

ROSSENDALE LOCAL PLAN EXAMINATION

MATTER 13 HEARING STATEMENT OF THE PEEL GROUP (REPRESENTOR ID 5160)

Issue – Are the proposed housing allocations in Whitworth, Facit and Shawforth justified, effective, developable/deliverable and in line within national policy?

Introduction

- 1.1 The Peel Group ('Peel') submitted representations to the Pre-submission Publication of the Rossendale Local Plan consultation in October 2018.
- 1.2 Paper 3 of Peel's submission identified a number of points of unsoundness in respect of the identified housing land supply which, as a result, would mean that the proposed housing requirements of the Local Plan would not be met. This included evidence that individual sites were either not proven to be deliverable or developable or where the Council had over-estimated the plan period yield. Further, these representations reveal that the Council has failed to put in place an adequate contingency plan in the event of under-delivery, including a sufficient flexibility allowance.
- 1.3 Paper 3 also identified that the spatial distribution of development would mean that little affordable housing would be provided, contrary to the evidence of need, due to reliance on allocations within weak housing market areas where affordable housing was unviable based on the Council's own evidence base. Further this assessment revealed that the housing land supply was not distributed in a sustainable manner with under provision in the most sustainable settlements of the Borough, most notably Rawtenstall, relative to less sustainable settlements.
- 1.4 Collectively these issues render the Local Plan unsound being in conflict with the National Planning Policy Framework, not justified by reference to a robust evidence base and not effective in being unable to meet the identified development needs.
- 1.5 Peel has submitted a number of Hearing Statements to the Local Plan Examination which should be read in conjunction with each other. Of most relevance to this Matter 13 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 13 Statement considers individual allocations in Whitworth, Facit and Shawforth. Each site is considered independently. Hearing Statements in relation to Matters 9 – 12, 14 and 15 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:

H65: Albert Mill, Whitworth

Local Plan proposals: 49 dwellings within Years 1 to 5

- 1.8 Outline planning permission for the demolition of existing buildings and erection of 85 dwellings was approved in September 2014 (LPA reference: 2014/0078). Demolition works have been complete and subsequently the permission is extant. However there is no clear evidence that a developer is connected with the site at this stage.

Conclusion: The site is developable beyond Year 5 of the Local Plan and is capable of delivering 85 dwellings.

H69: Cowm Water Treatment Works

Local Plan proposals: 20 dwellings within Years 6 to 10

- 1.9 This site has a number of site constraints that have not been addressed within the Council's LPS evidence base. The site is at risk of flooding; part of the site is within flood zone 3 and this area has been excluded from the net developable area. However more than 50% of the remainder of the site is within Flood Zone 2 and small parts of the site are affected by high and medium surface water flood risk.
- 1.10 The site also adjoins 3 Listed Buildings (no. 28, 30 and 32 Tong End) which will impact the developable area and potentially the viability of any scheme if a particular consideration to design and external appearance is required.
- 1.11 Lancashire County Council has provided a comment in relation to this site that raises significant issues with the access arrangements:

"Tong Lane itself is constrained in width by buildings and has poor pedestrian provision. There is a higher than average percentage of HGV traffic on Tong lane due to the Quarry to the north. The site access off Tong End is too narrow currently and requires widening and what is potentially third party land. The provision of 20 houses appears high considering the site is crossed by the reservoir spillways however the provision of any additional housing would be a concern due to the constraints of Tong Lane and the site access."

- 1.12 At this point, the ability to address this constraint and deliver a safe and efficient access is unproven. Accordingly, it has not been proven that the site is developable.

Conclusion: the site is not proven to be developable and therefore should not be included as an allocation in the Local Plan.

Summary of Draft Residential Allocations

- 1.13 Based on the above assessment, it is Peel's position that the cumulative and proven developable capacity of proposed allocations in Whitworth, Facit and Shawforth is 229 dwellings, compared to 213 suggested by the Council.
- 1.14 One site is not proven to be developable, in being affected by highway constraints 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 underestimated the realistic capacity for one site. The Council has therefore underestimated the five year supply from sites in this location.

- 1.15 While sites within the Whitworth, Facit and Shawforth area have been demonstrated to be deliverable, Matter Statements for matters 9 – 12, 14 and 15 demonstrate otherwise. The conclusions for these other matters is that the plan is unsound, principally in being at odds with the requirements of paragraph 67 of the NPPF and not being effective reinforced through the assessment of other proposed residential allocations across the Borough (see Matter 9 – 12, 14 and 15 statements) and in considering the housing land supply as a whole (see Matter 2 and 19 statements).