prepared by CBO (Ref: 0612-003); and
- Draft Ecological Statement prepared by Bowland Ecology (Ref: BOW 20/340).

An updated masterplan was prepared, informed by the updated ecological constraints assessment and a technical highways and transport note. The indicative masterplan demonstrates that the Site could deliver up to 100 units, depending on the mix and type of dwellings. As can be seen on the plan, the delivery of residential development is possible on the two areas of land, together with suitable site infrastructure and landscaping. The indicative layout retains the existing public rights of ways that cross the site.

It is proposed that a new site access point will be created along Rochdale Road (A671), south east of Farrington Road, to provide access to the development via a single priority junction arrangement. The proposed access arrangement is based on a topographical survey and traffic/ speed survey data.

The existing access to the operational pumping station, located further south, would be retained off Rochdale Road. Access along Bobbin Close to Higher Slack Farm will also be retained. The appointed transport consultant, CBO, has been in consultation with Lancashire County Council (LCC) in respect to the acceptability of the proposed access arrangement. The feedback received from Highways Officers at LCC on 4 May 2020 suggested that the proposed location for the access would seem achievable and deliverable within the context of the local highway network, subject to detailed design. The Highways and Transport Note also considers the provision of a pedestrian access to the site via the A671 Rochdale Road.

RBC is currently considering this pre-application request and we anticipate receiving the detailed, written pre-application advice imminently.

Summary

UUPS supports the expected delivery of this site within years 1-5. The investment which has been made over the last 10 years by UUPS in promoting the site and particularly in undertaking technical assessments demonstrates its commitment to the delivery of the site. Furthermore, the additional technical work which has been undertaken in relation to the pre-application process and to address matters raised by the Inspector demonstrates that the site is a deliverable residential site.

The technical reports undertaken demonstrate that the site could accommodate up to 100 dwellings, whilst also delivering suitable publicly accessible open space and ecological enhancements.

Additionally, an appropriate access arrangement is achievable from Rochdale Road to provide access to the entire site.

Overall, it can be concluded that there are no technical constraints to delay the delivery of this site within years 1-5 of the Plan period.

LAND AT COWM WATER TREATMENT WORKS, WHITWORTH (REF. H69)

Action 13.2

Action ref. 13.2 required RBC to seek the advice of the Environment Agency (EA) on two issues, discussed at the hearing sessions, namely:

- i. Views on the suitability of the proposed housing scheme (owing the site's proximity to Cowm Reservoir and taking into account the recent Whaley Bridge dam incident); and
- ii. Views on whether scenarios of reservoir dam failure modelling are needed to inform the allocation (as set out in the SFRA level 2 report).

Allocation H69 comprises land adjacent to Cowm Reservoir which is within the ownership of United Utilities and is surplus to requirements. It has therefore been taken forward as a proposed housing allocation within years 6-10 of the emerging Local Plan.

Owing to the site's location next to Cowm Reservoir and taking into account the 2019 Whaley Bridge dam incident, the Inspectors requested a review of the suitability of the site for housing and the potential for reservoir dam flooding. We consider that the information set out below addresses the matters raised by the Inspector, namely, by demonstrating that the site could be delivered within years 6-10, the existing strict management and maintenance regime for the adjacent reservoir will ensure the site is safe for its lifetime and development of this site will not exacerbate flooding elsewhere. This reasoning is set out below.

1. Cowm Reservoir is managed and maintained effectively by UU

United Utilities manages its reservoirs, including Cowm, to comply with the statutory duties under the Reservoir Safety Act 1975. United Utilities is proactive in managing its reservoirs and operates to standards believed to be best practice in the UK water industry.

With regard to the management and maintenance of Cowm Reservoir specifically, United Utilities carries out 48 hour monitoring of the condition of the reservoir. Grass cutting is carried out regularly to ensure the embankment can be inspected. The Supervising Engineer inspects the reservoir every 6 months and valves are tested at this visit.

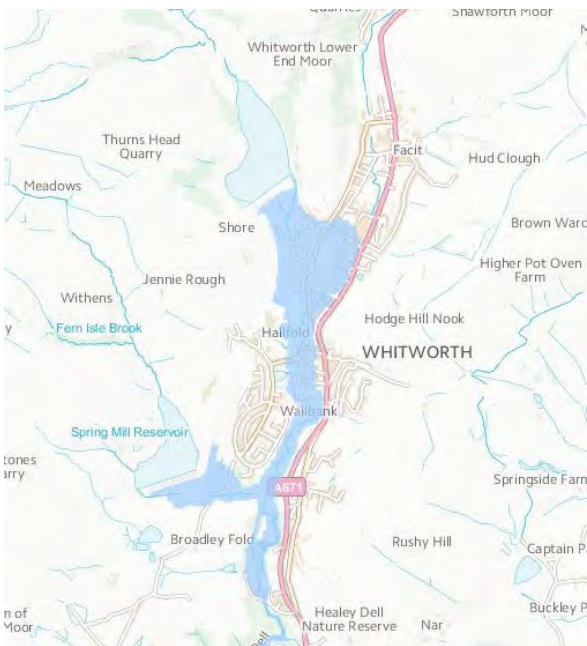
2. The existing flood risk from reservoir flooding is extremely low

The 2019 Rossendale Local Plan Flood Risk Incorporating Sequential Test Topic Paper states that:

"H69 – Cowm Water Treatment Works, Whitworth: The site has been assessed in the SFRA (level 2) and the recommendation is to "Continue with Exception test as western area of site may be deliverable though scenarios of reservoir dam failure must be modelled. External access roads required". "

With regard to modelling, such information is available from the Environment Agency by way of their Reservoir Inundation maps. These maps have been developed to help authorities and emergency services plan for the risk of flooding in the unlikely event that a reservoir failed, showing the areas that could flood as a result. The maps were created showing how far flood water would spread from the reservoir in a worst case scenario. The Inundation maps show that, in the unlikely event of reservoir flooding, a large linear area to the south of Cowm Reservoir could be affected as well as existing residential properties in the area as shown on Figure 1.

Figure 1: Extract from the Inundation Maps – Extent of Reservoir Flooding (source: EA)



The Reservoir Inundation maps do not, however, consider scenarios of dam failure, as was confirmed by the EA in their response of 4 December 2019 where it was stated:

“This [the reservoir inundation maps] does not specifically consider scenarios associated with a breach or overtopping of the reservoir but rather identifies the maximum extent flood waters may be expected to reach in a worst case scenario. While the depths and velocities are not identified, the residential development at site H69 would place dwellings adjacent to the raised reservoir embankment. The risk of flooding from the reservoir may be mitigated by the site layout or the provision of overland flow routes, but the residual risks will still remain. Whether or not you require further modelling of different scenarios associated with a breach or overtopping of the reservoir to assess these risks and inform the suitability of the potential allocation will be for the LPA to decide.”

The likelihood of reservoir flooding is much lower than other forms of flooding. Current reservoir regulation, which has been further enhanced by the Flood and Water Management Act, aims to make sure that all reservoirs are properly maintained and monitored in order to detect and repair any problem. As set out above under Reason 1, United Utilities consider that the ongoing management and a maintenance of Cowm Reservoir would prevent such an event occurring.

Finally, residential development on surplus land to the south of the reservoir (e.g. site H69) would not exacerbate this scenario.

In addition to the consultation with the EA, we also note that during the preparation of the Local Plan, the Council consulted with Lancashire Fire and Rescue and a Planning Liaison Officer at the Fire Brigade, as well as the Lead Local Flood Authority (Lancashire County Council). No concerns were raised in respect of Cowm Reservoir's flood risk.

On this basis, we consider that no further modelling of different scenarios is required.

3. The site passes the NPPF Exception Test

The 2019 Strategic Flood Risk Assessment (SFRA) identifies the site within Flood Zone 3 (Appendix A) and the Exception Test² should be applied. In accordance with NPPF, to pass the Exception Test, it should be demonstrated that the benefits of the development outweigh the risk of flooding and that "the development will be safe for its lifetime" as well as not increasing flood risk elsewhere.

The site meets the 'developable' criteria as set out within NPPF given that the site is in a suitable location for housing development, is available and could be viably developed at the point envisaged (years 6-10):

The site is **suitable** - the ongoing strict management and maintenance regime for the adjacent Cowm Reservoir, described above, will ensure that the site is safe for its lifetime and furthermore it will not increase the risk of flooding elsewhere.

The site is **available** - the site is surplus to requirements and is available for development. The site is within the sole ownership of United Utilities.

The site is **viable** - the site is within a suitable location for residential development and will provide a natural extension to the existing residential areas located to the east, south and west. There are no known onerous constraints which would preclude the site coming forward for development in years 6-10 of the Local Plan. This timescale will provide sufficient time to obtain planning permission and attract interest from developers, resulting in the sale of the site. Given the size of the site and the estimated density (with 10 dwellings being delivered in 2024-25 and the remaining 10 being delivered in 2025-26) the site is likely to appeal to smaller regional housebuilders and housing providers who may be better placed to respond to a changing economic environment. On this basis we believe the redevelopment of the site to be viable.

Finally, the site will provide much needed housing to ensure there is sufficient choice and competition in the market to the benefit of the locality and wider Borough.

On this basis, we believe that this site complies with and passes the Exception Test as required by the NPPF.

² NPPF Paragraph 160

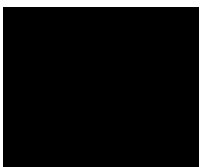
Conclusion

In conclusion, whilst we understand the Inspectors need to review these matters, we consider that the risk from either dam failure scenarios or reservoir flooding is extremely low, and that the site is suitable for housing development. We do not consider that there is a requirement for further modelling. This is based on the following:

- United Utilities manages its reservoirs, including Cowm, to comply with the statutory duties under the Reservoir Safety Act 1975 and the Flood and Water Management Act, to make sure that all reservoirs are properly maintained and monitored in order to detect and repair any issues before problems arise.
- United Utilities will continue the existing strict management and maintenance regime for Cowm Reservoir. This will ensure that the site is safe for its lifetime
- The EA Inundation maps show that, in the unlikely event of reservoir flooding, a large linear area to the south of Cowm Reservoir could be affected as well as existing residential properties in the area. However, we consider that the ongoing management and a maintenance of Cowm Reservoir would prevent such an event occurring.
- Development of surplus land to the south of the reservoir will not exacerbate the risk of flooding elsewhere.
- The Council has consulted Lancashire Fire and Rescue and a Planning Liaison Officer at the Fire Brigade, as well as the Lead Local Flood Authority (Lancashire County Council). No concerns were raised in respect of Cowm reservoir's flood risk.
- The site passes the NPPF Exception Test - the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.
- The site will provide much needed housing to ensure there is sufficient choice and competition in the market to the benefit of the locality and wider Borough.

We trust that these representations provide additional clarity in response to the Inspectors queries and we look forward to continuing discussions with RBC in respect of both sites on behalf of UUPS.

Yours sincerely



ALICE MAY
SENIOR PLANNER – PLANNING & DEVELOPMENT

Cc: [Redacted]
[Redacted]
[Redacted]

Hi,

Please find my comments below on the consultation on the second tranche of documents:

I would like to ask that the Forward Planning team consider a significant extension to the consultation (at least a couple of months). Looking through the documents, the amount of time for the consultation period needs to reflect the amount of information that is now being consulted on.

A lot of this information should have been available at the time of regulation 19. With the near 3,000 pages of evidence and documents being added to a short consultation, plus the issues Covid brings, it makes it incredibly difficult to participate in the consultation effectively. Particularly, documents such as the viability study, make for difficult reading with little explanation to the layman.

I note that the advertising of this consultation has not been far reaching. Many people have told me they are unaware, the council's two main social media platforms have not been used to advertise this consultation and there has been no attention in the press to actually try to engage with residents about this.

I also note that some documentation requested appears to be missing from the inspector's request for information.

Given the amount of detail to be considered, it makes sense to pause, make sure that the Council have published all the required information, add a considerable amount of time to consult properly and to advertise this widely and make staff available to answer questions on it to help with understanding the detail as to the near 3,000 pages of documents.

Best Regards,

Rob Wells.

Rossendale Local Plan Examination: Consultation
on Examination Library 8 (Second Tranche)
Consultation Statement

Hollins Strategic Land
March 2021

1 Introduction

- 1.1 This Consultation Statement (CS) is written in response to the Rossendale Borough Council (RBC) consultation on the 'Examination Library 8 Second Tranche' (8ST). It is submitted 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. RM approval was achieved in December 2020². HH intends to start on site in May 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 in 2022/23, 2023/24 or 2024/25.
- 1.4 The CS should be read alongside the CS on the First Tranche (8FT), which concluded that the H13 Extension should be allocated for housing in the emerging Local Plan (LP) and further growth in Loveclough/Goodshaw should be fully explored given it would likely deliver housing early in the plan period.

¹ Appendix 1: Location Plan

² Appendix 2: Decision Notice

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

1.5 The 8FT CS also 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 Sustainability Appraisal Addendum (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 Strategic Housing Land Availability Assessment (SHLAA) review 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 'Update on Flood Risk Topic Paper' (UFRTP).
- The H13 Extension provides a more suitable and sustainable alternative to the provision of housing in areas at higher risk of flooding.
- While the Council 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 the Council 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.

1.6 This 8ST CS provides comments on the consultation documents in the context of further growth in Loveclough/Goodshaw.

2 2.2: Settlement Hierarchy

Section 2: Settlement Hierarchy Criteria

- 2.1 Edenfield and Crawshawbooth are both now identified as Urban Local Service Centres (ULSC). The emerging Local Plan (eLP) proposes minimal development in Crawshawbooth in comparison to Edenfield, which is identified for strategic housing despite Green Belt land being required.
- 2.2 Loveclough/Goodshaw is identified as a Rural Local Service Centre (RLSC) although in reality, it forms an extension to the Crawshawbooth ULSC. The connectivity between the two settlements has been recognised by the Council when identifying Loveclough as a sustainable settlement capable of accommodating residential development.
- 2.3 The Settlement Hierarchy should acknowledge that inter-connectivity between Crawshawbooth and Loveclough/Goodshaw.

3 4.3: Open Space Assessment Report

- 3.1 Loveclough/Goodshaw lies within the Goodshaw ward and the Rawtenstall analysis area.

Part 5: Natural and semi-natural greenspace

- 3.2 There is no natural/semi-natural greenspace in Rawtenstall and accessibility is subsequently poor.

Part 6: Urban greenspace

- 3.3 Rawtenstall has the lowest provision of all areas with 18 of 24 sites having poor quality ratings. Loveclough Park is one of the lowest scoring greenspace sites for quality in Rossendale.

Part 7: Provision for children and young people

- 3.4 Rawtenstall has the third lowest provision in Rossendale and is below average for the Borough. 50% of Rawtenstall sites have poor quality. Goodshaw Lane Play Area in Crawshawbooth has the third lowest score for quality in Rossendale.

Part 10: Civic space

- 3.5 Rawtenstall has no civic space.

Part 12: Provision standards

- 3.6 This confirms there are gaps in catchment for all assessed typologies in Rawtenstall.
- 3.7 Table 12.3.2 confirms that Rawtenstall has the worst provision of natural/semi-natural greenspace and urban greenspace.
- 3.8 Table 12.3.4 confirms a deficiency of play provision in Rawtenstall.
- 3.9 Table 12.4.4 highlights the significant Green Infrastructure shortfall in Rawtenstall.

Appendix 3

- 3.10 This also highlights the significant Green Infrastructure shortfall in Rawtenstall.

Appendix 4

- 3.11 This demonstrates that a significant amount of GI will be lost to development in Rawtenstall as a result of the LP proposals

Summary

- 3.12 The Open Space Assessment (OSA) highlights a deficiency in the Rawtenstall area, which is worse than other areas and will continue to worsen as a result of GI being lost to residential development.
- 3.13 The Council must now respond to this new evidence base document and identify opportunities to introduce GI in the Rawtenstall area through new housing allocations. If the Council does not respond positively to the OSA, Rawtenstall residents will suffer from a lack of GI for at least the remainder of the plan period. National policy acknowledges the importance of GI in creating sustainable communities.

4 7.2: Rawtenstall Gyrotory Improvement Scheme

- 4.1 This document highlights a lack of progress on the Improvement Scheme (IS).
- 4.2 The IS has previously been cited by the Council as a reason to avoid further development north of the gyratory, in locations such as Loveclough/Goodshaw. It is evident that this concern is not evidence based at the current time and requires review.
- 4.3 The IS should be progressed and must inform the eLP. It appears likely that more housing could be provided in locations such as Loveclough/Goodshaw rather than in Edenfield, which does of course require Green Belt release.

5 EL8.009.1 Swinshaw Hall

5.1 This document attempts to justify the allocation of land at Swinshaw Hall.

Access

5.2 The document provides no assurance that an access can be achieved.

5.3 The proposals do not appear to take account of the approved access to the land on the opposite side of Burnley Road. A new access to new dwellings and the commercial club has been approved and could be implemented. This may impact on access to Swinshaw Hall.

5.4 The proposed access point is situated where there are significant levels differences between Burnley Road and the site. The technicalities of this do not appear to have been considered in the plans submitted for pre-application discussions.

Delivery

5.5 It is stated that the site will deliver in the first 5 years. But this would require all landowners to work together to presumably submit an outline application, for that to be approved and developer partners to be found, for reserved matters to be approved and for the site to be built out in the next 5 years. This seems unlikely.

Development along Burnley Road frontage

5.6 The levels difference has not been addressed.

6 9.1 – 9.5: Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

H5 Swinshaw Hall

- 6.1 This confirms that four landowners are presently involved, including the Council, and that there is no development partner. This suggests the delivery of all housing in the first five years of the plan is unlikely.

H7 Laburnum Cottages, Goodshaw

- 6.2 This confirms that the Council has chosen to develop this site despite the loss of GI and the existing deficiency worsening as a result.
- 6.3 The Council states that it “*has to balance the demand for future development needs with the proviso of open space*” (para. 3.5) and this is repeated throughout the 8ST documents relating to housing allocations. However, the Council could respond positively to its new OSA and seek to identify sites that do not require the loss of GI in areas already suffering from a deficiency.

7 10.1 – 10.9: Bacup, Stacksteads, Britannia and Weir

H28 Sheephouse Reservoir

- 7.1 Para. 2.4 confirms that there can be no certainty that the site will deliver as UU and their consultants are in discussions with LCC seeking pre-application advice.

H37 Gladstone Street, Bacup

- 7.2 Para. 7.2 confirms that access requires third party land and the Council has not been able to make contact with the landowner. The site cannot be relied upon.

H39 Cowtoot Lane, Bacup

- 7.3 This site is owned by the Council. A significant number of sites allocated in the eLP are owned by the Council yet few can provide the certainty required to rely upon them for delivery.
- 7.4 It is considered that the eLP should seek to reduce reliance on Council owned land and allocate sites which have developer backing.

8 13.1 – 13.2: Whitworth, Facit and Shawforth

H69 Cowm Water Treatment Works

- 8.1 The Council is relying on this site despite the Exception Test having to be applied. There are other options, such as the H13 extension, which are sequentially preferable.

9 EL8.020.2 Economic Viability Assessment Update Report

Section 4.0 Update to Local Plan economic viability assessment

New updated Open Space / Sports Recreation

- 9.1 The Report states that the Council has applied an uplift to its open space contribution from its 2008 SPD. It is considered that this should be reviewed in light of the new OSA.

Green Infrastructure 20% Net Gains

- 9.2 The Council has not demonstrated that a 20% net gain would be feasible whilst achieving the densities and amount of development required from its allocations.
- 9.3 It can be difficult to achieve a net gain figure of 20% or more. As an example, HSL has recently been involved in a scheme which has achieved 25% but the site is currently a paddock with little ecological value and the developable area is less than 50% of the site area.

Updated viability testing

- 9.4 It is of note that the Council's eLP is heavily reliant on sites in Zone 1 (Bacup. Stacksteads). These low value areas are far less likely to attract housebuilders to the area than sites in Zones 3 or 4.
- 9.5 The testing is based on a profit of 15% which is extremely low, particularly for Rossendale which has historically struggled to attract housebuilders to the area.
- 9.6 The Lancaster Local Plan Viability Assessment considered developer profit:

There has been much debate at appeal and through assessment of Local Authority policy and guidance documents of what might be considered a competitive and appropriate developer return. The following points are useful to refer to in this regard:

- *The Planning Advisory Service 'Viability Handbook and Exercises' (para 4.80) (January 2011) advises that: Where a positive residual land value is achieved...Typical required margins, depending on the developer and the risks of the development, are a 20% margin on cost and 17.5% margin on GDV.*

- *The accompanying guidance to the HCA's Development Appraisal tool comments as follows on Developer's Return for Risk and Profit (including developer's overheads): Open Market Housing The developer 'profit' (before taxation) on the open market housing as a percentage of the value of the open market housing. A typical figure currently may be in the region of April 2018 Page 110 17.5-20% and overheads being deducted, but this is only a guide as it will depend on the state of the market and the size and complexity of the scheme. Affordable Housing The developer 'profit' (before taxation) on the affordable housing as a percentage of the value of the affordable housing (excluding SHG). A typical figure may be in the region of 6% (the profit is less than that for the open market element of the scheme, as risks are reduced), but this is only a guide.*

- *LSH Planning and Development Consultancy team members provided expert witness services in relation to a key appeal decision in relation to a large urban edge housing scheme in Kendal in 2013. The following extract, taken from the Appeal Decision, sets out the Inspector's conclusion as to developer return: 'The concept of a 'competitive return' is not further defined by the NPPF, and could be the subject of differing interpretations by the parties involved in any particular development. The assessment of a competitive return will involve an element of judgement. Clearly, however, excessively ambitious predictions must be tempered by comparison with industry norms and local circumstances. In this case, it is common ground that a competitive return for the developer can be taken as a profit of 18-20% of the gross development value ('GDV')...I see no reason to reach a different conclusion.'*

It is important to acknowledge that the returns sought by different developers and how they secure this through the whole development process can vary considerably. Developers will take into account a range of factors relating to the risk profile of the scheme, such as scheme size, time of delivery, location and other market factors, in determining what an acceptable rate of return is. Developer's Return is often the most potentially contentious aspect of any Viability Assessment.

From experience LSH are aware that widely differing profit margins will be expected by different Developers within the Lancaster area. Some smaller developers may be willing to accept profit levels of between 10 and 15% of GDV (net of central overheads) in order to keep their workforce employed. Such smaller developers will generally have low level or no funding requirements and the policies of lenders will have minimal relevance.

Other Developers have greater profit expectations of anything from 15% and 20% of GDV. Developers falling into this bracket will generally utilise bank funding facilities and therefore the current risk-averse cautious policies of lenders will have a greater effect. In general terms ongoing reduced sales rates across the UK continue to cause lenders some concern.

Whilst many funders do expect 20% of GDV as a starting point on medium and large schemes, there is typically scope for a developer with a reasonable track record to agree a reduction to 18% of GDV where viability becomes an issue and all three parties to transaction (the landowner, developer, LPA) will each need to potentially compromise expectations, to some extent, in order to broker a mutually acceptable solution.

In order to ensure that Lancaster remains open and attractive to a broad range of housebuilders and developers, we have adopted 18% profit on GDV. (para. 7.44 – 7.49, LPVA)

- 9.7 In order to ensure Rossendale becomes attractive to a range of housebuilders and developers a profit of 20% should be allowed for.

Zone 1 Testing

- 9.8 This demonstrates that the Council cannot deliver much needed affordable housing in Zone 1. There is an over-reliance on sites in this Zone which will impact on borough wide affordable housing provision.

Zone 2 Testing

- 9.9 This demonstrates that the Council cannot deliver much needed affordable housing in Zone 2. There is an over-reliance on sites in this Zone which will impact on borough wide affordable housing provision.

Zone 3 Testing

- 9.10 This demonstrates that the Council could deliver much needed affordable housing if it reduced its reliance on Zones 1 and 2, instead focussing on Zones 3 and 4, which will attract housebuilders.

Other matters

- 9.11 Hollins Homes will deliver 80 homes in Loveclough, with development due to commence in Q2 of 2021. The LPA required that housing would be predominantly built

from natural slate and stone. The cost of doing so is significant and has adversely impacted forecasted profit levels. It is important that the Council allows for natural stone construction in its viability assessment.

- 9.12 The topography of Rossendale is such that retaining walls are required on a number of sites. The cost of these must also be taken into account when assessing viability.

10 14.1 – 14.4: Edenfield, Helmshore, Irwell Vale and Ewood Bridge

H71 Land east of Market Street, Edenfield

- 10.1 HSL understands that this site remains in employment use and is not under-used. The Council does not appear to have assurances from the landowner that the site will definitely be released for housing during the plan period.

H72 Land west of Market Street, Edenfield

- 10.2 LCC Highways states that the southern parcel is accessed from within the estate as opposed to via Exchange Street. This is not what is proposed by the developer, as evidenced in Appendix 4. This will undoubtedly impact upon the housing trajectory proposed in Appendix 4, with the site delivering later in the plan period or beyond 2033/34.
- 10.3 Despite education provision being discussed at length during the LP examination, it appears as though there remain significant outstanding issues to be overcome. This uncertainty must be resolved if the site is to be released from the Green Belt. Other sites elsewhere in the Borough, such as Loveclough/Goodshaw would not have such constraints.

11 19.8: Housing supply and delivery

Further Actions

- 11.1 The Council has had to remove 14 units from its supply based on landowner responses, as shown at para. 2.1 and 2.2.
- 11.2 A number of landowners have not responded to the LPA and these sites were due to provide 219 units, which represents a significant proportion of the Council's housing requirement.
- 11.3 The Council seeks to retain these units in their supply, albeit moving them back to years 6 – 10. This is considered inappropriate. If a landowner is not responding it must be assumed that they are not keen to develop the land. Rossendale can not afford to rely on these sites and must carry out a call for sites to replace the 233 units (219 + 14) which should be removed from the supply.

Developability

- 11.4 Para. 4.1 confirms that the Council has included a number of sites in its 6 – 10 year supply where there “is little evidence” that sites will deliver housing. This is inappropriate. At best, these sites should be pushed back to years 11 – 15 but it would be more appropriate for them to be replaced with sites that can deliver housing, particularly given the delivery challenges faced by Rossendale over the years (no 5 year supply for some time and failed HDT).

Update on developable sites

Site H4

- 11.5 This is a Council-owned site. This document demonstrates a reliance on Council owned sites despite limited evidence being presented on deliverability/developability. The eLP must be amended to reduce reliance on Council owned sites unless developer support is forthcoming.

H5

- 11.6 Sections 5 and 6 of this Statement have questioned the deliverability of this site, setting out concerns relating to a lack of developer, multiple land owners and access constraints.
- 11.7 This site should not form part of the deliverable supply.

H14

- 11.8 The Option Agreement has ended and no details have been provided showing that another has replaced it. Furthermore, a group wide garage review is being undertaken, with no timeframe provided, and there can be no certainty that this will recommend that the site can be delivered for housing.

H18

- 11.9 It is surprising that the agent has not been able to provide a timeframe for the development of the site, suggesting it is not imminent. This site should not be relied upon in years 6 – 10.

H19

- 11.10 This site has seen two permissions, one from 2002 and another from 2016, lapse. It has not come forward in the last 19 years. It cannot be relied upon to deliver in the plan period.

H25

- 11.11 The Council relies upon the current landowners submitting an application once the LP is adopted but also states that the current landowners are selling the site. There can be no certainty that the future landowners will want to progress an application.

H27

- 11.12 No landowner engagement and no certainty that the site can be relied upon to deliver at any point in the plan period.

H30

- 11.13 Pre-application was submitted in 2017 but 4 years have now passed. There can be no certainty that this part of the site will deliver.

H31

- 11.14 An appeal was dismissed for a number of reasons including access. Despite this, the Council relies upon this site stating that the planning agent is confident that the reasons for refusal can be overcome. There is no evidence that the LPA or LCC are confident that reasons for refusal can be overcome.

H34

11.15 Partly owned by the Council but the Council does not know who owns the eastern parcel. If this parcel does not preclude development ,as stated by the Council, there is no confirmation that it would not impact on capacity.

H36

11.16 Permission was previously granted in 2015 but this has lapsed. There can be no certainty the site will deliver housing in the plan period having failed to do so since permission was granted.

11.17 The lapsed consents in the Borough demonstrate the challenges faced in attracting developers to the area, particularly those in lower value housing areas.

H37

11.18 Access to the site is via third party land and the attempts to contact the landowner have failed. This site cannot be relied upon.

H42

11.19 No contact from landowners despite attempts made by the Council. This site cannot be relied upon.

H46

11.20 No response from landowners. This site cannot be relied upon.

H48

11.21 The Council has chosen to include this site in its 6 – 10 year supply despite admitting that the landowner has not provided any specific evidence on deliverability/developability. This site cannot be relied upon.

H51

11.22 No response from landowners. This site cannot be relied upon.

H56

11.23 No response from landowners. This site cannot be relied upon.

H57

11.24 A council-owned site that is included in the 1 – 5 year supply despite no evidence of deliverability being provided other than reference to a discussion with the Economic Development Team.

H62

11.25 No response from landowners. This site cannot be relied upon.

H64

11.26 No response from landowners. This site cannot be relied upon.

H71

11.27 This is included in years 1 -5 despite being in commercial use and there being no evidence of developer interest or marketing for residential purposes.

H73

11.28 Pre-application was held on the basis of a larger site than that allocated. The site is in the Green Belt. It is not clear whether the delivery of the site is dependent upon the inclusion of the additional land. If so, it cannot be relied upon.

M1

11.29 This site is included in the 6 – 10 supply despite having to be the subject of CPO. This is unrealistic.

Summary

11.30 It is evident that the eLP is heavily reliant on sites that are not supported by the required evidence on deliverability/developability. The evidence must be provided or the sites must be removed and replaced with sites where evidence is available. Otherwise, Rossendale will continue to fail in its duty to deliver the required level of housing.

12 Conclusions

12.1 This CS has demonstrated that the:

- Settlement Hierarchy should acknowledge that inter-connectivity between Crawshawbooth and Loveclough/Goodshaw;
- Open Space Assessment (OSA) highlights a deficiency in the Rawtenstall area, which is worse than other areas and will continue to worsen as a result of GI being lost to residential development.
 - The Council must respond to this new evidence base document and identify opportunities to introduce GI in the Rawtenstall area through new housing allocations. If the Council does not respond positively to the OSA, Rawtenstall residents will suffer from a lack of GI for at least the remainder of the plan period. National policy acknowledges the importance of GI in creating sustainable communities.
- IS should be progressed and must inform the eLP. It appears likely that more housing could be provided in locations such as Loveclough/Goodshaw rather than in Edenfield, which does of course require Green Belt release;
- Council could deliver much needed affordable housing if it reduced its reliance on Zones 1 and 2, instead focussing on Zones 3 and 4, which will attract housebuilders; and,
- eLP is heavily reliant on sites that are not supported by the required evidence on deliverability/developability.

12.2 The H13 Extension should be allocated for housing in the emerging LP and further growth in Loveclough/Goodshaw should be fully explored via a Call for Sites given it would likely deliver housing early in the plan period.



19 March 2021

Forward Planning Group
Rossendale Borough Council
Futures Park
Bacup.

Ref: Comments and Objections concerning **EL8.010 Actions 10.1 to 10.9 - Housing Site Allocations - Bacup, Stacksteads, Britannia and Weir**
Specifically Action 10.7

Also: **Viability Study Update**

Dear Sirs,

I wish to make the following comments and objections with regard to the above development proposal designated as Site H39, Land off Cowtoot Lane and would be grateful for the points I make to be fully assessed by your department and copied to the Planning Inspectorate for their consideration as well.

All of the photographs, maps and measurements presented in this document concerning the proposed access roads and local streets have been undertaken at normal times. What you see is a totally accurate, unedited photographic record of the situation on and around the proposed access roads.

In order to facilitate easy reference the following points are itemised using the same paragraph numbers as in the document EL8.010.

8.2 This is a positive change for the better if the development is deemed suitable for progression. The high level moorland fringe land is a valuable ecological environment and also extremely visible from all around, so the landscape and skyline are to some extent protected by saving the land to the high eastern aspect from development.

However I object strongly to the taking of any of this moorland fringe land at all to provide road access to the estate should it be constructed.

There is ample land available in the areas designated as not being moorland fringe land for any site access to be provided. I am deeply concerned about the likelihood of "land acquisition creep" into this valuable ecological area of land. Ten feet becomes twenty becomes a hundred and so on under developer pressure to acquire more land to increase the plot sizes and consequential higher pricing opportunities for the properties. **So I advocate that NO land in the moorland fringe area should be allowed to be built upon for any reason whatsoever.**

8.3 Compensating green fields on the northern aspect of the land have now been included into the revised plan, increasing the build number to 94 houses. Building at this lower valley-side level produces less visual impact on the landscape. However, increasing the unit build number negatively impacts local residents even more with noise, light pollution, cars, traffic volume and congestion and of course consequential access problems are exacerbated.

I believe that no suitable comprehensive study has been undertaken into the environmental and access safety impact of this increase in unit numbers to justify acceptance of the increase. See below on access and other matters.

Furthermore the building of two or three storey houses, even at this level of the valley will be very obtrusive and despoiling of the landscape and skyline vistas. It is strongly suggested that only bungalows should be constructed should the development go ahead.

8.6

Funding Position. The responses in the Action answer document do not seem to address the question about funding in a meaningful way.

The Council says that it is "taking a proactive approach in bringing the site forward for development". That is a statement devoid of substance and facts and it tells us nothing concerning the funding position.

In an attempt to understand what this obscure statement actually means, general observation and also examination of the Council audit committee proceedings indicates that there appear to be two factors associated with the wording "proactive approach".

a. The livestock cattle farm at the top of Gordon Street on Higher Blackthorn has been in the hands of the same tenant farmer family for over 100 years. The Council has been trying to evict the farmer there. That presumably counts as "proactive action" to enable the sale of the land to developers. This cruel, attempted eviction is presumably to make the land as attractive as possible to potential developers and to maximise the value of the land as a saleable item.

I object strongly to the eviction of the farming family from our Council owned, i.e. public owned, land and propose that the Council ceases and desists from such activity.

b. The Council is needing funds to help after the Empty Homes Project having cost the community well over a wasted £6,000,000 so far. The declared strategy is to counter the likelihood of the failure of the Council's Medium Term Financial Strategy, including "bringing forward Council owned land for development or sale, for example Dark Lane, Pennine Road, Cowtoot Lane and Rosso depot."

See references 1 and 2 in Appendix A.

Overall, paragraph 8.6 appears to be hiding this distasteful underbelly of the "proactive" statement and is not a hopeful or positive paragraph, seeming to obfuscate and hide more than it reveals.

I strongly advocate that much more transparency and detail is required concerning the response to the Planning Inspectorate request for the "funding

position” before the Planning Inspectorate can assess this with fairness and full knowledge.

8.7 to 8.10

Mining Legacy. The Coal Authority has declared, and local knowledge makes it clear that there are three known mine entrances on the site. There are also known **and** unknown shallow mine workings that can lead to ground collapses and sink holes.

Last year the tenant farmer lost a calf in a sink hole that appeared due to shallow mine workings collapse.

See appendix C for approximate ground collapse location and appendix B1 for mapped shallow workings and B2 for estimated Development High Risk Area according to the Coal Authority. Unknown shallow workings also exist and of course are not mapped.

The Coal Authority states that before planning permission is granted a Coal Mining Risk Assessment must be undertaken to identify where mine working remedial actions must be carried out and also where building simply cannot take place.

Developers will not be enthusiastic about such uncertainty. The property prices will have to include these additional costs and that could make house prices unviable. See later points concerning the latest Viability Study Update and its application to site H39.

I suggest that the mining legacy is likely to be a major negotiating issue if the land is sold. Hard-nosed commercial developers would compromise our local fiscal situation by going for rock bottom pricing.

I believe that this whole area of land is not suitable for such a development by reason of subsidence risks, sink holes developing and safety grounds, as well as potential fiscal and amenity loss to the community.

8.11 to 8.13

Surface Water The Council say the risk of surface water flooding is low. That is based on historical data and **since no detail** is presented, presumably takes no account of the climate change we are experiencing with the higher levels of rainfall, as forecasted by the Meteorological Office. The maps in Action 10.7 do show surface flooding risk areas and those can only get worse with wetter weather patterns.

The other major issue that is not referred to is the way a significantly increased run off flow of surface water into the River Irwell from the built on areas would lead to consequential increased flooding risk, as seen recently in extensive flooding in Bacup and down-stream in the valley.

8.14 to 8.16

Landscape The Council's opinion that harm to the landscape in the newly defined areas would be outbalanced by the need to meet government imposed housing numbers is totally subjective and unsupported by any data or research to my knowledge.

The majority of citizens in Bacup would have exactly the opposite opinion and belief, so the Council's statement is unproven and born only of the commercial and government pressures to sell the land and build there.

I am concerned that because the existing unspoilt landscapes are an essential part of the heritage, nature and environmental presence of Bacup, its destruction will mean it can never be recovered. Bacup is a historic, rural heritage town with a proud history and its rural outskirts are in danger of being submerged under bricks, mortar and tarmac.

See photos in Appendix D of some of the fields planned for sale by the Council for building over.

8.17 to 8.20

Access/Highway Safety

The access to the site is now to be Gordon Street **and possibly also** Cowtoot Lane.

In Appendix C please see and examine carefully the aerial plan of the proposed access street and lane and their connecting roads to see the true nature of these access routes. Also see in Appendix D photographs of the narrow streets and lanes in question, which were all designed and constructed in the days before mass vehicle ownership.

The photos are clearly annotated with road names and available road width dimensions.

The facts are as follows:

a. None of the roads is suitable for two way traffic on the scale that a 94 house estate would bring with it, possibly as many as 180 extra vehicles. The narrowness of the roads together with parked cars and vans would make the roads extremely dangerous to all concerned at all times of day, but especially so during school trip and work travel times.

b. The roads in question are already overloaded and congested to the point of being impassable during school trip times.

c. Gordon Lane is effectively single lane with a children's playground on the northern side whilst Cowtoot Lane has two schools on its length and very severe traffic congestion during drop off and pick up times. It is also effectively single lane as is Blackthorn Lane and Greensnook Lane. All this is clearly visible in the photos in Appendix D and the road width listing below.

d. It is impossible to imagine the possibility of three to five or more years of heavy construction traffic, large trucks carrying bricks, removed earth, materials and also heavy plant using these roads.

e. The usable width of the planned access street and lane and associated feeder streets when cars are parked on one side are as follows:

Gordon Street. 3.65 – 3.85 meters max.
Cowtoot Lane. 4.17 meters max.
Blackthorn Lane. 4.64 meters max.

Cooper Street. 3.77 meters max.
Greensnook Lane. 2.93 (absolute width at exit) – 3.1 meters max.
Lane Head Lane 2.87 – 4.08 meters max.

When cars are parked on both sides of the streets, **often obstructing the pavements and forcing children to walk in the road**, the usable width for vehicles is of course even further reduced.

Clearly these widths are not sufficient to accommodate construction traffic safely, if at all, and are not sufficient to permit two way domestic vehicle traffic.

This is confirmed in the photos in Appendix D.

f. The streets all have very sharp and narrow right angled corners at their junctions and this makes access for heavy, wide or long trucks virtually impossible.

g. The bridge at the junction of Cooper Street and the Burnley Road would need to be tested to ensure that it can accept the weight of large, heavy construction trucks if they try to cross it because it will be the only access point for them.

h. There is no safety barrier outside the playground on Gordon Road and the gate is only 3.6 meters from the road edge. Any child running out of the play park would be on the road and under a truck in the blink of an eye.

i. In response 8.2 the Council mention a meeting between the Highways Authority and the forward planning group on July 2nd 2020. I invite the Planning Inspectorate to examine the nature and comprehensiveness of the data and research that was used to inform the parties at that meeting. I cannot believe the statement that “the Council does not expect the site’s proposed access and potential impact on highway safety to prevent this site from being delivered” was written seriously without a wealth of evidence to support it.

Perhaps it is pedantic, but referring to these narrow lanes and streets as highways is misleading. They are not highways as any member of the public or reasonable person would understand that word to mean. They are narrow, over congested lanes and streets constructed when there were few motorised vehicles using them.

I challenge the unfounded and subjective presumption, for that is all it can be, that the “potential impact” on street and lane safety will not be sufficient to seriously question the future of the development. How do they know that? It is no more than a gamble based on nothing.

I submit that the only way to assure safety would be to compulsorily purchase land and properties to enable the appropriate road/s to be widened significantly. Would such a positive contribution to safety and guarding life be found attractive to developers and the Council?

I advise that it is obvious that such an increase in traffic, both heavy construction and residential will cause damage to property and vehicles, road traffic accidents and very possibly injury or death to residents and children who cross these roads between parked cars.

In winter these roads are often unusable and even more dangerous due to ice and snow augmented by the severe gradients of all roads running East-West that cannot be gritted due to the icy inclines denying access to heavy vehicles.

I believe that the Lancashire Highways Department could not have visited these streets and lanes and associated streets and lanes during normal school or work travel times to independently witness the already incredibly high traffic levels and the single lane nature of the roads in the area.

No detailed traffic survey or congestion study for these streets and lanes during school access and work travel times have been undertaken and made public by Rossendale Borough Council as far as I am aware. If they were they should surely have been submitted to the Planning Inspectorate.

Desk based studies using national general traffic data tables or limited transits data for a difficult access site like this with playground and schools are simply inadequate and would be a negligent dereliction of duty of care for the safety of local residents and their families.

A full, normal school and working weekdays and weekend traffic study is essential as is a safety and viability study for the use of such narrow access streets and lanes.

A traffic load of initially heavy construction traffic and then possibly an extra 180 through vehicle transits each way on Gordon Street and Cowtoot Lane during these hours would be a very dangerous development.

The frankly glib statement that traffic calming measures would mitigate the problem of increased danger to children is a masterfully overstated false "remedy" that runs against experience, obvious truths and common sense.

The problem in the **real world** situation will be the sheer high volume of **through traffic** and the narrowness of the streets and lanes as shown above, complicated by parking often on both sides and on the pavements, with excited children crossing from between parked cars and going to and from the play ground. Traffic calming measures will not alter that at all. It will be chaos and dangerous beyond belief.

I invite the Council and Public Inspector to conclude that neither Gordon Street nor Cowtoot Lane and the associated narrow streets would provide safe, suitable or viable vehicular access to an estate of 94 units or to the large scale construction vehicles and traffic that would be involved over many years of construction.

Taking into account the warnings and local knowledge shared by residents with the Rossendale Borough Council concerning the traffic issues associated with this plan, I would ask the Planning Inspectorate to insist upon independently managed and audited comprehensive “existing traffic” density studies to establish the level of safety and suitability of the roads for the volume and types of traffic that we know will be involved if the H39 project took place, whilst also considering the dangers associated with the presence of schools and playground facilities. Such studies should be open to the public for study and comment.

With the Council fully knowing of the problems with access via these roads, without full proof of due diligence and duty of care to residents through the aforementioned studies, the Council would be open to litigation should there be injuries or worse to children, residents or damage to property.

Please recognise and accept that there is a very deep concern in the community that because of central government pressure and a Rossendale Borough Council desire and need to sell the land, the H39 development is being pursued even though the access is widely known to be very dangerous and unsuitable.

.....

With reference to the Validation Study Update.

This document is of prime importance to both the Council and to developers.

Having enquired about its nature and logic with reference to site H39, I have been informed by Forward Planning that H39 is assumed to be covered by the calculations, assumptions and standardised costings by a sample site/s of Zone 1 Greenfield sites and that this generalising on viability of many sites from data on a few is standard practice. I can understand the attraction of such an appraisal system.

However, I submit that this viability study has not been undertaken in a way that can be associated with the viability of building a 94 unit estate on site H39.

My submission is that to the best of my knowledge nowhere in the calculations has any allowance been made for the additional and peculiar extra costs that

will be associated with the H39 site and its potential development. Such additional and unique site costs would very likely affect the viability negatively.

Firstly, I refer to the costs of undertaking a full Coal Mining Risk Assessment followed up by any mitigating or remedial work to make the ground safe from collapse and subsidence such as occurred last year when a calf was killed by unknown mine workings opening up under him in the middle of the proposed H39 site. That is going to be a costly exercise, not accounted for as far as I can see in the viability study.

There is also the possibility that because the site has become very boggy over recent years due to heavy rainfall and possible shallow mining gallery flooding, expensive building stabilisation systems using, for example, piling and raft techniques may well be necessary. Again viability would be adversely affected.

In the Council's answer paragraph 8.9 the Coal Authority are reported as stating that the coal mining legacy should not exclude a site from being allocated for development and that mitigation and remedial works can be carried out in most cases and that the mining features present are not considered to impact significantly on its developability. But it seems to also be advised that it may be necessary to avoid building on some parts of the site, especially near the three mine entrances and that too would presumably have an impact on the density and viability of the site for a developer, unless of course the Council sells the land to them at a bargain basement price.

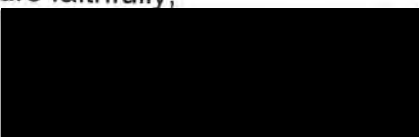
The missing element in the viability study for H39 is what the cost of this Coal Mining Legacy would be for any developer. I suggest that the Council looks to examples around the country to see how that could impact upon the H39 site viability.

Should my understanding of this be correct, then the viability study as it stands does not accurately reflect the viability of H39 and if that is the case that needs to be corrected to avoid misleading the Planning Inspectorate or potential developers.

I have submitted this document in good faith and seek your assurance that it will be passed on to the Planning Inspectorate for their perusal and critique.

End of narrative, see attached Appendices.

Yours faithfully,

A black rectangular redaction box covering the signature of Ian Francis.

Ian Francis

Appendix A

Reference 1.

Rossendale Borough Council Corporate Risk Register Update – Quarter 3 and Quarter 4, Audit and Accounts Committee.
Dated 28th July 2020, Item No. D7

Reference 2.

Rossendale Borough Council Empty Homes Project, Audit and Accounts Committee.
Dated 28th July 2020. Item No. D3

APPENDIX B1

http://mapapps2.bgs.ac.uk/coalauthority/home.html

Interactive Map Viewer | Coal... x

File Edit View Favorites Tools Help

viamichelin Michelin route ... pennine Log in to the site Gmail Yahoo! Google

The Coal Authority

Interactive Map

Location: 388676, 423779

Type here to search

0 0.3 0.6km

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100% 0% Transparency

Key Help


Planning

Grey layers cannot be viewed at this scale
Click on a layer name for layer information

- Mine Entry
- Abandoned Mines Catalogue
- Development High Risk Area
- Surface Coal Resource Areas
- Mine Entry Potential Zone of Influence
- Fissures and Breaklines
- Surface Mining (Past and Current)
- Past Shallow Coal Mine Workings
- Probable Shallow Coal Mine Workings
- Coal Outcrops
- NE Mining & Groundwater Constraints
- Coal Mining Reporting Area

H39
Known Shallow mine workings area.
Unknown Shallow mine workings not shown.

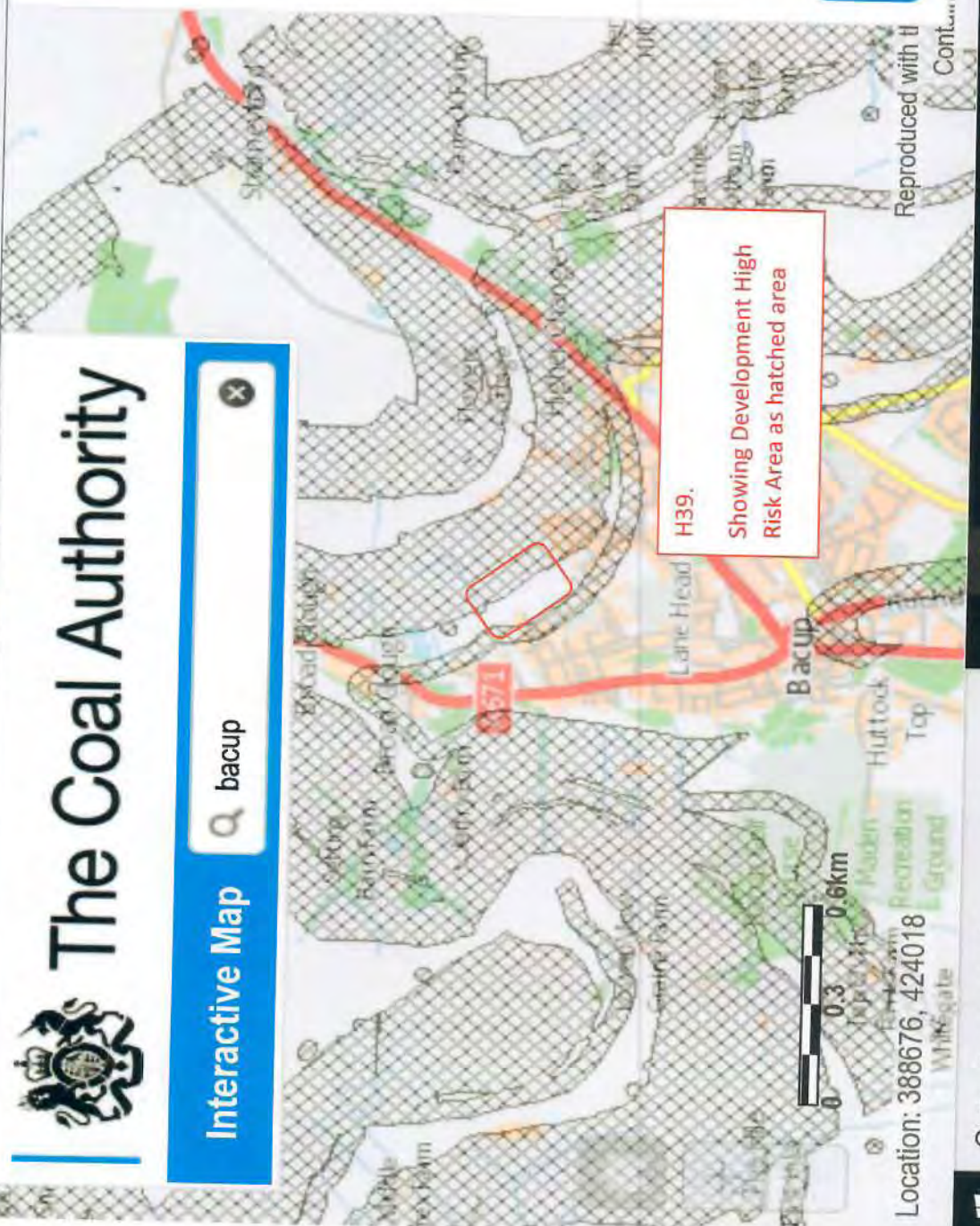
APPENDIX B2



The Coal Authority

Interactive Map

bacup



Planning

Grey layers cannot be viewed at this scale
Click on a layer name for layer information

- Mine Entry
- Abandoned Mines Catalogue
- Development High Risk Area
- Surface Coal Resource Areas
- Mine Entry Potential Zone of Influence
- Fissures and Breaklines
- Surface Mining (Past and Current)
- Past Shallow Coal Mine Workings
- Probable Shallow Coal Mine Workings
- Coal Outcrops
- NE Mining & Groundwater Constraints
- Coal Mining Reporting Area

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Help

Appendix C

Proposed access street and lane



Appendix D

Photos of Greenfield Site H39



Gordon Street







Cowtoot Lane

Two schools here.





Blackthorn Lane





Greensnook Lane





Lane Head Lane



Good afternoon,

Please see below response from Bacup & Stacksteads Neighbourhood Forum, designated planning forum.

With regards to the second tranche of documents, there are a total of 53 documents totalling 2,785 pages.

We have had responses from our members and hearing from other people within our designated area who were unaware of the consultation. It appears to have been very little or no attempt at advertising the consultation on banners on the RBC website, RBC's news website (Rossendaleneews.org), or on any of the Social Media sites (Twitter and Facebook) operated by RBC.

Given the restrictions with regards to COVID19, the lack of advertising of the consultation and the fifty-three documents consisting of a total of 2,785 pages, it is unlikely that many people across the borough, as well as within our designated area, would have been able to absorb that information within the time frame given, and be able to have the opportunity to participate in a meaningful way - particularly with referencing all this with existing documents as it appears to be a very complex set of cross referencing which many people will find difficult to follow.

Whilst the sheer amount of information will need referencing back to original documents and evidence base, we suggest that this consultation is extended by a significant period (three months) to allow for the community and residents to input in a meaningful way, whilst advertising this extension using the Council's twitter / facebook and news sites and using Councillors to support community understanding of the process.

Bacup and Stacksteads Neighbourhood Forum

Dear Local Plan Inspectors,

I would like to make some comments with regards to the latest releases relating the Emerging Local Plan. These are regarding the proposed New Employment sites NE2 and NE3.

Firstly, with regards to NE2: the latest proposal for this development is to have access to the site from Hud Hey Road. There are some concerns raised in the Action 15 document, which I would like to add my own to. There is already an issue with speeding along this road, which is mentioned in the report. In addition, the only available parking for most residents is on both sides of this road, which already causes issues for traffic trying to pass during rush hour times and would only be worsened by an increase in the number of large vehicles using this route. There are also already issues on Brook Street when HGVs are trying to manoeuvre round the sharp corners, especially when passing each other. As a pedestrian on this route, I have often seen drivers mounting the pavement to make the corner and would be concerned about safety issues for pedestrians if the traffic increases. I would also like to point out that the newly renovated National Cycle Route (6) exits from Carr Mill Street and again there could be significant safety issues for cyclists and other users if HGVs/large vehicle traffic is exiting onto Hud Hey Road at or around this point.

Secondly, I do not believe enough consideration has been given to the cumulative impact of the proposed developments at NE2 and NE3. This is currently a semi-rural area on the edge of town, with some industrial units. The proposed sites will transform it into a very industrial area with very little of the tranquillity that is currently afforded to residents. We will face not only a development up to our back fence, but also a second that is directly in sight of the house. There will be an increase in noise, traffic and pollution from each of these sights which I do not believe has been addressed adequately. I also feel such a concentration of industrial developments is not in-keeping with the council's plans to make Haslingden a town that attracts tourist visitors, or that building on farmland fits with the council's declaration to take action on the climate emergency.

Thank you for taking the time to consider my comments.

Best wishes,

Hazel Ball

([REDACTED])

Hello

I feel that a substantial an extension to this consultation is required. There is a vast amount of data that has been published, some 3000 pages, with errors and omissions including data requested by the inspector.

As an interested stakeholder this has been incredibly difficult to follow, and I suspect more so for those who may not have been fully aware of the proceedings.

I note that the advertising of this consultation has not been far reaching. And given the amount of data to review, it makes sense to extend the consultation further, make sure that the Council have published all the required information, add a considerable amount of time to consult properly and make staff available to answer questions on it to help with understanding the detail due to the volume of information.

Kind Regards
Phill Rawlins

To whom it may concern,

I wish to ask and ensure that

1.) a suitable gypsy and traveller site is named and included in the plan.

2.) As a councillor for Longholme ward I am dismayed at the prospect of significant industrial development and additional housing developments on either side of the river Irwell in Townsend Fold. The land on both sides slopes steeply down to the river and current buildings have hugely affected flooding. This is a beautiful area of our Valley and runs along the entry to it. The steam trainline also crosses this area.

During the pandemic and historically it has been a much used and loved rural and picturesque riverside area. Post covid we need to consider how the world and industry will change employment styles. I have been approached by many residents knowing and feeling that these developments will certainly increase flood risk, endanger wildlife habitats and take much needed level walks away from our area. To access these developments yet another junction will be required from/to the bypass if the steam train route develops further which is expected and on the agenda then there will be level crossings on this additional road and ultimately gate closures and traffic logs on these crossings at half hourly intervals. The steam train route will lose its appeal my thinking being folk will not use the Rossendale end of the line if it pass through purely suburban landscapes.

Developing these two sites will be detrimental to the people in the area, the landscape and the beauty of the area. We are so short on flat paths. The riverside paths are already fast turning into flood plain due to recent development. The flood risk and dreadful impact on local recreation and lives must be considered.

I object strongly to this development and feel it is shortsighted in the extreme. I share and will not repeat here all the objections raised in Gillian Fieldings response regarding the same.

Yours faithfully Councillor Sue Brennan

Planware Ltd on behalf of McDonald's Restaurants Ltd

Objection Response to Rossendale Provision for Retail and Other Town Centre Uses (Action 6.1)

Policy R5 Hot Food Takeaways

1 Introduction

- 1.1 We have considered proposed Policy R5 – Hot Food Takeaways – with regard to the principles set out within the Framework. We fully support the policy's aim of promoting healthier living and tackling obesity. However, the proposed policy approach is unsound and fails to provide an evidence-based way of achieving the policy's objective. It has also been found unsound by several planning inspectors. It is too restrictive and prevents local planning authorities from pursuing more positive policy approaches. The London Borough of Waltham Forest has had such a policy in place for over a decade and its application has proven ineffective in tackling obesity to date.
- 1.2 Within these broad points we have the following policy objections to draft Policy R5:
 - A. The 400m exclusion zone is inconsistent with national planning policy
 - B. The policy is inconsistent, discriminatory and disproportionate.
 - C. Examination of other plans have found similar policy approaches to be unsound.
 - D. There needs to be further exploration into policies that are more positive, have a reputable evidence base and that comply with the Framework.
- 1.3 In summary, Planware Ltd consider there is no sound justification for a policy such as Policy R5, which imposes a blanket ban on restaurants that include an element of hot food takeaway *"within 400-metres of a secondary school."* This is unsound it should be deleted from the plan.
- 1.4 However, as stated in the opening paragraph, Planware Ltd supports the aim of promoting healthier living and tackling the obesity crisis. We acknowledge that planning can have a role in furthering these objectives. We would therefore welcome and support any studies between obesity and their relationship with development proposals, including examination of how new development can best support healthier lifestyles and tackling the obesity crisis. When a cogent evidence base has been assembled, this can then inform an any appropriate policy response. This has still not emerged.
- 1.5 Given the lack of any clear agreement between experts on the indices of obesity or poor health, analysing the evidence is a necessary part of this objection by way of background. This will all be highlighted in the below text.

2 Contribution of McDonald's UK to the United Kingdom

- 2.1 This section of the objection sets out some background context relating to McDonald's own business, its contribution to United Kingdom, and information on the nutritional value and healthy options of the food that it offers in its restaurants. This evidence is relevant to understanding the adverse and unjustified impacts of the blanket ban approach proposed under draft Policy R5.

Economic and Environmental Benefits

- 2.2 The first store in the United Kingdom was first opened in 1974 in Woolwich, London. The store is still opened and was interestingly the 3,000th store across the world.
- 2.3 With over 36,000 McDonald's worldwide, it operates in over 100 countries and territories. Approximately 120,000 people are employed by McDonald's UK, compared to just over 1 million employees worldwide.
- 2.4 McDonald's and its franchisees have become important members of communities in the United Kingdom: investing in skills and developing our people, supporting local causes and getting kids into football.
- 2.5 Nationally, the company operates from over 1,300 restaurants in the UK. Over 80% of restaurants are operated as local businesses by franchisees, that's around 1,100 franchised restaurants.
- 2.6 McDonald's is one of few global businesses that continues to anchor itself in high streets and town centres across the United Kingdom. Not just serving the general public but creating jobs and seeking to improve the communities around them.
- 2.7 All McDonald's restaurants conduct litter picks covering an area of at least 100 metres around the site, at least three times a day, picking up all litter, not just McDonald's packaging.
- 2.8 McDonald's is a founding member of the anti-littering campaign, Love Where You Live. As part of this, our restaurants regularly organise local community litter picks. The campaign has grown and in 2017, 430 events took place across the UK with around 10,000 volunteers involved. Since the campaign started, 2,600 events have taken place with around 80,000 volunteers involved.
- 2.9 McDonald's restaurants are operated sustainably. For example, their non-franchised restaurants use 100% renewable energy, combining wind and solar and use 100% LED lighting which means we use 50% less energy than fluorescent lighting. All of their used cooking oil is converted into biodiesel for use by delivery lorries. Their entire fleet of lorries runs on biodiesel, 40% of which comes from McDonald's cooking oil. This creates over 7,500 tonnes fewer CO₂ emissions than ultra-low sulphur diesel.
- 2.10 All new McDonald's restaurants in the United Kingdom are fully accessible and we are working toward delivering this same standard for all existing restaurants.
- 2.11 McDonald's restaurants provide a safe, warm and brightly lit space for people, especially those who may feel vulnerable or threatened waiting for a taxi or outside.
- 2.12 Many of their toilets are open to all members of the public. They are one of few night time premises that offer this service and given the fact restaurants are located in some of the busiest parts of the country, McDonald's are helping to keep the United Kingdom cleaner.

Nutritional Value of Food and Healthy Options

- 2.13 McDonald's offers a wide range of different food at its restaurants.
- 2.14 Nutritional information is easy to access and made available online, and at the point of sale on advertising boards, as well as in tray inserts. Information is given on calorie content and key

nutritional aspects such as salt, fat and sugar content. This enables an individual is able to identify and purchase food items and combinations that fit in with their individualised calorie or nutritional requirements.

- 2.15 The menu offer includes a range of lower calorie options, some of which are set out in the on the next page.
- 2.16 The restaurants now suggest meal bundles to assist customers in making informed, healthier choices. McDonald's have suggested "favourites" meal bundles, across the breakfast and main menu that enable the choice of low-calorie options to be made even more easily. These 3-piece meal combinations will all be under 400kcal on the breakfast menu, and all under 600kcal on the main menu (with many options under 400kcal on the main menu also), and all individual items on these menu bundles will be either green (low) or amber (medium) on the Food Standards Agency traffic light system for food labelling.
- 2.17 Examples of low calorie (less than 400kcal) breakfast options (where no single item is red for FSA) include any combination of the following:
- Egg & Cheese McMuffin / Egg & cheese snack wrap / bagel with Philadelphia / porridge; with fruit bag; and a medium black coffee, or espresso or regular tea or water.
- 2.18 Examples of low calorie (less than 600kcal) main menu options (where no single item is red for FSA) are included in the table below. Some 90% of our standard menu is under 500 calories.

Main	Side Options	Drinks Options	Total Calories *varies depending on side & drink choice
The Garlic Mayo Chicken One – grilled wrap	Fruit Bag – Pineapple Stick Carrot Sticks Side Salad with Fajita Dressing	Diet Drink Water Medium Black Coffee Regular Tea	Between 379-390kcal
The Sweet Chilli Chicken One – grilled wrap	Fruit Bag – Pineapple Stick Carrot Sticks Side Salad with Fajita Dressing	Diet Drink Water Regular Tea Medium Black Coffee	Between 374-383kcal
Grilled Chicken & Bacon Salad with Fajita Dressing	Fruit Bag – Pineapple Stick Carrot Sticks	Diet Drink Water Regular Tea Medium Black Coffee	Between 238-247kcal

- 2.19 Those specifically wanting a meal low in either fat, salt, or sugar, can tailor their choices accordingly. Any combination of menu items sold at McDonald's can be eaten as part of a calorie controlled nutritionally balanced diet. Customers alternatively eat anything from the menu allowing for this within their overall daily, or weekly nutritional requirements.

Quality of Ingredients and Cooking Methods

- 2.20 McDonald's are always transparent about both their ingredients and their processes and strive to achieve quality. Their chicken nuggets are made from 100% chicken breast meat, burgers are made from whole cuts of British and Irish beef. Coffee is fair trade and their milk is organic. McDonald's want their customers to be assured about what they are consuming. The 'Good to Know' section on our website - <https://www.mcdonalds.com/gb/en-gb/good-to-know/about-our-food.html> - provides a range of information about their processes and where produce is sourced from.

Menu Improvement and Reformulation

- 2.21 McDonald's is actively and continuously engaged in menu reformulation to give customers a range of healthier options. Louise Hickmott, Head of Nutrition, at McDonald's UK, has provided a letter giving examples of the steps that have been taken in recent years. The information is summarised below.
- 2.22 In recent years McDonald's has made great efforts to reduce fat, salt and sugar content across their menu.
- 89% of their core food and drink menu now contains less than 500 kcals.
 - Supersize options were removed from their menu in 2004;
 - 72% of the Happy Meal menus are classified as not high in fat, salt or sugar according to the Government's nutrient profile model;
 - Since October 2015, 50% of the options on the drinks fountain have been no added sugar (Diet Coke, Coke Zero and Sprite Z);
 - Recent years have seen the introduction of new items, offering more choice that has included porridge, salads, grilled chicken wraps, carrot sticks, fruit bags including apple and grape, pineapple sticks, and melon chunks, as well as orange juice, mineral water and organic semi-skimmed milk;
 - Customers can swap fries for fruit bags, carrot sticks or shake salad on the main menu, or the hashbrown for a fruit bag or carrot sticks on the breakfast menu, at no additional cost;
 - In 2014, McDonald's introduced "Free Fruit Fridays" resulting in 3.7 million portions of fruit being handed out. Since then, discounted fruit is now available with every Happy Meal.

Fat

- 2.23 A recent meta-analysis and systematic review of 72 studies (45 cohort studies and 27 controlled trials) demonstrated that with the exception of Trans Fatty Acids (TFA), which are associated with increased coronary disease risk, there was no evidence to suggest that saturated fat increases the risk of coronary disease, or that polyunsaturated fats have a cardio-protective effect, which is in contrast to current dietary recommendations (Chowdrey et al, 2014).
- 2.24 However, UK guidelines currently remain unchanged; men should consume no more than 30g of saturated fat per day, and women no more than 20g per day (NHS Choices, 2013). It should be remembered that all fats are calorie dense (9kcal/g) and that eating too much of it will increase the likelihood of weight gain and therefore obesity, indirectly increasing the risk of coronary heart disease, among other co-morbidities.
- 2.25 What have McDonald's done?
- Reduced the saturated fat content of the cooking oil by 83%;
 - Signed up to the Trans Fats pledge as part of the Government's "Responsibility Deal";
 - The cooking oil has been formulated to form a blend of rapeseed and sunflower oils to reduce levels of TFA to the lowest level possible;
 - They have completely removed hydrogenated fats from the vegetable oils;
 - Reduced the total fat in the milkshakes by 32% per serving since 2010;
 - Organic semi-skimmed milk is used in tea/coffee beverages and in Happy Meal milk bottles, with lower saturated fat levels compared with full fat variants.

Sugar

- 2.26 Dietary carbohydrates include sugars, starches and fibre, and each has approximately 4kcal/g.
- 2.27 The Scientific Advisory Commission on Nutrition (SACN) currently recommends that approximately 50% of total dietary energy intake should be from carbohydrates (SACN Report, 2015). In 2015 SACN recommended that the dietary reference value for fibre intake in adults be increased to 30g/day (proportionally lower in children) and that the average intake of “free sugars” (what used to be referred to as non-milk extrinsic sugars) should not exceed 5% of total dietary energy, which was in keeping with the World Health Organisation (WHO) recommendations.
- 2.28 Current average intake of free sugars far exceeds current recommendations, and excess intake is associated with dental issues and excess calorie intake which can lead to weight gain and obesity.
- 2.29 Over the last 10 years our reformulation work has resulted in 787 tonnes less sugar across our menu in 2017 versus 2007. What have McDonald’s done?
- Reducing the sugar in our promotional buns, this removed 0.6 tonnes of sugar
 - Their Sweet Chilli Sauce has been reformulated to reduce sugar by 14% this equates to 155 tonnes of sugar removed
 - Their Festive Dip has removed 4 tonnes of sugar
 - Their famous McChicken Sandwich Sauce has reduced in sugar 45%
 - Their Tomato Ketchup has reduced in sugar by 20% which equates to 544 tonnes of sugar removed from the system
 - Their Chucky Salsa has reduced in sugar by 28%
 - Since 2016 they have reduced the sugar content of Fanta by 54%
 - The Toffee Syrup in their Toffee Latte has been reformulated to remove 20% of the sugar
 - McDonald’s have also reformulated their Frozen Strawberry Lemonade this has led to 8% sugar reduction per drink

Salt

- 2.30 A number of health-related conditions are caused by, or exacerbated by, a high salt diet. The strongest evidence links high salt intake to hypertension, stroke and heart disease, although it is also linked with kidney disease, obesity and stomach cancer (Action on Salt website).
- 2.31 Salt is often added to food for either taste or as a preservative, and in small quantities it can be useful. Adults in the UK are advised not to exceed 6g of salt per day, but the average intake at a population level is consistently higher than this.
- 2.32 Salt does not directly lead to obesity; however, it does lead to increased thirst, and not everyone drinks water or calorie-free “diet” beverages. If our thirst increases and leads to increased consumption of calories from extra fluid intake, then this may lead to increased weight and obesity. 31% of fluid drunk by 4-18-year-old children is sugary soft drinks (He FJ et al, 2008), which has been shown to be related to childhood obesity (Ludwig DS et al, 2001).

2.33 What have McDonald's done?

- The salt content across the UK menu has been reduced by nearly 35% since 2005;
- Customers can ask for their fries to be unsalted;
- The salt added to a medium portion of fries has been reduced by 17% since 2003;
- The average Happy Meal now contains 19% less salt than in 2006
- Chicken McNuggets contain 52% less salt than in 2003.

2.34 The process continues. McDonald's have recently made the following changes to further improve their menu

- Making water the default drink in the Happy Meals;
- Making it easier for people to understand the existence of a wide range of under 400 and 600 calorie meal options that are available.

Third Party Opinions of McDonald's

2.35 McDonald's regularly receive supportive comments from independent third parties.

2.36 Professor Chris Elliott, of the Department for Environment, Food & Rural Affairs' independent Elliott Review into the integrity and assurance of food supply networks: interim report, December 2013:

"Each supply chain is unique, showing that there is no single approach to assuring supply chain integrity. The review has seen many examples of good industry practice that give cause for optimism. There is not space within this final report to reference all the good industry practices but those that have stood out include McDonald's and Morrisons."

2.37 Jamie Oliver, the TV chef, food writer and campaigner speaking in January 2016 at the Andre Simon Food & Drink Book Awards to the Press Association:

"Everyone always liked to poke at McDonald's. McDonald's has been doing more than most mid and small-sized businesses for the last 10 years. Fact. But no one wants to talk about it. And I don't work for them. I'm just saying they've been doing it - 100% organic milk, free range eggs, looking at their British and Irish beef."

2.38 Raymond Blanc, the TV chef and food writer, speaking in 2014, after having presented McDonald's UK with the Sustainable Restaurant Association's Sustainability Hero award:

"I was amazed. All their eggs are free-range; all their pork is free-range; all their beef is free-range."

"[They show that] the fast-food business could change for the better. They're supporting thousands of British farms and saving energy and waste by doing so."

"I was as excited as if you had told me there were 20 new three-star Michelin restaurants in London or Manchester."

2.39 Marco Pierre White, TV chef and food writer, speaking in 2007:

"McDonald's offers better food than most restaurants and the general criticism of the company is very unfair."

"Their eggs are free range and the beef is from Ireland, but you never hear about that. You have to look at whether restaurants offer value for money, and they offer excellent value."

These comments below represent independent opinions

Supporting Active and Healthy Lifestyles among Employees and Local Communities

2.40 McDonald's is focused on its people and is proud to have been recognised for being a great employer. For example:

Great Place to Work 2017 'Best Workplaces' – McDonald's are ranked 4th on the Great Place to Work 2017 'Best Workplaces' list (large organisation). This is our 11th year on the list.

- The Sunday Times Best Company to Work for List 2017 - we have made The Sunday Times 30 Best Big Companies to Work for list for the seventh consecutive year, achieving 6th position.
- Workingmums.co.uk Employer Awards 2017- Innovation in Flexible Working - in November 2017, we were awarded the Top Employer for Innovation in Flexible Working by workingmums.co.uk. The judges specifically recognised our approach to Guaranteed Hours contracts.
- The Times Top 100 Graduate Employers - the Times Top 100 Graduate Employers is the definitive annual guide to Britain's most sought after employers of graduates.
- Investors in People Gold - Investors in People accreditation means we join a community of over 15,000 organisations across 75 countries worldwide and it is recognised as the sign of a great employer.
- School leavers Top 100 Employees - McDonald's UK has been certified as one of Britain's most popular employers for school leavers in 2017, for the third consecutive year. An award voted for by 15-18 year olds in the UK.

2.41 In April 2017, McDonald's began to offer employees the choice between flexible or fixed contracts with minimum guaranteed hours. This followed trials in 23 restaurants across the country in a combination of company owned and franchised restaurants. All of their employees have been offered this choice and around 80% have selected to stay on flexible contracts.

2.42 Over the past 15 years, McDonald's has been proud partners with the four UK football associations: The English Football Association; The Scottish Football Association; The Football Association of Wales; and The Irish Football Association.

2.43 This partnership has seen them support over one million players and volunteers. In London since 2014, more than 1,000 people have attended their Community Football Days and have distributed 3,328 kits to accredited teams in the Capital. Of the 171 McDonald's restaurants within the M25, approximately 88 are twinned and actively supporting a local football club. This serves as an example of the company's willingness to confront the obesity crisis by a multitude of different approaches.

2.44 McDonald's do this work because increasing standards will ultimately create a better experience for young footballers, leading to increased participation and retention of children and young people in sport.

2.45 Their Community Football programme helps to increase participation at all levels. McDonald's remain absolutely committed to it and are in the final stages of planning a new programme for future years.

Marketing

2.46 As a business, McDonald's are committed to ensuring their marketing will continue to be responsible and will be used as a positive influence to help our customers make more informed choices.

2.47 McDonald's recognise that marketing has a part to play in influencing customers' choices. They comply, and go beyond, the UK's stringent regulations on marketing to children and use their marketing to help families understand more about the range of food options they have to offer.

2.48 McDonald's never market products classified as high in fat, salt or sugar to children in any media channel, at any time of the day. They are committed to ensuring that marketing is always responsible as well as informative, and that it reinforces positive food messages.

2.49 In addition, they go beyond the regulations in a lot of cases. For example, when advertising a Happy Meal, they only ever do so with items such as carrot sticks, a fruit bag, milk or water to ensure McDonald's are not marketing HFSS food to children. This has been done voluntarily since 2007.

Summary

2.50 In the light of the above it is clear that McDonald's restaurants offer the district considerable and substantial economic benefits, are supportive of active and healthy lifestyles. They also enable customers to make informed, healthy decisions from the wide-ranging menu options available. It is important that this is acknowledged, given the assumption in proposed Policy R5, that all hot food takeaways uses should fall under a blanket ban if within 400m of a secondary school. Given the policy aim – which McDonald's supports – of promoting healthier lifestyles and tackling obesity, other alternatives would be more effective than allowing blanket bans in school areas, which in turn will have negative land use consequences.

2.51 We turn now to the main points of the objection.

3 The 400m Exclusion Zone is Inconsistent with National Policy

Introduction

- 3.1 This section of the objection considers the proposed policy against national policy. The lack of evidence to support the policy is also discussed in the next section.
- 3.2 National policy contains no support for a policy approach containing a blanket ban or exclusion zone for hot food takeaways (or indeed any other) uses. Such an approach conflicts sharply with central planks of Government policy such as the need to plan positively and support economic development.
- 3.3 Planware Ltd feel that restricting hot food takeaways within 400m of a secondary school is in direct conflict with the framework as the approach is not positive, justified, effective or consistent.

Practical Impacts

- 3.4 The practical impacts on a 400m exclusion zone around a secondary school would have unacceptable negative land use consequences. The policy would require onerous conditions to business, such as making them close at lunchtimes and school closing times. This is unviable and does not take into account what staff would do during these times, nor does it account that these rules would not apply to existing hot food takeaways, or any Class E shops, which are more likely to be used by school aged children.
- 3.5 Consideration should be given to school rules in terms of allowing children outside of the school grounds at lunch times. This is overly restrictive on secondary schools and colleges, where a some of pupils will be legally classed as an adult. Additionally, some college and sixth form pupils will have access to a car, making such a restriction unsound.
- 3.6 No consideration is given to how the 400m is measured. Guidance should be provided as to whether this is a straight line or walking distance, as this can vary greatly and needs to take into account natural barriers, such as rivers or railways.
- 3.7 The Framework does not support the use of planning as a tool to limit people's dietary choices. In addition to this, other E class uses can provide unhealthy products, therefore, there is limited justification for the proposed Policy R5 to focus exclusively upon hot food takeaways.

Conflict with National Policy

- 3.8 The local policy team do not appear to have fully assessed the potential impact of the policy. It essentially creates a moratorium against hot food takeaways uses leaving limited reasonable space for them to locate.
- 3.9 Restricting the location of new hot food takeaway proposals through a 400m exclusion zone around secondary schools is not a positive approach to planning, thus failing to comply with the Framework.
- 3.10 The suggested restriction within proposed Policy R5, takes an ambiguous view of hot food takeaways in relation to the proximity to all secondary schools. The policy would apply an over-generic approach to restrict hot food takeaway development with little sound planning reasoning

or planning justification. This is contrary to paragraph 11 of the Framework that advises authorities to positively seek opportunities to meet development needs of their area.

3.11 Thus, is consistent with paragraph 80-81 of the Framework.

3.12 Para 80 states:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.”

3.13 Para 81 states:

Planning policies should:

“a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;

b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;

c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and

d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”

3.14 As explained in this objection, there is a lack of evidence to demonstrate the link between fast food, school proximity and obesity. The need for evidence is emphasised in paragraph 31 of the Framework that states that each local plan should be based on adequate, up-to-date and relevant evidence. Neither the policy nor the supporting text address this point. Policy needs to be based on evidence and the lack of evidence should highlight a red flag concerning the draft policy.

3.15 The policy is likely to be damaging to the district’s economy due to the fact that it is restricting hot food takeaways to an unprecedented level without regard to the local area or the economy.

3.16 The Framework cannot be interpreted to provide generic restrictions on a particular use class. There is no basis for such a blanket ban approach in the Framework or Planning Practice Guidance. In fact, the Planning Practice Guidance emphasises that planning authorities should look at the specifics of a particular proposal and seek to promote opportunity rather than impose blanket restrictions on particular kinds of development. In the section on “Health and Wellbeing”:

3.17 Paragraph: 002 (Reference ID: 53-002-20140306) states that in making plans local planning authorities should ensure that:

“opportunities for healthy lifestyles have been considered (eg. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces, green infrastructure and opportunities for play, sport and recreation);”

3.18 Paragraph: 006 (Reference ID: 53-006-20170728) says that a range of criteria should be considered, including not just proximity to schools but also wider impacts. It does not support a blanket exclusion zone. Importantly, the criteria listed are introduced by the earlier text which states:

“Local planning authorities can have a role in enabling a healthier environment by supporting opportunities for communities to access a wide range of healthier food production and consumption choices.”

3.19 The above guidance serves to emphasise why it is important to look at particular proposals as a whole, rather than adopting a blunt approach that treats all proposals that include a Sui Generis use as being identical.

4 The Policy is Inconsistent, Discriminatory and Disproportionate

- 4.1 The policy aims to address obesity and unhealthy eating but instead simply restricts new development that comprises an element of Sui Generis use. Yet Class E retail outlets and food and drink uses can also sell food that is high in calories, fat, salt and sugar, and low in fibre, fruit and vegetables, and hot food from a restaurant unit can be delivered to a wide range of locations, including schools. This means that the policy takes an inconsistent approach towards new development that sells food and discriminates against operations with an Sui Generis use. It also means that the policy has a disproportionate effect on operations with an Sui Generis use.
- 4.2 The test of soundness requires that the policy approach is “justified”, which in turn means that it should be the most appropriate strategy when considered against the reasonable alternatives and based on proportionate evidence (paragraph 35 of the Framework).
- 4.3 Given the objectives of the policy, it ought to apply equally to all relevant food retailers. It is unclear how the policy would be implemented and work in a real life scenario.
- 4.4 The table below shows the kind of high calorie, low nutritional value food that can be purchased from a typical A1 high street retailer at relatively low cost. It is contrasted with the kind of purchase that could be made at a McDonald’s. The evidence provided at **Appendix 1** confirms that 70% of purchases by students in the school fringe were not purchased in a hot food takeaway.¹

Company	Snack or meal	Salt (g)	Fat (g)	Calories (kcal)	Price (£)
McDonald’s	Apple and Grape fruit bag	0.0	0.1	46	49p
McDonald’s	Garlic Mayo chicken wrap	1.3	11.0	345	2.99
Greggs	Sausage roll	1.6	22.0	317	90p
Greggs	Cheese and Onion bake	1.6	30.0	436	1.35
Costa Coffee	Nutty flapjack	0.1	23.2	425	1.70
Costa Coffee	Ham and Cheese panini	2.5	13.5	427	3.95

- 4.5 If the policy is to be based on Use Classes, then the proposed policy should place restrictions on other use classes in addition to hot food takeaways. In fact, by restricting hot food takeaway uses only, the policy would encourage food purchases at other locations and allows for the overarching objectives to be compromised.
- 4.6 Finally, it is important that for the majority of days in the year (weekends and school holidays combined) schools are not open at all. Research by Professor Peter Dolton of Royal Holloway College states that “At least 50% of the days in a year kids don’t go to school if we count weekends and holidays and absence. They are only there for 6 hours and all but 1 are lessons. So only around 2-3% of the time can [children] get fast food at school.”²

¹ The School Fringe: What Pupils Buy and Eat From Shops Surrounding Secondary Schools, July 2008, Sarah Sinclair and Professor J T Winkler, Nutrition Policy Unit of London Metropolitan University.

² Peter Dolton, Royal Holloway College, University of London & Centre for Economic Performance, London School of Economics, Childhood Obesity in the UK: Is Fast Food a Factor? http://www.made.org.uk/images/uploads/2_Prof_P_Dolton_presentation.ppt

- 4.7 For the minority of the year when schools are open, it is important to recognise that many schools have rules preventing children from leaving the school grounds during the school day, and in any event proximity to schools has no conceivable relevance outside of the particular times when children are travelling to or from school in circumstances where their route takes them past the development proposal.
- 4.8 The policy's blanket approach fails to acknowledge that the opportunity for children to access hot food takeaways, as part of a school day, is extremely limited. The complete ban is wholly disproportionate to the circumstances when the concern underlying the policy might become a more prominent matter. Only limited purchases of food are made at hot food takeaways on journeys to and from school. Further details are set out in **Appendix 2**.

5 The Policy is not Justified because of a Lack of an Evidence Base

- 5.1 The test of soundness requires policy to be evidence based. There is no evidence of any causal link between the presence of hot food takeaways within 400m of a secondary school. Also, with no basis to indicate over-concentrated areas gives rise to obesity or poor health outcomes, justification is evidently incomplete. In fact, the studies that have considered whether such a causal connection exists [between proximity of a hot food takeaway and poor health outcomes], have found none.
- 5.2 Public Health England (PHE), which is part of the Department of Health and Social Care, expressly accept that the argument for the value of restricting the growth in fast food outlets is only “theoretical” based on the “unavoidable lack of evidence that can demonstrate a causal link between actions and outcomes.”³
- 5.3 A systematic review of the existing evidence base by Oxford University (December 2013), funded by the NHS and the British Heart Foundation ‘did not find strong evidence at this time to justify policies related to regulating the food environments around schools.’ It instead highlighted the need to ‘develop a higher quality evidence base’.⁴
- 5.4 The range of US and UK studies used to support many beliefs about obesity, including the belief that the availability of fast food outlets increased obesity, was comprehensively reviewed in papers co-written by 19 leading scientists in the field of nutrition, public health, obesity and medicine. Their paper “Weighing the Evidence of Common Beliefs in Obesity Research” (published in the *Critical Review of Food, Science and Nutrition* (Crit Rev Food Sci Nutr. 2015 December 6; 55(14) 2014-2053) found that the current scientific evidence did not support the contention that the lack of fresh food outlets or the increased number of takeaway outlets caused increase obesity (see pp16-17 of the report).
- 5.5 There appears to have been no critical assessment of whether the underlying evidence supports the proposed policy approach.
- 5.6 In this context, it is important to consider the evidence from the Borough of Waltham Forest, which introduced a school proximity policy in 2008 – about a decade ago. Over that period, the Public Health England data for the borough shows that there has been no discernible impact on childhood obesity rates – with these worsening in recent years. The borough’s Health Profile for 2017 records childhood obesity (year 6) at 26.1% up from 20.3% in 2012, the year London hosted the Olympic Games.
- 5.7 While it is accepted that the causes of obesity are complex, it is clear that the school exclusion zone policy had no discernible effect in Waltham Forest. More research and investigation is needed before such a policy approach can be justified by evidence.

³ Public Health England & LGA, Healthy people, healthy places briefing: Obesity and the environment: regulating the growth of fast food outlets, page 5, November 2013

⁴ J Williams, P Scarborough, A Matthews, G Cowburn, C Foster, N Roberts and M Rayner, Nuffield Department of Population Health, University of Oxford, page 13, 11th December 2013. A systematic review of the influence of the retail food environment around schools on obesity-related outcomes.

6 Similar Policies Have Been Found Unsound When Promoted in Other Plans

- 6.1 The lack of evidence between proximity of takeaways to local schools and its impact on obesity has been confirmed in a number of planning decisions.
- 6.2 In South Ribble the Planning Inspectorate raised concerns about a similar 400m school proximity restriction on fast food, stating ‘the evidence base does not adequately justify the need for such a policy’, and due to the lack of information, it is impossible to ‘assess their likely impact on the town, district or local centres’.⁵
- 6.3 Similarly, research by Brighton & Hove concluded that ‘the greatest influence over whether students choose to access unhealthy food is the policy of the individual schools regarding allowing students to leave school premises during the day’.⁶
- 6.4 The recent Inspectors response to the London Borough of Croydon (January 2018) regarding a similar prohibition on hot food takeaways, (where a similar campaign to persuade takeaway proprietors to adopt healthy food options existed) confirmed that the councils own ‘healthy’ plans would be stymied by the proposed policy, as would purveyors of less healthy food. The policy failed to distinguish between healthy and unhealthy takeaway food, and “confounds its own efforts to improve healthiness of the food provided by takeaway outlets” and failed to “address the demand for the provision of convenience food”. The Inspector concluded that because the reasons for the policy do not withstand scrutiny, they must be regarded as unsound.
- 6.5 The inspector at Nottingham City Council stated “*There is insufficient evidence to support the link between childhood obesity and the concentration or siting of A3, A4 and A5 uses within 400m of a secondary school to justify the criterion of policy LS1 that proposals for A3, A4 and A5 uses will not be supported outside established centres if they are located within 400m of a secondary school unless it can be clearly demonstrated that the proposal will not have a negative impact on health and well-being the criterion and justification should therefore be deleted/amended*”.
- 6.6 The inspector at Rotherham stated “*Policy SP25 sets out various criteria against which proposals for hot food takeaways will be assessed. One of the criteria is designed to prevent hot food takeaways within 800 metres of a primary school, secondary school or college when the proposed site is outside a defined town, district or local centres. Having carefully considered the material before me and the discussion at the Hearing I do not consider there is sufficient local evidence to demonstrate a causal link between the proximity of hot food takeaways to schools and colleges and levels of childhood obesity. Although I accept that levels of childhood obesity need to be tackled by both local and national initiatives I do not consider there are sufficient grounds at the present time to include this particular aspect of land use policy in the RSPP*”.
- 6.7 In Guildford, the inspector stated “*Finally, the submitted Plan contains a requirement common to Policy E7 Guildford town centre, E8 District Centres and E9 Local Centres and isolated retail units that resists proposals for new hot food takeaways within 500 metres of schools. However, the evidence indicates that childhood obesity in Guildford is lower than the average for England. Childhood obesity may be a product of a number of factors, not necessarily attributable to*

⁵ Letter to South Ribble Borough Council, 29th April 2013, from Susan Heywood, Senior Housing & Planning Inspector, The Planning Inspectorate.

⁶ Brighton & Hove City Council & NHS Sussex, Hot-food takeaways near schools; An impact study on takeaways near secondary schools in Brighton and Hove, page 30, September 2011

takeaway food; takeaways often sell salads as well as nutritious foods; not all kinds of takeaway food are bought by children; children have traditionally resorted to shops selling sweets and fizzy drinks, which would be untouched by the policy; and the policy would have no bearing on the many existing takeaways. In this context there is no evidence that the requirement would be effective in safeguarding or improving childhood health. It would be an inappropriate interference in the market without any supporting evidence and would therefore be unsound”.

6.8The proposed 400m school exclusion zone and restriction of hot food takeaways developments is a policy that we cannot agree to. The proposed approach is in direct conflict with the Framework. As mentioned in the above text, there is enough reputable information to demonstrate a current evidence base that fails to demonstrate the link between fast food and school proximity.

7 Alternative Approaches

- 7.1 Planware Ltd considers there is no sound justification for Policy R5 which imposes commercial restrictions on restaurants that include an element of hot food takeaways within a 400m radius from a secondary school.
- 7.2 Planware Ltd would welcome and support proposals for a wider study of the causes of obesity and their relationship with development proposals, including examination of how new development can best support healthy lifestyles and the tackling of obesity. When a cogent evidence base has been assembled, this can then inform an appropriate policy response. That time has not yet been reached.
- 7.3 It is considered until such a time has been reached, the school exclusion zone should be removed.

8 Conclusion

- 8.1 McDonald's supports the policy objective of promoting healthier lifestyles and tackling obesity. It does not consider that the proposed Policy R5 is a sound way of achieving those objectives. The underlying assumption in the policy is that all hot food takeaways (and any restaurants with an element of takeaway use) are inherently harmful to health. In fact, this is not supported by evidence. McDonald's own business is an example of a restaurant operation which includes takeaway but which offers healthy meal options, transparent nutritional information to allow healthy choices, and quality food and food preparation. The business itself supports healthy life styles through the support given to its staff and support given to football in the communities which the restaurants serve.
- 8.2 In addition, the policy fails to acknowledge the wider benefits that restaurants can have, including benefits relevant to community health and wellbeing. McDonald's own business is an example of a restaurant operation that supports sustainable development through the use of renewable energy, the promotion of recycling, the use of energy and water saving devices. The economic benefits of its restaurants in supporting town centres and providing employment opportunities and training are substantial, and important given that improved economic circumstances can support improved health.
- 8.3 The policy fails to acknowledge that food choices which are high in calories and low in nutritional value are made at premises trading with Class E consents and can be delivered from the latter. The policy makes no attempt to control these uses.
- 8.4 For the reasons given in this objection the proposed policy is very clearly inconsistent with government policy on positive planning, on supporting economic development and the needs of businesses. There is no justification in national policy for such restrictions to be applied to hot food takeaways. The effect of the policy had it existed in the past would have been to exclude restaurants such as McDonald's from major commercial and tourist areas.
- 8.5 For the reasons given in this objection the proposed policy lacks a credible evidence base, and similar policies have been found to be unsound by inspectors who have examined other plans. In the one London Borough that has had a similar policy, concerning a school exclusion zone, for around a decade (LB Waltham Forest). It has had no discernible effect on obesity levels, which have in fact increased since its introduction.
- 8.6 Given the overall objective of improving lifestyles and lowering obesity levels, restrictive policy regarding hot food takeaway development is a narrow-sighted approach. There is no mention of other possible reasons behind the national high levels of obesity. To discriminate against hot food takeaways alone is worrying and using the planning system to influence people's daily lifestyle choices is not acceptable.

Appendix 1 – Food in the School Fringe Tends to be Purchased in Non-Hot Food Takeaway Properties

1. Research by Professor Jack Winkler (London Metropolitan University) into the ‘school fringe’ – found just 3/10 purchases by students in a 400m school fringe were made in A5 properties.⁷
2. 70% of purchases in the school fringe were made in non-fast food outlets, and the same research concluded ‘the most popular shop near Urban was the supermarket, with more visits than all takeaways put together’.
3. Professor Winkler’s findings are not an isolated case. A report by Public Health England and the LGA states that fast food school proximity restrictions do ‘not address sweets and other high-calorie food that children can buy in shops near schools.’⁸
4. Research by Brighton and Hove found that ‘Newsagents were the most popular premises [in the school fringe], with more pupils visiting newsagents than any A5 premises’.⁹
5. Likewise, research for the Food Standards Agency on purchasing habits in Scotland found that ‘Supermarkets were the place that children reported they most frequently bought food or drinks from at lunchtime’.¹⁰
6. Indeed, there are several more researchers who have found no evidence to support the hypothesis that less exposure to fast food, or better access to supermarkets are related to higher diet quality or lower BMI in children. ¹¹¹²¹³

⁷ The School Fringe: What Pupils Buy and Eat From Shops Surrounding Secondary Schools, July 2008, Sarah Sinclair and Professor J T Winkler, Nutrition Policy Unit of London Metropolitan University

⁸ Public Health England & LGA, Healthy people, healthy places briefing: Obesity and the environment: regulating the growth of fast food outlets, page 5, November 2013

⁹ Brighton & Hove City Council & NHS Sussex, Hot-food takeaways near schools; An impact study on takeaways near secondary schools in Brighton and Hove, page 28, September 2011

¹⁰ Jennie Macdiarmid et al. Food Standards Agency. Survey of Diet Among Children in Scotland (2010) - http://www.esds.ac.uk/doc/7200/mrdoc/pdf/7200_final_report_part_2.pdf

¹¹ Forsyth, A., et al., Do adolescents who live or go to school near fast-food restaurants eat more frequently from fast-food restaurants? Health and Place,, 2012. 18(6): p. 1261-9.

¹² An, R. and R. Sturm, School and residential neighborhood food environment and diet among California youth. American Journal of Preventative Medicine, 2012. 42(2): p. 129-35.

¹³ Timperio, A.F., et al., Children's takeaway and fast-food intakes: associations with the neighbourhood food environment. Public Health Nutrition,, 2009. 12(10): p. 1960-4.

Appendix 2 – Food Purchases made on School Journeys

Only a limited number of journeys to and from school involve a purchase at a food outlet.

1. This has been confirmed in research by the Children’s Food Trust, which found that only 8% of all journeys to and from school included a purchasing visit to a food outlet.¹⁴

	n	Number of journeys to school	Number of journeys from school	Total number of journeys	Percentage (%) of all journeys
Journeys including a visit to a food outlet		86	87	173	10
Journeys including a purchase from a food outlet		11	6	17	8

2. Of the food purchases made on school journeys, confectionary was the most popular item sold – which McDonald’s does not offer on its menu.

3. Likewise, research by Ashelsha Datar concluded that children ‘may not purchase significant amounts of junk food in school’ – partly due to ‘fewer discretionary resources to purchase them’.¹⁵

4. Indeed, even where purchases were made, ‘children may not change their overall consumption of junk food because junk food purchased in school simply substitutes for junk food brought from home.’

5. Similarly, research by Fleischhacker highlighted the need for future school-based studies to ‘gather information on whether or not the students attending the studied schools actually eat at the restaurants near their schools.’¹⁶

6. This was also highlighted in the systematic review by Oxford University, which states ‘future work should also incorporate a child’s usual mode of travel to and from school into decisions about appropriate buffer distances.’ The review added that age should also be taken into consideration, as this can impact on travel time and the availability of pocket change.¹⁷

¹⁴ Children’s Food Trust – November 2011, page 1 http://www.childrensfoodtrust.org.uk/assets/research-reports/journey_to_school_final_findings.pdf

¹⁵ Ashelsha Datar & Nancy Nicosia, Junk Food in Schools and Childhood Obesity, page 12, May 2013

¹⁶ S Fleischhacker et al. A systematic review of fast food access studies, page 9, 17th December 2009

¹⁷ J Williams, P Scarborough, A Matthews, G Cowburn, C Foster, N Roberts and M Rayner, Nuffield Department of Population Health, University of Oxford, page 13-14, 11th December 2013. A systematic review of the influence of the retail food environment around schools on obesity-related outcomes.