

ROSSENDALE LOCAL PLAN EXAMINATION

MATTER 12 HEARING STATEMENT OF THE PEEL GROUP (REPRESENTER ID 5160)

Issue – Are the proposed housing allocations in Waterfoot, Lumb, Cowpe and Water justified, effective, developable/deliverable and in line with national policy?

Introduction

- 1.1 The Peel Group ('Peel') submitted representations to the Pre-submission Publication of the Rossendale Local Plan consultation in October 2018.
- 1.2 Paper 3 of Peel's submission identified a number of points of unsoundness in respect of the identified housing land supply which, as a result, would mean that the proposed housing requirements of the Local Plan would not be met. This included evidence that individual sites were either not proven to be deliverable or developable or where the Council had over-estimated the plan period yield. Further, these representations reveal that the Council has failed to put in place an adequate contingency plan in the event of under-delivery, including a sufficient flexibility allowance.
- 1.3 Paper 3 also identified that the spatial distribution of development would mean that little affordable housing would be provided, contrary to the evidence of need, due to reliance on allocations within weak housing market areas where affordable housing was unviable based on the Council's own evidence base. Further this assessment revealed that the housing land supply was not distributed in a sustainable manner with under provision in the most sustainable settlements of the Borough, most notably Rawtenstall, relative to less sustainable settlements.
- 1.4 Collectively these issues render the Local Plan unsound being in conflict with the National Planning Policy Framework, not justified by reference to a robust evidence base and not effective in being unable to meet the identified development needs.
- 1.5 Peel has submitted a number of Hearing Statements to the Local Plan Examination which should be read in conjunction with each other. Of most relevance to this Matter 12 Hearing Statement are Peel's Statements in relation to Matters 2 and 19. These consider the housing land supply as a whole including, building on its Pre-submission Publication representations, whether, when assessed on a cumulative basis, this supply will meet the overall housing requirement of the Borough, including the need for affordable housing (Matter 19), and is appropriately distributed in a sustainable manner (Matter 2).
- 1.6 This Matter 12 Statement considers individual allocations in Waterfoot, Lumb, Cowpe and Water. Each site is considered independently. Hearing Statements in relation to Matters 9 to 11, 13 and 14 follow the same approach.
- 1.7 The General Questions (GQ) set out will be answered against each site and where appropriate the site specific questions will also be addressed:

H53: Waterfoot Primary School

Local Plan proposals: 21 dwellings within Years 1 to 5

- 1.8 The site benefits from planning permission for the conversion of school buildings to supported living accommodation (Use Class C2) comprising 20 beds (LPA reference: 2016/0599).

Conclusion: The realistic site capacity should be reduced to 20 dwellings.

H55: Carr Mill and Bolton Mill, Cowpe

Local Plan proposals: 11 dwellings within Years 6 to 10

- 1.9 This site may be suitable for residential development however the Council's density expectations (157 dph) are not supported in any evidence base documents. The Strategic Housing Land Availability Assessment 2017 (SHLAA) (Evidence Base document EB005) highlights ground instability issues, flood risk areas and waste water infrastructure on site. The density of the draft allocation is extremely high and unjustified for a site with these constraints.
- 1.10 The site should not be included within the draft allocations at LPS Policy HS2 as its capacity is below the threshold for allocated sites (3 dwellings - 0.07ha at 40dph).

Conclusion: the site's realistic yield is too small to be included as an allocation in the Local Plan.

H56: Knott Mill Works, Pilling Street and Orchard Works, Miller Barn Lane

Local Plan proposals: 5 dwellings within Years 6 to 10

- 1.11 This site may be suitable for residential development however the Council's density expectations (83 dph) are not supported by any evidence base documents. The SHLAA (Evidence Base document EB005) highlights ground instability issues and flood risk areas on site. The density of the draft allocation is extremely high and unjustified for a site with these constraints.
- 1.12 The site should not be included within the draft allocations at LPS Policy HS2 as its capacity is below the threshold for allocated sites (2 dwellings - 0.06ha at 40dph).

Conclusion: the site's realistic yield is too small to be included as an allocation in the Local Plan.

H62: Land off Peel Street, Cloughfold

Local Plan proposals: 8 dwellings within Years 6 to 10

- 1.13 The site includes a school playing field and area of woodland which Lancashire County Council have included within a Woodland Stepping Stone Habitat. These site specific constraints would reduce the developable area of the site by 50% (to 0.28 ha).
- 1.14 The site is also evidently constrained by its topography, flood risk and the inclusion of part the site within Cloughfold Conservation Area.
- 1.15 In view of these constraints, the site should not be included within the draft allocations at LPS Policy HS2 as its capacity is below the threshold for allocated sites.

Conclusion: the site's realistic yield is too small to be included as an allocation in the Local Plan.

H63: Hollin Farm Waterfoot

- 1.16 Local Plan proposals: 5 dwellings within Years 6 to 10
- 1.17 The site is shown to be in an unsustainable location within the Council's own evidence base (SHLAA: Evidence Base document EB005). The site is approximately 6.4km to the nearest strategic road network. Further site specific constraints include topography, flood risk and heritage concerns regarding nearby Listed Buildings (Yate Cottages and Higher Hollin).
- 1.18 There is insufficient evidence to suggest the site is available; the landowner expressed an interest to develop social housing at the site during a call for sites in 2008. This expression of interest is now over 10 years old and it cannot be assumed that the landowner has the same intentions with regard to the site.

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

H64: Hargreaves Fold Lane, Chapel Bridge, Lumb

Local Plan proposals: 23 dwellings during Years 6 to 10

- 1.19 The site is shown to be in an unsustainable location within the Council's own evidence base (SHLAA: Evidence Base document EB005). The site is approximately 8.1km to the nearest strategic road network and access to the site is from a narrow single lane track via Hargreaves Fold Lane. The SHLAA concludes:

"The site is available now and the development is considered viable. However, due to its isolated location in respect to local services, the site is not considered suitable for a residential development."

- 1.20 Further site specific constraints include topography, flood risk and heritage concerns regarding nearby Listed Buildings (Hargreaves Fold Cottages and Farmhouse).
- 1.21 The site is likely to be brought forward in two parcels in accordance with landownership and the division of the site by Hargreaves Lane. As a result of this the density for the site should be reduced to 20 dwellings per hectare (dph) and it should be noted that neither applications would be likely to meet the capacity threshold for affordable housing.

Conclusion: The realistic site capacity should be reduced to 15 dwellings.

Summary of Draft Residential Allocations

- 1.22 Based on the above assessment, it is Peel's position that the cumulative and proven developable capacity of proposed allocations in Waterfoot, Lumb, Cowpe and Water is 226 dwellings, compared to 264 suggested by the Council.
- 1.23 A number of sites are not proven to be developable, in being affected by ownership and technical constraints (access particularly) for which no viable mitigation proposal is presented to the extent necessary to underpin their allocation in a Local Plan. In respect of a number of other sites, the Council has over-estimated the realistic capacity. The Council has therefore overestimated the five year supply from sites in this location.

- 1.24 Based on the assessment of the Waterfoot, Lumb, Cowpe and Water area alone, it is evident that the identified housing land supply is insufficient to deliver the Borough's development needs. This renders the plan unsound, principally in being at odds with the requirements of paragraph 67 of the NPPF and not being effective.
- 1.25 This conclusion is reinforced through the assessment of other proposed residential allocations across the Borough (see Matter 9, 11 and 13 – 15 statements) and in considering the housing land supply as a whole (see Matter 2 and 19 statements).

Addressing the shortfall

- 1.26 Notwithstanding the comments provided in Peel's Matter 2, 3 and 19 statements, additional land needs to be allocated in this spatial area and across the borough as a whole to address the shortfall of 38 dwellings in this market area and to deliver the number of dwellings which the Local Plan currently proposes for the area (122 units).