

ROSSENDALE LOCAL PLAN 2019 – 2034

EXAMINATION HEARING STATEMENT

MR N TEAGUE (REF. 5139)

MATTER 2 – VISION AND SPATIAL STRATEGY

SITE GB(MINOR)26 - ELM STREET, EDENFIELD

## 1. QUESTION 2K

**ARE THE URBAN BOUNDARIES CLEARLY DEFINED AND ROBUSTLY BASED?  
 ARE THE PROPOSED BOUNDARY CHANGES TO REFLECT EXISTING  
 DEVELOPMENT ON THE GROUND, PROVIDE DEFENSIBLE EDGES AND CORRECT  
 ERRORS, AS SET OUT IN DOCUMENT EL1.002D, JUSTIFIED?**

- 1.1 Our client supports the inclusion of their site at Elm Street, Edenfield site within the Urban Area and its associated removal from the Green Belt is indicated below: **(GB(Minor)26)**. This follows their submissions prior to the Regulation 19 stage.

Boundary Ref	GB(Minor)26	Previous Boundary ref (if applicable)	N/A	
Address	Land at Elm Street, Edenfield			
Proposal	It is proposed to take some land from the Green Belt and include it within the Urban Boundary.			
<b>Map Key</b>				
Existing Urban Area and Boundary				
Proposed New Urban Area and Boundary				
Existing Green Belt Area and Boundary				
Proposed New Green Belt Area and Boundary				
Countryside				White areas
Maps are not at a standard scale				
Crown copyright and database rights [2019]. Ordnance Survey [100023294]				
Reason for change	To reflect existing development on the ground.			

1.2

### Figure 1.1 Elm Street Site (indicated by red dot)

1.3 However, given that the Council has established exceptional circumstances for the release of land from the Green Belt elsewhere in the Borough, most notably in several locations in Edenfield, we would respectfully request that the inspectors give consideration to an additional release here.

1.4 The site extends comprises vacant greenfield land currently located within the Green Belt, which would make a sensible rounding off of the settlement in this sustainable location along the line of a former hedgerow which could be reinstated as part of any development proposal to establish a defined and permanent boundary with the Green Belt that is more reflective of the surrounding built form.



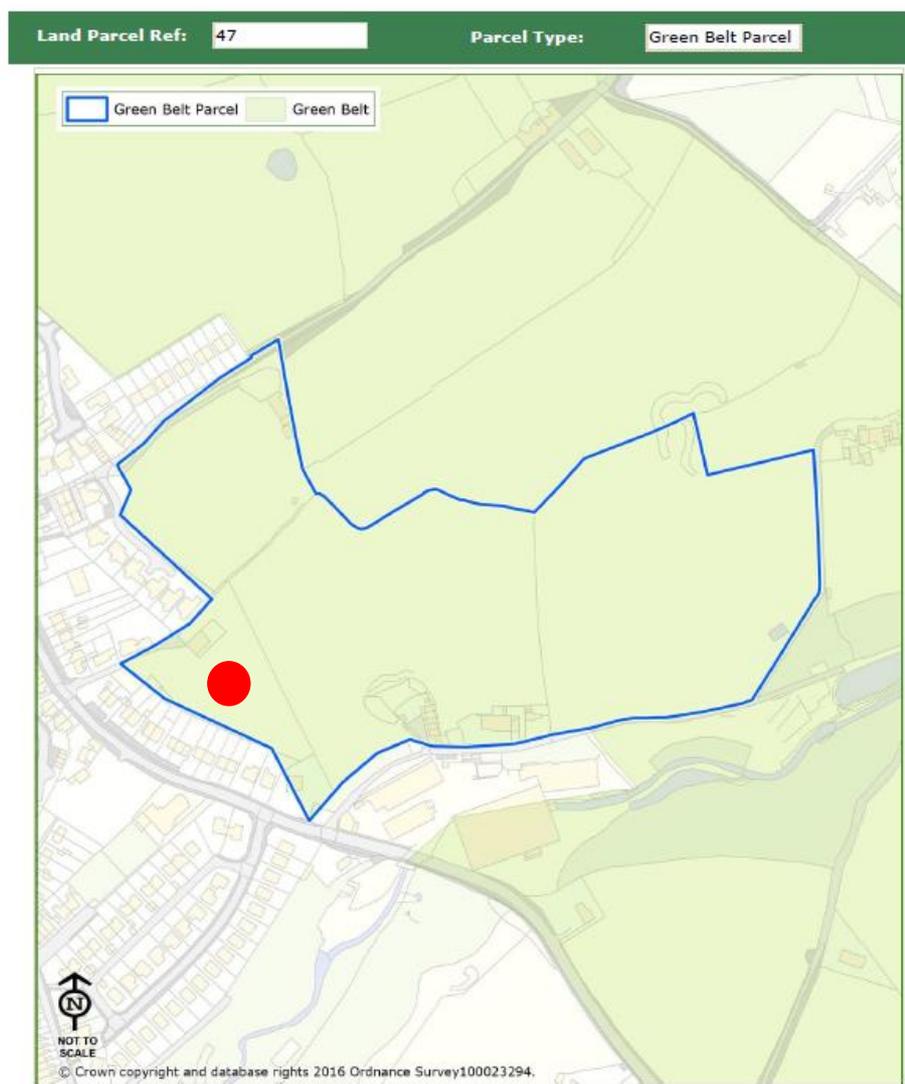
Figure 1.2 – Land at Elm Street, Edenfield.

1.5 The site is available now and could help deliver new homes in the first five years of the Plan.

1.6 The site was promoted at the Reg. 18 and Reg. 19 stage. A copy of the Reg. 18 submission is included at **Appendix 1** to this Statement, which highlights that the site does not meet the five purposes of the Green Belt as set out in Paragraph 134 of the Framework.

1.7 We consider the Green Belt assessment which has been carried out for the subject site, which sits within part of the land included within Parcel 47 to be flawed as it overestimates the value of the Green Belt in this location. This is largely due to the fact that the parcel is too large and varied in nature for a fair assessment to be made.

1.8 The boundary of Parcel 47 is identified in further detail in Figure 1.3 below.



**Figure 1.3 Extract from Green Belt Review (2016) identifying Parcel 47 (Elm Street Site indicated by red dot)**

- 1.9 With reference to our previous submissions and in line with the Council's methodology the overall Green Belt assessment for our client's site should be weak.
- 1.10 As a result, and in order to provide for sustainable development over the plan period, the land should be included within the urban boundary of Edenfield and subsequently it should be removed from the Green Belt.
- 1.11 The extension of the urban boundary in this location is entirely appropriate having regard to the site's limited Green Belt function and the fact that it is bounded by the urban area on three sides.

## **SOUNDNESS**

- 1.12 In our view the LP is not sound as submitted.

## POSITIVELY PREPARED

- 1.13 The Plan as drafted currently improperly considers the Green Belt credentials of the subject site by failing to assess the discrete characteristics of the relevant Parcel. In doing so, the Plan fails to consider the potential for residential development in what is a sustainable location.
- 1.14 With this in mind, the Local Plan in its current form is not positively prepared and the Council must consider the discrete elements of the identified Green Belt parcels in more detail to identify additional development opportunities that may well be currently within the Green Belt but nonetheless represent opportunities for sustainable development.

## JUSTIFIED

- 1.15 Consequently, the LP fails to plan for the proper growth of the Borough as it does not identify all available opportunities to meet housing requirements on land that may currently lie outside of the Urban Boundary. This does not represent an appropriate strategy in the case of the subject site and its continued inclusion within the Green Belt is not justified.

## EFFECTIVE

- 1.16 As set out above, the approach to the Green Belt fails to effectively consider the subject site. The approach may lead to an under supply of housing land and the failure of the Plan to deliver.

## PROPOSED MODIFICATION

- 1.17 To be consistent with national policy, we respectfully ask that the site be considered for removal from the Green Belt and that it be allocated for residential use.

## Appendix 1

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# ROSSENDALE BOROUGH COUNCIL

## DRAFT LOCAL PLAN

### REGULATION 18 CONSULTATION

**CLIENT:**

Mr N Teague

**SITE:**

Land at Elm Street, Edenfield

**DATE:**

9 October 2017

<b>Report Drafted By</b>	<b>Report Checked By</b>	<b>Report Approved By</b>
ELG	DC	DC
06.10.17	06.10.17	09.10.17

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e/ [info@houriganconnolly.com](mailto:info@houriganconnolly.com)  
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# **1. INTRODUCTION**

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## **BRIEF**

- 1.1 Hourigan Connolly is instructed by Mr N Teague in respect of his land interests at Elm Street, Edenfield.
- 1.2 Rossendale Borough Council (RBC) is preparing a new Local Plan which will guide the future planning and development of the area. Following the adoption of the Local Plan Part 1: Core Strategy in November 2011, RBC commenced work on its Local Plan Part 2: Site Allocations and Development Management Policies. However, this document was halted in favour of the preparation of a full new Local Plan which has now been issued for consultation from Monday 24 July to Monday 9 October 2017. This edition of the Local Plan comprises the Regulation 18 consultation document which sets out the Council's preferred approach to future housing, employment and leisure uses over the Plan period. Once adopted the Local Plan will replace the Core Strategy (2011).
- 1.3 Within the draft Local Plan, sites have been proposed for development (for housing or employment use), for environmental protection and for recreation uses, as identified on the Draft Policies Map. Changes are also proposed to the existing Green Belt and the Urban Boundary. Also, four additional Conservation Areas, along with an extension to an existing Conservation Area, are being considered.
- 1.4 Documents included in the Draft Local Plan Consultation are the Draft Local Plan (Written Statement), the accompanying Policies Map (including the 6 area maps) and the Infrastructure Delivery Plan.
- 1.5 The evidence base which supports the Local Plan comprises the following documents:
- Strategic Housing Land Availability Assessment (SHLAA) (2017).
  - Strategic Housing Market Assessment (SHMA) (2017).
  - Employment Land Review (2017).
  - Green Belt Review (2016).
  - Environmental Network Study (2017).
  - Gypsies and Travellers Accommodation Assessment (2016).
  - Town Centre, Retail, Leisure and Tourism Study (2017).
  - Playing Pitch Strategy (2016) (previously published).
  - Strategic Flood Risk Assessment (SFRA) (2016).

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- Local Plan Viability Study 2015 and Updated Viability Study in relation to Affordable Housing (2017).
- Landscape Study (2015) (previously published).
- Landscape capacity study for wind energy developments in the South Pennines (2014) (previously published).
- Heritage Impact Assessment of Housing Sites (2017).

1.6 In addition to the above documents, the Council's Sustainability Appraisal, although not strictly evidence, has informed the development of the draft policies.

## **BACKGROUND**

1.7 Hourigan Connolly is instructed to review and comment on the emerging Local Plan in relation to land at Elm Street, Edenfield. The site falls outside of the urban boundary and is designated at Green Belt, and this Representation sets out why the Council should consider amending the urban boundary in this location order to promote sustainable development.

## **SCOPE**

1.8 In preparing these submissions we have reviewed the documents mentioned above as well as other documents forming the evidence base that underpins the emerging Local Plan.

1.9 This representation is structured as follows:

- Legislative and Policy Context.
- The Site.
- Green Belt Review.
- Proposed Extended Employment Allocation.
- Conclusions.

## **2. LEGISLATIVE & POLICY CONTEXT**

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### **INTRODUCTION**

- 2.1 In this Chapter we set out the relevant legislative and policy context before going on to examine the Council's Local Plan document.

### **LEGISLATIVE CONTEXT**

- 2.2 Part 2 of the Planning & Compulsory Purchase Act 2004 (As amended) deals with Local Development.
- 2.3 The RBC Local Plan is being brought forward following changes to the Development Plan making system in England which are set out in the Localism Act 2011. Part 6 Sections 109 – 144 of the Localism Act deal with Planning.
- 2.4 Following revocation of the North West Regional Strategy (RS) in May 2013, Council's such as RBC will set their own housing and employment targets against objectively assessed needs.
- 2.5 The Town & Country Planning (Local Planning) (England) Regulations (SI No. 767) came into force on 6 April 2012 and guide the preparation of Local Plans.

### **MINISTERIAL STATEMENTS**

- 2.6 In his Written Statement of 23 March 2012 the then Minister for Decentralisation and Cities the Rt. Hon Greg Clark MP referred to a pressing need to ensure that the planning system does everything it can to help England secure a swift return to economic growth. He urged local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
- 2.7 The National Planning Policy Framework (hereafter referred to as the Framework) (see below) was subsequently published on 27 March 2012 and urges local planning authorities to boost significantly the supply of housing.
- 2.8 In his Written Statement of 6 September 2012 the Secretary of State for Communities and Local Government the Rt. Hon Eric Pickles MP noted an increase in house building starts between 2009 and 2011 but said that there was far more to do to provide homes to meet Britain's demographic needs and to help generate local economic growth.
- 2.9 There can be no doubt that house building is a driver of the local economy besides providing homes for local people and that Local Planning Authorities should plan for the release of land for development.

## **FRAMEWORK REQUIREMENTS**

- 2.10 Paragraphs 150 to 185 of the Framework deal with Plan-making.
- 2.11 The importance of the Local Plan is identified as the key to delivering sustainable development and a cornerstone of the development management process (Paragraph 150 refers).
- 2.12 The requirement for Local Plans to be prepared with the objective of contributing to the achievement of sustainable development is embodied in Paragraph 151 of the Framework and stems from the requirements set out under Section 39(2) of the Planning & Compulsory Purchase Act 2004. Local Plans must also be consistent with the principles and policies of the Framework.
- 2.13 Paragraph 152 of the Framework requires local planning authorities to seek opportunities to achieve and secure net gains for each of the three dimensions of sustainable development. These three dimensions are defined in Paragraph 7 of the framework as economic, social and environmental. According to Paragraph 7 of the Framework these dimensions give rise to the need for the planning system to perform a number of roles:
- *“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
  - *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
  - *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.*
- 2.14 Paragraph 8 of the Framework states that the roles mentioned in Paragraph 7 should not be undertaken in isolation, because they are mutually dependant and should be sought jointly and simultaneously through the planning system.
- 2.15 The importance of Local Plans taking into account local circumstances is highlighted in Paragraph 10 of the Framework to ensure that they respond to the different opportunities for achieving sustainable development.
- 2.16 Paragraph 152 of the Framework goes on to deal with adverse impacts on any of the dimensions of sustainable development and sets out three tests:

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- Firstly significant adverse impacts on any of the dimensions should be avoided, and where possible, alternative options which reduce or eliminate such impacts should be pursued.
- Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- Where adequate mitigation measures are not possible, compensatory measures may be appropriate.

2.17 Paragraph 154 of the Framework requires Local Plans to be aspirational but **realistic** and address the spatial implications of economic, social and environmental change.

2.18 The requirement for local planning authorities to set out strategic priorities for their areas in their Local Plans is established in Paragraph 156 of the Framework. Such policies are required to deliver:

- *“the homes and jobs needed in the area;*
- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”.*

2.19 The importance of using a robust and proportionate evidence base for Plan making is dealt with in Paragraphs 158 to 177 of the Framework. Paragraph 158 is of particular relevance to these submissions:

*“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”.*

2.20 A number of topics are discussed and for the purpose of this document we will focus on housing (Paragraph 159), business (Paragraphs 160 – 161), infrastructure (Paragraph 162) and environment (Paragraphs 165 – 168).

## **GREEN BELT**

- 2.21 In respect of Green Belt Paragraph 80 of the Framework lists the five national purposes of the Green Belt as follows:
- To check the unrestricted sprawl of large built-up areas;
  - To prevent neighbouring towns merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns; and,
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 2.22 Paragraph 83 goes on to state that Local Planning Authorities (LPA's) with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
- 2.23 Paragraph 84 states when drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.
- 2.24 Paragraph 85 sets out that when defining new Green Belt boundaries LPA's should:
- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
  - not include land which it is unnecessary to keep permanently open;
  - where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
  - make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
  - satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and

2.25 define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

## ***BUSINESS***

2.26 Paragraph 160 of the Framework outlines the importance of local planning authorities having a clear understanding (from a robust evidence base) of business needs within the economic markets operating in and across their area.

2.27 Paragraph 161 of the Framework establishes the importance of understanding business needs (both quantitative and qualitative) and ensuring that sufficient suitable land (both existing and future) is available to meet needs.

## ***HOUSING***

2.28 Paragraph 159 outlines the importance of preparing a Strategic Housing Market Assessment (SHMA) to assess **full** housing needs and a Strategic Housing Land Availability Assessment (SHLAA) to establish **realistic** assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.

2.29 Of particular importance is the requirement for the SHMA to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the Plan period which:

- *“meets household and population projections, taking account of migration and demographic change;*
- *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
- *caters for housing demand and the scale of housing supply necessary to meet this demand”.*

## ***INFRASTRUCTURE***

2.30 An objective of government policy is the delivery of growth. Central to this objective is ensuring that infrastructure has the capacity or can be enhanced to deliver growth. A number of factors are outlined in Paragraph 162 of the Framework which need to be considered at a local level including transport, water, foul drainage, energy, telecommunications, waste, health, social care, education, flood risk and coastal change management.

## **ENVIRONMENT**

- 2.31 Paragraphs 165 to 168 of the Framework deal with environmental matters and set out the requirement that a sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

## **SOUNDNESS**

- 2.32 Paragraph 182 of the Framework deals with the examination of Local Plans. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. Local planning authorities are required to submit Plans for examination which they consider “sound” – namely that they are:

- **“Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

## **NATIONAL PLANNING PRACTICE GUIDANCE – LAUNCHED 6 MARCH 2014**

- 2.33 On 28 August 2013 the government launched its draft National Planning Practice Guidance (NPPG). The draft NPPG was subject to consultation for 6 weeks and was launched on 6 March in its final form. The NPPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.
- 2.34 The Housing and Economic Land Availability Assessment section of the NPPG is worthy of specific mention in relation to this Report, in particular paragraph 030 (reference ID: 3-030-20140306 confirms):

*“Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight*

*should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.”*

2.35 The NPPG deals with deliverable sites as follows at paragraph 031 (Reference ID 3-031-20140306):

*“WHAT CONSTITUTES A ‘DELIVERABLE SITE’ IN THE CONTEXT OF HOUSING POLICY?*

*Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgments on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”*

2.36 In regards to how often a Local Plan should be reviewed, the NPPG states at paragraph 008 of the section titled ‘Local Plans’ (Reference ID 12-008-20140306) that:

*“HOW OFTEN SHOULD A LOCAL PLAN BE REVIEWED?*

*To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Local Plans may be found sound conditional upon a review in whole or in part within five years of the date of adoption.”*

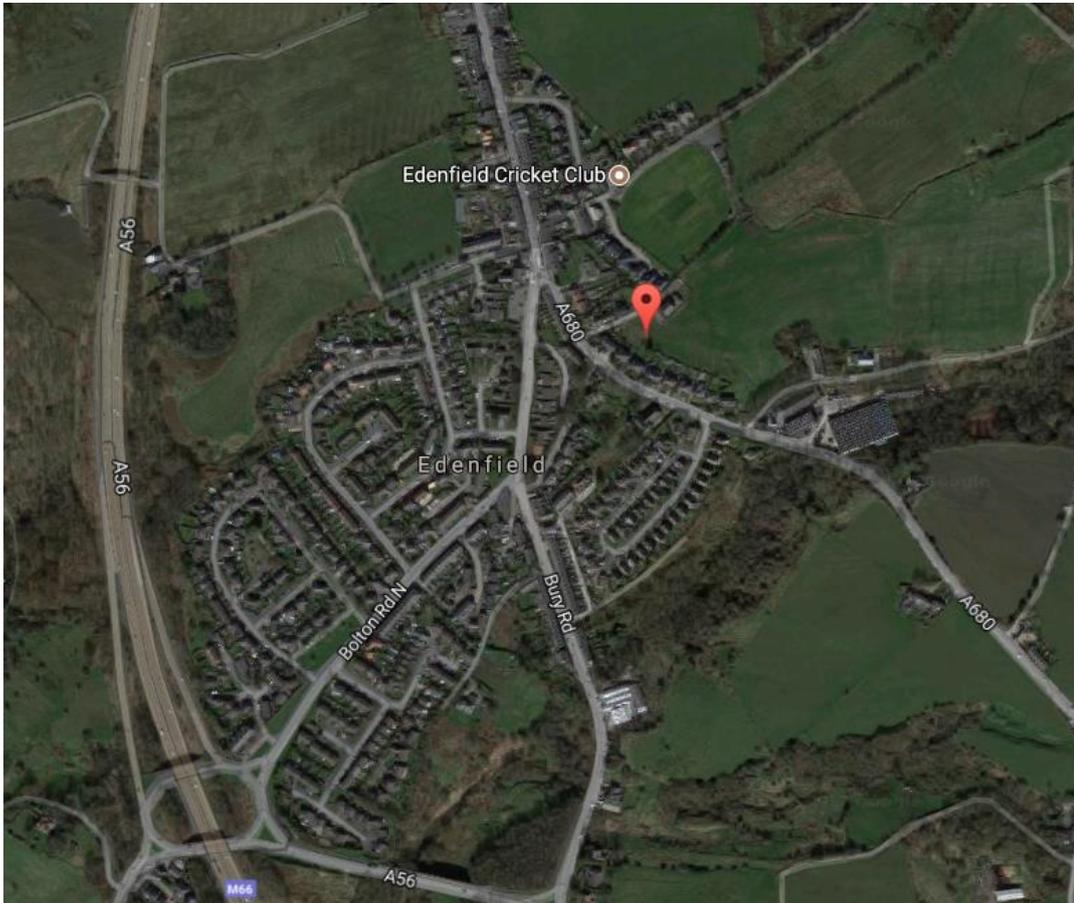
## **GOVERNMENT CONSULTATION ON STANDARDISED METHODOLOGY FOR HOUSING NEED (SEPTEMBER 2017)**

- 2.37 On 14 September 2017 the Government announced a consultation on a Standardised Methodology for Assessing Local Housing Need, the basis of which was included in the White Paper (February 2017) and is aimed at helping local authorities plan for the right homes in the right places.
- 2.38 As the consultation document sets out, the root cause of the dysfunctional housing market in the UK is that for too long we have not built enough homes. The Government is aiming to deliver 1.5 million new homes between 2015-2022 and is attempting to create a system which is clear and transparent for local authorities. The new methodology will apply to all future plans, with the exception of those which have been submitted or will be submitted before 31 March 2018.
- 2.39 The standard methodology is principally aimed at tackling problems of affordability as the proposed formula simply uplifts the household projections figure, based on market signals.
- 2.40 For Rossendale the proposed standard methodology has little impact on the annual housing requirement (which, it is suggested should be 212 rather than the current 265 dwellings per annum). However, it should be noted that the proposed standard methodology is currently on consultation and may therefore be subject to changes in due course. It is also worth noting the heavy speculation that the proposed methodology focuses on growth in the south east to the detriment of other parts of the UK, in particular the north west.

### 3. THE SITE

#### SITE LOCATION

3.1 The site's general location is identified below in Figure 3.1.



**Figure 3.1 – Land at Elm Street, Edenfield– not to scale.**

- 3.2 The site lies to the south of Elm Street, with properties along Rochdale Road forming the south western boundary and the line of a former hedgerow forming the eastern boundary. This parcel of land forms part of a much larger parcel which is also within the ownership of our client – this wider parcel is bounded by Gincroft Lane, Michael Wife Lane and Plunge Road.
- 3.3 As is evident from the aerial image above, land at Elm Street has a close physical relationship with the existing built up part of the settlement, and the parcel provides an opportunity for rounding off the urban area.

## **SITE DESCRIPTION**

- 3.4 The site extends comprises vacant greenfield land currently located within the Green Belt. Adjacent to the site, to the north east, there is a barn which has recently been converted to 2 No. apartments. This is also within the ownership of Mr N Teague and is outlined in red below.



**Figure 3.2 – Land at Elm Street, Edenfield.**

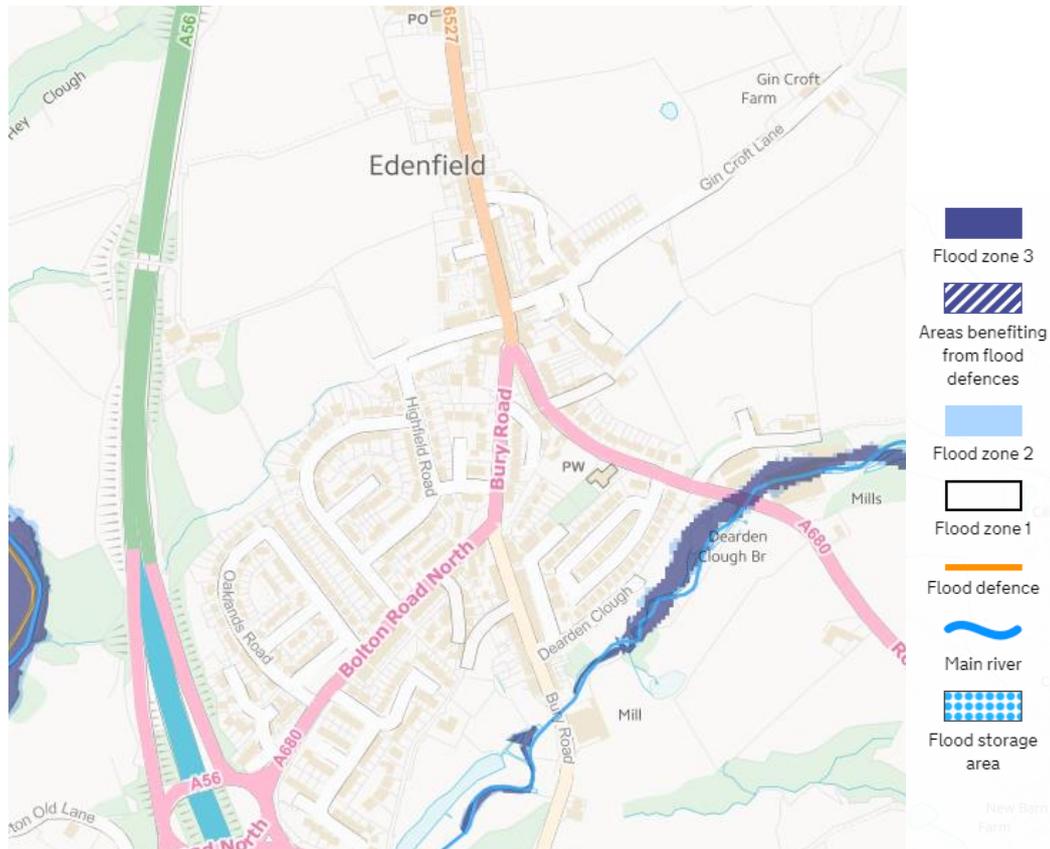
## **SURROUNDING AREA**

- 3.5 The subject site is located on the edge of the settlement of Edenfield. The site is approximately 1 mile to the north of Ramsbottom and 2.5 miles south of Rawtenstall. The village is mainly residential in nature and it has seen recent growth as a commuter settlement serving Greater Manchester and Lancashire.
- 3.6 The village centre is located along Market Street (approximately 150 metres from the site) where a range of local services and facilities can be found, including a baker, butcher, pharmacy, post office newsagent and takeaway.
- 3.7 The centre of Edenfield lies at the intersection of the A676 providing links to Bolton, the A680 providing links to Accrington and Rochdale and the A56 to Rawtenstall and Bury. The M66 motorway terminates at Edenfield where it becomes the A56 dual carriageway known as the Edenfield Bypass.
- 3.8 This unremarkable site has a close physical relationship with the existing settlement (being surrounded by development to the north, south and west), and it does not relate to the wider

countryside which dominates the landscape further to the east and north. Furthermore, the site is relatively flat compared to other parts of the village and the Borough more widely.

## FLOOD RISK

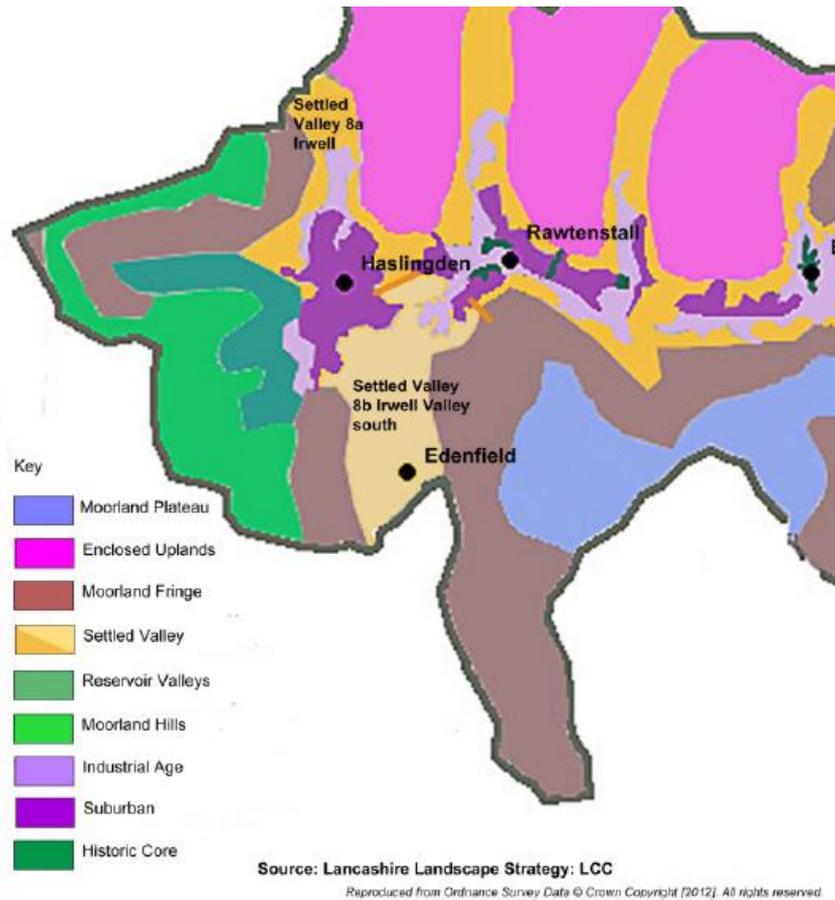
3.9 According to the Flood Map for Planning provided by the Environment Agency, the site lies within Flood Zone 1. Only those areas which lie adjacent to the course of Dearden Clough Brook further to the south are identified as being in Flood Zones 2 and 3.



**Figure 3.2 – Extract from Flood Map for Planning**

## LANDSCAPE

3.10 The Council commissioned a Landscape Character Assessment in 2015. The document separates areas of the Borough into various landscape character types, with reference to those identified in the Lancashire Landscape Strategy. The subject site which is located on the edge of the urban area of Edenfield falls into an area identified as 'Settled Valley'. The area is not identified as one which is of particular value.



**Figure 3.3 – Extract from Landscape Character Areas Plan**

- 3.11 The Landscape Character Assessment goes on to assess specific sites in relation to their development potential, although land at Elm Street is not considered in detail in this regard.

### **PUBLIC RIGHTS OF WAY**

- 3.12 Footpath number 14-3-FP164 runs in close proximity to the site to the south. The wider land which is in the ownership of our client is bounded by further footpaths as shown within Figure 3.4.

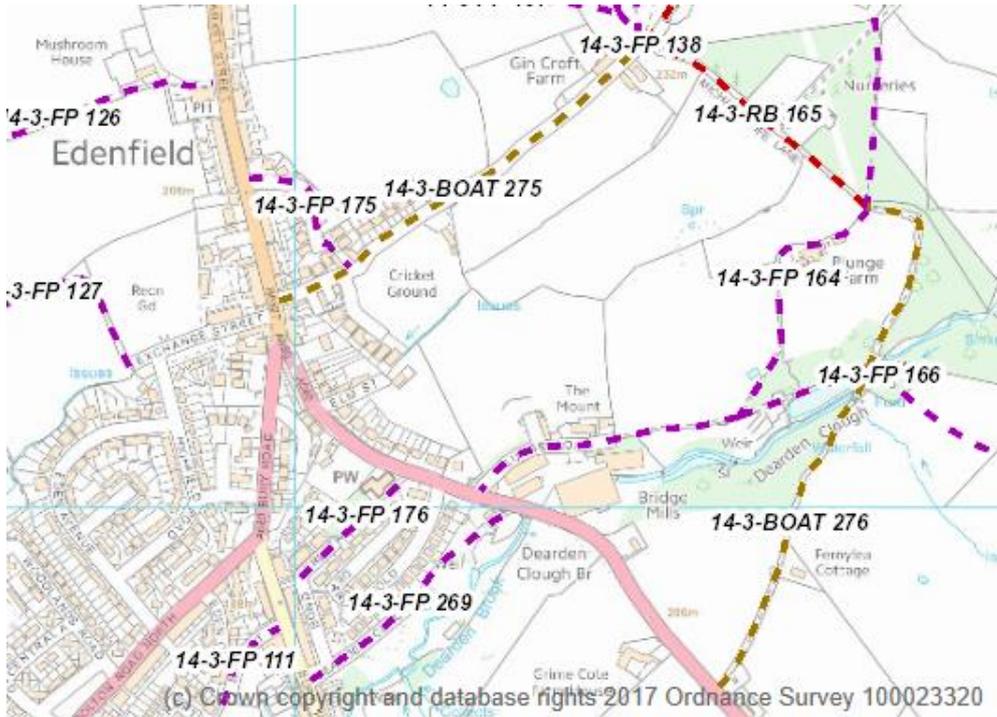


Figure 3.4 Extract of Lancashire County Council’s PROW Mapping

### AGRICULTURAL LAND QUALITY

3.13 According to the agricultural land quality database, land in this area is considered to be of poor or very poor value. This is identified in Figure 3.5 below.

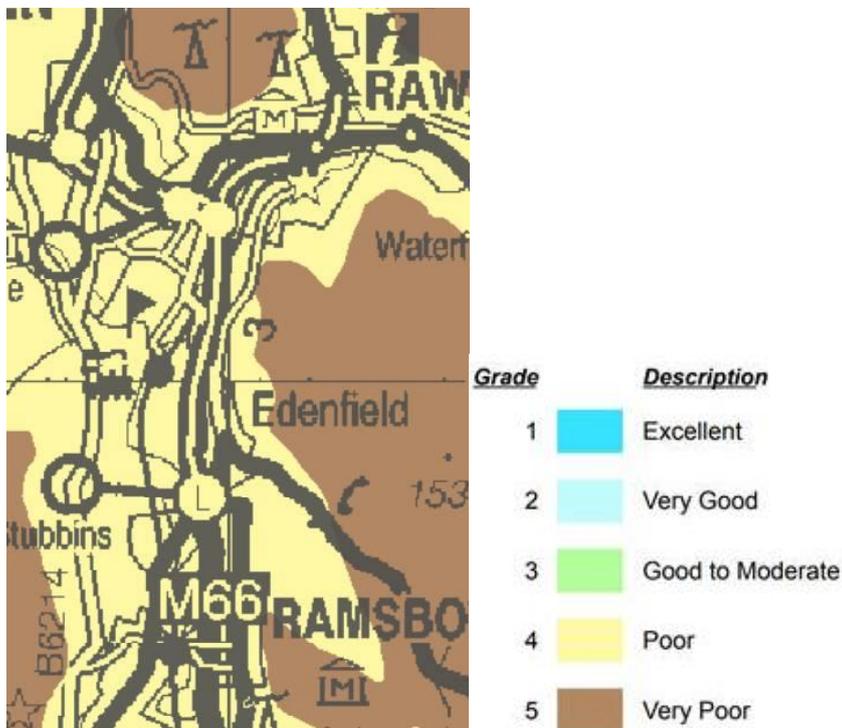


Figure 3.5 Extract of Natural England’s Agricultural Land Classification Mapping

## **ECOLOGY**

- 3.14 The site is not a statutory Ecological or Heritage asset neither is it within 1 km of a National Nature Reserve, Ramsar Site, Site of Special Scientific Interest or Special Protected Area.

## **SUMMARY**

- 3.15 In summary, none of the statutory or other designations identified would preclude development of the site.

## 4. GREEN BELT REVIEW

4.1 As part of the evidence base to inform the emerging Local Plan, a Green Belt Review was carried out by LUC with the final report being published in November 2016. The purpose of the review was to carry out an independent and comprehensive assessment of Green Belt within the Borough to inform the preparation of the new Local Plan. One of the key aims of the review was to provide clear conclusions on the relative performance of Green Belt which will enable Rossendale Borough Council to consider whether there are ‘exceptional circumstances’ (as per Paragraph 83 of the Framework) to justify altering Green Belt boundaries through the Local Plan process to meet development needs.

4.2 As previously identified, the Framework sets out five purposes of the Green Belt as follows:

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

4.3 In common with other studies we have reviewed the LUC Green Belt Assessment firstly establishes Green Belt parcels – in this instance there are 80 parcels included within five broad areas of Green Belt. In that respect the subject site falls within Parcel 47, as identified below.

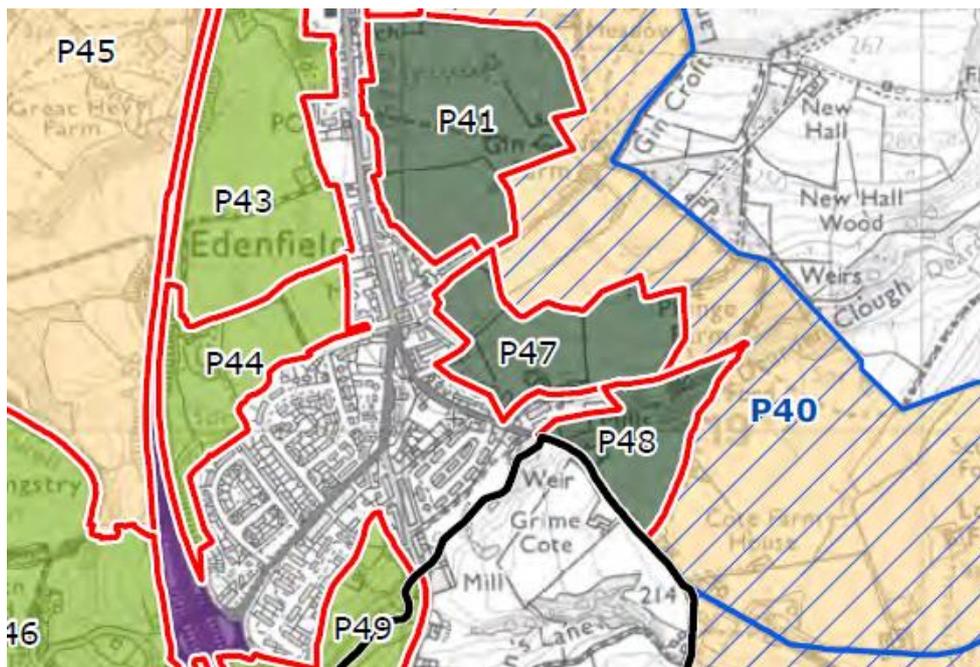


Figure 4.1 Extract from Green Belt Review (2016) Green Belt Parcels around Edenfield

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4.4 Parcels were formed through the identification of land that contains the same or very similar land uses or character bounded by recognisable features. These features are described as:

- Natural features i.e. substantial watercourses; and
- Manmade features i.e. motorways A and B roads, railways.

4.5 Less prominent features such as walls, woodland, hedges, tree lines, streams and ditches were also considered where other more permanent boundaries were not present.

4.6 Two types of parcel were identified:

- Areas adjacent to built up areas (relatively small parcels); and
- Broad areas of Green Belt that may be more remote from settlement.

4.7 The boundary of Parcel 47 is identified in further detail in Figure 4.2 below.



**Figure 4.2 Extract from Green Belt Review (2016) identifying Parcel 47**

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4.8 An assessment has then been made by LUC as to the ratings of the Green Belt parcels in Rossendale against the first four objectives of including land within the Green Belt as set out in Paragraph 80 of the Framework.

Parcel ref	Purpose 1a	Purpose 1b	Purpose 2	Purpose 3	Purpose 4
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	Moderate	Weak
49	Moderate	Moderate	Strong	Weak	No Contribution
50	Moderate	Moderate	Strong	Weak	No Contribution
51	Strong	Strong	Weak	Strong	Moderate

**Figure 4.3 Extract from Green Belt Review (2016) – Overall Assessment Table**

**Parcel Ratings**

Strong	Parcel performs strongly 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. (This is particularly relevant to P1a and 1b and whether the parcel is adjacent to the large built up area or not)

**Figure 4.4 Extract from Green Belt Review (2016) – Parcel Ratings**

4.9 It can be seen in Figure 4.3 that the Council’s Green Belt Assessment for Parcel 47 concluded that the parcel has a ‘strong’ role in relation to Purpose 1a and Purpose 1b, a ‘weak’ role in relation to Purpose 2, a ‘moderate’ contribution in relation to Purpose 3 and a ‘weak’ contribution in relation to Purpose 4. Purpose 5 is not detailed within the table given that all sites have been considered as equal in this regard.

4.10 We have considered the Council’s Green Belt Review and the analysis of the subject site below.

**PARCEL 47**

4.11 The assessment for Parcel 47 states that it lies adjacent to Edenfield and it lies between Edenfield and Rawtenstall.

4.12 In our view Parcel 47 is far too broad a study area which has led to skewed conclusions being reached by LUC. In our opinion there is a clear distinction between the western most part of Parcel 47 to that in the east. In that respect we comment on the conclusions reached by LUC below.

## **PURPOSE 1A - DOES THE PARCEL EXHIBIT EVIDENCE OF EXISTING URBAN SPRAWL AND CONSEQUENT LOSS OF OPENNESS?**

- 4.13 As identified within the assessment of the subject site, the land lies on the edge of Edenfield which forms part of the large built up area of Ramsbottom/Bury. The assessment considers that there are few urbanising features within the parcel and that there is a strong sense of openness. This may be the case for the eastern part of the parcel, however, the area to the west has a strong relationship with the existing urban area and the sense of openness is limited. Parts of the parcel are distinctly different in character and this means the assessment is flawed.
- 4.14 The western side of the parcel offers a sensible opportunity to round off the settlement and would not constitute unrestricted sprawl of the built up area.

4.15 **Result: No contribution.**

## **1B - DOES THE PARCEL PROTECT OPEN LAND FROM THE POTENTIAL FOR URBAN SPRAWL TO OCCUR?**

- 4.16 Land on the western side of the parcel makes a **Weak Contribution** to protecting land from the potential for urban sprawl. Containment can be achieved using existing building lines and former field boundaries.
- 4.17 **Result: Weak contribution.**

## **PURPOSE 2: TO PREVENT NEIGHBOURING TOWNS MERGING INTO ONE ANOTHER**

- 4.18 The assessment identifies that although this parcel lies between Edenfield and Rawtenstall, the settlements are 2km apart and so this parcel has a weak role in terms of preventing neighbouring towns merging into one another.
- 4.19 Again, the varying nature of land included within Parcel 47 makes it difficult to make a fair assessment and we consider that land on the western side of the parcel would have no contribution to this purpose.

4.20 **Result: No contribution.**

## **PURPOSE 3: TO ASSIST IN SAFEGUARDING THE COUNTRYSIDE FROM ENCROACHMENT**

- 4.21 It is stated within the assessment of Parcel 47 that properties along Plunge Road already give a sense of encroachment in this area.
- 4.22 In our view, existing buildings along Plunge Road, and others to the north along Boundary Edge and Gincroft Lane mark out the limits of the existing urban area. The western part of Parcel 47

does not go beyond these limits and therefore inclusion of some of this land within the urban area would not constitute encroachment. There is no basis for the Council considering that this site has a moderate role in this regard.

4.23 **Result: No contribution.**

#### **PURPOSE 4: TO PRESERVE THE SETTING & SPECIAL CHARACTER OF HISTORIC TOWNS**

4.24 The assessment of Parcel 47 considers its relationship with the historic settlement of Ramsbottom. However, it is concluded that the effects of development within this parcel on the character of the historic settlement are likely to be limited. We therefore agree with the conclusion that the site is rated as 'weak' in this regard.

4.25 **Result: Weak.**

#### **PURPOSE 5: TO ASSIST IN URBAN REGENERATION BY ENCOURAGING THE RECYCLING OF DERELICT & OTHER URBAN LAND**

4.26 It is noted that in line with the methodology all sites have been considered as having an equal contribution to this purpose, though it is not stated what this is.

4.27 **Result: Equal contribution.**

#### **OVERALL ASSESSMENT**

4.28 We consider the assessment which has been carried out for the subject site, which comprises part of the land included within Parcel 47 to be flawed as it overestimates the value of the Green Belt in this location. This is largely due to the fact that the parcel is too large and varied in nature for a fair assessment to be made.

4.29 We advocate that our client's land, particularly that to the west, makes a very weak to no contribution to four of the purposes of including land in the Green Belt and the remaining purpose 5 cannot be used for assessment purposes as all of the sites in the Borough are given equal weighting.

4.30 In line with the Council's methodology **the overall assessment for our client's site should therefore be weak.**

4.31 We consider the subject site as an appropriate site for release from the Green Belt as it is adjacent to the settlement boundary and has existing development on 3 sides. The site would form a logical extension to Edenfield in this location.

4.32 We reserve the right to make further representations in support of the release of the subject site from the Green Belt.

## 5. REPRESENTATIONS

- 5.1 In light of the assessment included within this report, we consider that land at Elm Street, Edenfield should be considered for release from the Green Belt.
- 5.2 Figure 5.1 shows the current Green Belt designation which covers the site in the emerging Local Plan Proposals Map. The extent of the urban boundary of Edenfield is marked with a red line.



**Figure 5.1 Extract from Local Plan Proposals Map identifying urban boundary**

- 5.3 It is clear that the area which lies immediately behind properties on Rochdale Road is enclosed on three sides and, as set out in Section 4 of this report, has a very limited role in terms of the five purposes of the Green Belt as identified in the Framework.
- 5.4 The nature of the existing urban boundary in this location means that this part of the Green Belt provides an opportunity for rounding off the settlement without causing encroachment into the surrounding Green Belt which is more open in nature. In a Borough such as Rossendale which has a significant amount of smaller settlements and a large amount of countryside, it is imperative that sustainable sites on the edge of existing urban areas are fully considered in terms of their ability to meet the Borough's development needs where appropriate. Rossendale is further limited due to its topography and the subject site lies in a relatively flat part of the Borough.
- 5.5 Edenfield is a sustainable settlement and the subject site is within 150m of local services along the high street. The village has good road links to Ramsbottom, Rawtenstall and beyond. Access to the site is achievable via Elm Street.

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5.6 The site is entirely appropriate for inclusion within the urban boundary of Edenfield. Indeed, part of the wider Green Belt parcel may have a future role in delivering sustainable development beyond the emerging Local Plan period.

**PROPOSED MODIFICATION**

5.7 The Council is respectfully requested to modify the proposed urban boundary of Edenfield to include land to the rear of properties along Rochdale Road as shown below.



**Figure 5.2 Proposed Amendment to Green Belt Boundary**

5.8 The extension of the urban boundary in this location is considered entirely appropriate having regard for the site’s limited Green Belt function and the fact that it is bounded by the urban area on three sides.

5.9 We contend that this would properly reflect the provisions of Paragraph 83 of the Framework which sets out that amendments to Green Belt boundaries can only be made in exceptional circumstances and through the local plan process. In addition, the amendment to the Green Belt boundary in this instance would be fully in accordance with Paragraph 84 of the Framework which sets out that such amendments should only be made to facilitate sustainable development patterns.

## **6. CONCLUSIONS**

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- 6.1 The starting point for consideration of the Council's Local Plan is the well- established principle embodied in Paragraph 158 of the Framework that Development Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.
- 6.2 The Framework is clear at Paragraph 83 that Green Belt boundaries can be amended in exceptional circumstances, through the local plan process. Paragraph 84 further states that this can only be done in order to facilitate sustainable development.
- 6.3 It has been highlighted in this Representation that land at Elm Street does not meet the five purposes of the Green Belt as set out in Paragraph 80. As a result, and in order to provide for sustainable development over the plan period, the land should be included within the urban boundary of Edenfield and subsequently it should be removed from the Green Belt.

**Hourigan Connolly**

**9 October 2017**