

Rossendale Local Plan Examination

MATTERS, ISSUES AND QUESTIONS (MIQs)



Matter 9 – Housing site allocations: Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

Issue – Are the proposed housing allocations in Rawtenstall, Crawshawbooth, Goodshaw and Loveclough justified, effective, developable/ deliverable and in line with national policy?

- H1 – Greenbridge Mill (Hall Carr Mill) Lambert Haworth**
- H2 – Magistrates Court, Rawtenstall**
- H3 – Land at former Oakenhead Resource Centre**
- H4 – Turton Hollow, Goodshaw**
- H5 – Swinshaw Hall, Loveclough**
- H6 – Land south of 1293 Burnley Road, Loveclough**
- H7 – Land Adjacent Laburnum Cottages, Goodshaw**
- H8 – Oak Mount Garden, Rawtenstall**
- H9 – Land off Oaklands and Lower Cribden Avenue**
- H10 – Land at Bury Road, Rawtenstall**
- H11 – The Hollins, Hollin Way**
- H12 – Reedsholme Works, Rawtenstall**
- H13 – Loveclough Working Mens Club and land at rear and extension**
- H14 – Hall Carr Farm, off Yarraville Street**
- H15 – Willow Avenue off Lime Tree Grove**
- H16 – Land East of Acrefield Drive**
- H17 – Land south of Goodshaw Fold Road**
- H18 – Carr Barn and Carr Farm**
- H19 – Land off Lower Clowes Road, New Hall Hey**

The general questions below apply to all of the sites within Matter 9 and the answers will correspond with the respective letter.

The additional specific questions raised by the Inspector in the MIQs document for certain site allocations will be set out under the relevant site allocation.

General Questions

a) Is the site suitable for housing? Are there any specific constraints or requirements associated with the site, or a need to seek mitigation

measures to achieve an acceptable form of development? Should these be specified in the Plan?

b) Is the proposed site capacity appropriate, taking account of constraints and the provision of necessary infrastructure?

c) Is the site available and deliverable in the timescales envisaged?

The following commentary has been informed by evidence such as the SHLAA 2018 ([EB004](#)), the Heritage Impact Assessment ([EL1.002g](#)), Strategic Flood Risk Assessment 2016 ([EB032](#)), Landscape Study ([EB025](#)) and responses from consultees such as Highways England and LCC Highways (see Regulation 19 responses [SD010](#)). These have provided information on constraints and, if identified, potential mitigation. Further information provided as part of a planning application has also been used where relevant.

If the Inspector deems it to be appropriate, further detail could be provided on those sites where specific constraints and/or mitigation has been identified (if these are considered to necessitate specific guidance). This could include a site plan and a brief summary of considerations and could be prepared for relevant sites as a Main Modification.

H1 – Greenbridge Mill (Hall Carr Mill) Lambert Haworth

- a) The SHLAA 2018 concluded that the site is suitable for housing subject to appropriate mitigation measures related to flood risk and the heritage impact on the Listed Building Grade II – Greenbridge Works.

The Heritage Impact Assessment concluded converting the site for residential in principle is acceptable and any possible concerns or harm to the Listed Building can be mitigated whilst the building's proposed re-use would present an opportunity of enhancing the building.

- b) The site capacity of 64 dwellings is considered appropriate and is based on converting the existing mill building which needs to be retained.
- c) The site is currently vacant and the landowner has expressed an interest in developing the site for residential use. Therefore the site is considered available.

A pre-application was submitted on 10.12.2018 proposing to convert the existing mill building to create dwellings and provision of new build dwellings totalling 104 dwellings. Therefore, the Council considers the site deliverable in years 1-5 of the Plan period.

H2 – Magistrates Court, Rawtenstall

- a) The site is suitable for housing as evidenced by the extant planning approval 2014/0233 for 11 dwellings which is currently under construction.
- b) The site capacity of 11 dwellings is considered appropriate as it matches the capacity of the extant planning approval.
- c) The site is currently under construction and it is expected to be complete in years 1-5 of the Plan period.

H3 – Land at former Oakenhead Resource Centre

- a) The site is suitable for housing as evidenced by the extant planning approval 2018/0233 planning approval for 19 dwellings and the site is currently under construction.
- b) The site capacity of 19 dwellings is considered appropriate as it matches the capacity of extant planning approval.
- c) The site is currently under construction and it is expected to be complete in years 1-5 of the Plan period.

H4 – Turton Hollow, Goodshaw

- a) The SHLAA 2018 concluded that the site is suitable for housing subject to a land stability report being submitted in relation to the proposed slope on the western part of the site.
- b) The site capacity of 30 dwellings is considered appropriate as it has been estimated using a net developable area which avoids land in private ownership and considers density of 30 dwellings per hectare.
- c) The site is available and the Council considers the site developable in years 6-10 of the Plan period, rather than years 1-5.

Specific Question:

i) What effect would the proposed allocation have on Stone Holme Terrace, particularly in terms of ground stability, drainage, flooding and existing residents living conditions?

The Local Lead Flood Authority has been consulted on the site allocation and stated a proposed scheme with a carefully considered surface water drainage plan, with adequate drainage mitigation, could reduce any surface water flood risk within the site as well as any threat to properties adjacent such as those living at Stone Holme Terrace.

As stated above, a proposal for residential development would have to be supported by a land stability report.

H5 – Swinshaw Hall, Loveclough

- a) The site has potential ecological value as it is identified as a grassland Stepping Stone habitat. This constraint, alongside the presence of the heritage asset of Swinshaw Hall, and its wider grounds, have influenced the net developable area. Therefore, subject to appropriate landscape and ecological mitigation, the site is considered suitable for housing.
- b) The site capacity of 47 dwellings is considered appropriate as it is based on a net developable area which excludes the heritage asset Swinshaw Hall as well as areas of ecological value.
- c) The site is considered available and the individual sites which are considered suitable for residential development have landowners who have expressed an interest in residential development and are proposing to submit a pre-app / planning application subject to the Local Plan being adopted. The site is available and the Council considers the site developable in years 6-10 of the Plan period, rather than years 1-5.

Specific Questions:

- i) **Is the site capable of being safely accessed? Have the concerns of the Local Highways Authority been satisfied? Specifically, can a widened access from Burnley Road, a private access to Broad House and a secondary/emergency and pedestrian/cycle access onto Goodshaw Road be achieved?**

At Regulation 19 stage, the Local Highway Authority stated a new / widened access off Burnley Road could be achieved, including potentially the private access to Broad House and the Council would expect access improvements as part of any future planning application.

LCC have been contacted to provide their latest position on this site but no further assessment of the site has been conducted in relation to access.

- ii) **What effect would the proposed allocation have on drainage, flooding and existing residents nearby living conditions?**

The Local Lead Flood Authority has been consulted on the site allocation and noted that three narrow strips of land suffer from low flood risk surface water. However, with a carefully considered surface water drainage plan, with adequate drainage mitigation, development of the site could reduce any surface water flood risk within the site as well as any threat to properties adjacent.

- iii) **Can the setting and significance of Swinshaw Hall be preserved? If so how?**

The site allocation has its own policy in the Local Plan – HS5: Swinshaw Hall, which states development of the site is permitted

subject to a masterplan for the full development of the site being submitted, as well as a design code that considers the design and layout considerations in order to respect and protect the setting of Swinshaw Hall.

Furthermore, it should be noted the grounds of Swinshaw Hall have been excluded from the developable area to protect its setting.

iv) Have the landscape and visual impacts been considered cumulatively with regard to H6 - Land south of 1293 Burnley Road, Loveclough?

The landscape and visual impact of H5 and H6 have not been considered cumulatively. Only 5 dwellings are proposed for H6 and there is some distance between the two allocations. A landscape assessment was undertaken for H5, as it is considerably larger in size and capacity.

H6 - Land south of 1293 Burnley Road, Loveclough

- a) The SHLAA 2018 concluded that the site is suitable for housing provided access to the site is approved by LCC Highways.
- b) The site capacity of 5 dwellings is considered appropriate.
- c) The landowner has expressed an interest in developing the site and the site is considered available. The Council considers the site developable in years 6-10 of the Plan period, rather than years 1-5.

Specific Questions:

i) Is the site capable of being safely accessed?

The Local Highway Authority considers the site to be deliverable subject to visibility splays being achievable based on 85 percentile speeds.

ii) Would all five dwellings be self-build?

The full site area of H6 has been allocated for self-build.

H7 - Land Adjacent Laburnum Cottages, Goodshaw

- a) The SHLAA 2018 considers the site to be suitable for housing. The net developable area for the site has been significantly reduced in light of the recommendations from the Heritage Impact Assessment.
- b) The site capacity of 10 dwellings is considered appropriate as it has been estimated using a net developable area which excludes the land surrounding the listed St Mary's and All Saints Church.

- c) The Council considers the site developable in years 6-10 of the Plan period, rather than years 1-5.

Specific Questions:

- i) Is the site of open space of public value? If so, is its loss justified within the terms of paragraph 97 of the National Planning Policy Framework?**

The site is within the ownership of Rossendale Borough Council and is currently designated as 'Greenlands'. The site is part of a wider piece of open land and the Council consider that this part of the site is suitable for development. An assessment has not recently been conducted to determine the open space value of the site. However, if necessary, this could be assessed through any planning application on the site which will seek to provide suitable compensation.

The site was assessed as part of the Environmental Network Study 2017 (EN Study), which identified the site delivered a limited number of Green Infrastructure functions, one being recreation, and concluded the site was of lesser environmental value compared to others in the Borough. The EN Study recommended the site could be considered for release for development, however this should be tested against the need for people to access green space in the local area.

H8 – Oak Mount Garden, Rawtenstall

- a) The SHLAA 2018 concluded that the site is suitable for housing providing that the constraints relating to access and gradient can be mitigated.
- b) The site capacity is considered appropriate based on the net developable area and a density of 30 dwellings per hectare.
- c) The landowners have expressed an interest in developing the site and the site is considered available. The Council considers the site developable in years 6-10 of the Plan period, rather than years 1-5.

H9 – Land off Oaklands and Lower Cribden Avenue

- a) The site is suitable for housing as evidenced by the extant planning approval 2015/0334 planning approval for 34 dwellings and the site is currently under construction.
- b) The site capacity has been recorded as 31 dwellings as 3 dwellings of planning approval 2015/0334 were completed between 01/04/17 – 31/03/18.

- c) The site is currently under construction and it is expected to be complete in years 1-5 of the plan period.

Specific Question:

- i) Should the number of dwellings be changed from 31 to 34 dwellings to reflect planning approval reference 2015/0334?**

Planning permission was granted for 34 dwellings and the 5YHLS Report (2018/19 – 2022/23) recorded the net number of dwellings approved as 34 and the number of dwellings built between 01/04/17 – 31/03/18 as 3.

The delivery of the outstanding capacity will be recorded through the Council's 5YHLS Reports which are regularly produced. The 31 dwellings identified is the remaining number that are to be provided on the site. As the site is under construction, this will change as houses are completed.

H10 – Land at Bury Road, Rawtenstall

- a) The SHLAA 2018 concluded that the site is suitable for housing subject to constraints relating to flood risk, potential contamination and protection of the wooded area being mitigated.

The site capacity of 7 dwellings is considered appropriate as it has been estimated using a net developable area which has been reduced to reflect the area situated in Flood Zone 3 and the areas which are wooded.

- b) The site is considered available; however, the Council considers the site developable in years 6-10 of the Plan period, rather than years 1-5.

Specific Question:

- i) Is the site safe in flood risk terms? Have the concerns of the Environment Agency been satisfied? Is the Council proposing an amendment to the boundary to exclude land at risk of flooding?**

On 23rd January 2019 the EA submitted an additional response in relation to site allocation H10 and stated:

"To avoid any flood risk issues and ensure that the allocated site is deliverable, I'd suggested revising the boundary as per the red-edged polygon on the attached map. This avoids works within the channel, removes the site from Flood Zone 3 and avoids the need for the Sequential Test."

As set out in the Flood Risk Incorporating Sequential Test Topic Paper (March 2019) [EB033](#) the Council is agreeable to the EA's recommendation that the boundary of H10 should be revised, which

would overcome concerns relating to flood risk and would also protect a significant area of woodland within the site. If the Inspector deems it to be appropriate, the Policies Map could be amended to reflect this change as a Main Modification.

The Local Lead Flood Authority has been consulted on the site and noted the east boundary of the site is classed as low flood risk from surface water but with a carefully considered surface water drainage plan, with adequate drainage mitigation, development of this section could reduce any surface water flood risk within it.

H11 – The Hollins, Hollin Way

- a) The site is suitable for housing as evidenced by the extant planning approval 1990/815 for 175 dwellings and the site is currently under consideration.
- b) The site capacity of 70 dwellings is considered appropriate and is based on a net developable area of 2.62ha and a density of 27 dwellings per hectare.
- c) The site is currently under construction and is expected to be completed within years 1-15 of the plan period.

Specific Question:

i) How does the proposed number of dwellings reflect planning approval reference 1990/815 for 175 dwellings?

The site has a complex planning history. The original 1990 permission was implemented and houses have been built under this permission. Over time, subsequent planning approvals have amended the site layout and the development has been built out in a piecemeal fashion. Housing completions on the site have been monitored and reported as part of the housing return data.

The remaining land within the allocation will accommodate the capacity identified (shown as 70 dwellings in the Local Plan but now identified as 65 as of 01/04/19 as 5 were built during 2018/19). The 65 dwelling capacity includes any remaining dwellings been built out on approved schemes as well future capacity on land which has not yet been granted permission.

H12 – Reedsholme Works, Rawtenstall

- a) The site is suitable for housing as evidenced by the extant planning approval 2018/0535 for 97 dwellings.
- b) The site capacity is considered appropriate as it has been estimated based on a net developable area with no known constraints and with a density of

50 dwellings per hectare.

- c) Planning approval 2018/0535 was granted permission on 17/01/2019 and it is expected to be commenced within years 1-5 of the plan period.

Specific Question:

- i) Should the number of dwellings be changed from 110 to 97 dwellings to reflect planning approval reference 2018/0535?**

The site area for planning approval 2018/0535 does not extend across the entire housing allocation and a significant section of land to the east is still considered developable. Therefore, the Council considers the capacity of 110 to remain appropriate.

H13 - Loveclough Working Mens Club and land at rear and extension

- a) The site is suitable for housing as evidenced by the extant planning approvals related to the site:
- An extant outline planning approval has been granted for 10 dwellings (2011/0457) on land which includes the Loveclough Working Mens Club and areas adjacent;
 - Planning approval (2018/0372) on another part of the site for 1 dwelling which is currently under construction;
 - The remaining area of the site, excluding land surrounding the ruin, has been granted outline planning approval (2018/0554) for up to 80 dwellings with all matters reserved except for access.
- b) The site capacity of 95 dwellings was considered appropriate as it has been estimated on a net developable area and a net density of 30 dwellings. However, the site has since had planning permissions approved which propose 91 dwellings in total for the site.
- c) The site is available now and is considered deliverable within years 1-5 of the Plan period as evidenced by the three extant planning permissions approved on the housing allocation.

Specific Question:

- i) Should the capacity of the site be increased to 105 dwellings as suggested by the landowner?**

The land belonging to the landowner who suggested the increase in capacity has since been granted outline approval for 80 dwellings. Together with the other permissions on the site, the capacity of the site is currently 91 and therefore the Council does not consider it appropriate to increase the capacity of the site to 105 dwellings.

- ii) Is the site safe in flood risk terms?**

The site has been granted planning permission. The Local Lead Flood Authority has been consulted on the site and noted that with a carefully considered surface water drainage plan, with adequate drainage mitigation, development of this site could reduce any surface water flood risk within it.

iii) What impact would the proposal have on the local road network, and are mitigation measures necessary? What is Lancashire County Council's latest position?

The site has been granted planning permission. The Local Highway Authority considers the potential impact on the road network to be not severe, however mitigation measures would be required to ensure public safety in the form of a formal pedestrian crossing to access public transport.

H14 – Hall Carr Farm, off Yarraville Street

- a) The principle of the site's suitability for housing is demonstrated by the two previous outline applications which recommended permission should be granted. They were only later refused due to the S106 agreement not being signed.
- b) The site capacity of 26 dwellings is considered appropriate as it is based on the previous planning application (2015/0489) which was recommended for approval but later refused on the S106 agreement not being signed.
- c) The site is considered available and deliverable in years 1-5 of the Plan period.

H15 – Willow Avenue off Lime Tree Grove

- a) The SHLAA 2018 concluded that the site is suitable for housing. Constraints identified such as the site access and heritage impact would have to be addressed.
- b) The proposed capacity of the site is considered to be appropriate although any effect on heritage should be considered.
- c) The site is available and can be developed within years 11-15 of the plan period.

Specific Question:

- i) Is the site capable of being safely accessed? What impact would the proposal have on the local road network and are mitigation measures necessary? What is Lancashire County Council's latest position?**

The Local Highway Authority has stated the only potentially viable access is from Cribden Street, as all other nearby roads are not suitable.

The Highway Authority considers the impact on the local road network would be minimal in terms of trip generation.

ii) What effect would the proposed allocation have on existing residents living conditions particularly those living on Slaidburn Avenue and drainage and flooding in the area?

With regards to drainage and flooding in the area, the Local Lead Flood Authority (LLFA) has stated that with a carefully considered surface water drainage plan, with adequate drainage mitigation, development of this site could reduce any surface water flood risk within it as well as any threat to properties at the rear of Burnley Rd.

The surface water flooding issues affecting some properties on Slaidburn Avenue will likely still exist following development of the site allocation, however this is due to its elevated position. The Council does not consider that the proposed allocation will have a detrimental impact on the living conditions of existing residents adjacent to the site. This will also be assessed at planning application stage.

H16 – Land East of Acrefield Drive

- a) The SHLAA 2018 concluded that the site is suitable for housing subject to a flood risk assessment.
- b) The site capacity of 18 dwellings is considered appropriate as it has been estimated using a net developable area and applies a density of 30 dwellings per hectare.
- c) The site is available and can be developed within years 11-15 of the plan period.

H17 - Land south of Goodshaw Fold Road

- a) The site area has been significantly reduced since the 2018 SHLAA assessment and the site would be suitable for housing subject to a flood risk assessment and a potential coal mining risk assessment (the site area of H17 is located in a low risk area, yet a high risk area is located further south).

The site is situated to the west of terraced properties located on Burnley Road, which is considered to reduce the potential landscape impact. As potential heritage impact has been raised, consideration should also be given to this.

- b) The site capacity of 7 dwellings is considered appropriate as it has been estimated using a net developable area and applies a density of 30 dwellings per hectare.
- c) The site is available and can be developed in years 6-10 of the plan period. A pre-application has recently been submitted which is currently under consideration.

Specific Question:

- i) Is the site capable of being safely accessed? What impact would the proposal have on the local road network, and are mitigation measures necessary? What is Lancashire County Council's latest position?**

The Local Highway Authority have confirmed access to the site allocation would be achievable whilst the impact on the local road network would be minimal. No obvious mitigation would be required.

- ii) Could the site be developed whilst also maintaining acceptable living conditions for residents living nearby?**

The site is a small allocation with a site capacity of 7 dwellings. The Council does not consider development of the site would reduce the living conditions of residents living nearby to an unacceptable condition.

H18 – Carr Barn and Carr Farm

- a) The site is made up of two SHLAA sites and the SHLAA concludes that the sites are suitable for housing. Access to the site allocation would have to be improved in order for the site to be suitable and a flood risk assessment would have to be carried out.

As potential heritage impact has been raised, consideration should also be given to this.

- b) The proposed capacity of 25 dwellings is considered appropriate and is based on a net developable area of 1.24ha and a density of 20 dwellings per hectare.
- c) The site is available and is considered developable in years 6-10 of the Plan period.

H19 – Land off Lower Clowes Road, New Hall Hey

- a) A lawful development certificate (2016/0273) has been approved on the site which confirms that a material start was made on a previous planning approval (2002/0532) prior to its expiration date.
- b) The site capacity of 7 dwellings is considered appropriate and is based on the extant planning approval 2002/0532 and is considered appropriate.
- c) The site is available and can be developed within years 11-15 of the plan period.