

## **Rossendale Local Plan Examination**

### **Local Plan Examination Inspector's Matters, Issues and Questions**

#### **Matter 8 – Approach to Site Allocations and Green Belt Release**

#### **Hearing Statement**

**Peter Brett Associates**

August 2019

On Behalf of Hurstwood Holdings







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# 1 INTRODUCTION

- 1.1 This Hearing Statement has been produced by Peter Brett Associates (now part of Stantec) on behalf of Hurstwood Holdings, and is submitted to the Examination of the new Rossendale Local Plan 2019 – 2034.
- 1.2 Over recent years Hurstwood Holdings has been promoting various sites in Rossendale for residential development through the ongoing consultation process on the new Local Plan, including land at Hurst Lane, Johnny Barn Close and Union Road. In June 2013, in response to the Green Belt and Urban Boundary Review consultation, we submitted a range of detailed development framework reports setting out how these sites could be sustainably delivered to provide much-needed new housing in the Borough.
- 1.3 In September 2015 we submitted further comments to the ‘Local Plan Part 2: Site Allocations and Development Management Policies’ document. This document was then abandoned in favour of the production of a new Local Plan. Accordingly, in October 2017 we submitted comments as part of the last round of consultation on the new Local Plan. We also then submitted further comments on behalf of Hurstwood Holdings in October 2018 in relation to the pre-submission version of the draft Rossendale Local Plan.
- 1.4 In parallel with the production of the new Local Plan, we have also held a number of meetings with the Council and submitted two planning applications for the sites at Hurst Lane and Johnny Barn Close. The land at Hurst Lane has since been granted planning permission for two dwellings (Ref: 2015/0308, dated 22 June 2017), and the land at Johnny Barn Close has outline planning permission for 30 dwellings (Ref: 2015/0517, dated 2 July 2018). The latter is currently part of proposed housing allocation H60.
- 1.5 More recently, we have also engaged with the Council on the Union Road site via the formal pre-application process, and a meeting was held with the Council in February 2019 in relation to this site (Ref: 2018/0063/PREAPP). A draft layout plan depicting how a residential scheme could be accommodated within this site is enclosed at Appendix A. Over the past few years we have been instructed to undertake various technical assessments of the Union Road site in preparation for a forthcoming planning application – these include a Landscape and Visual Assessment, Flood Risk Assessment and Transport Statement). Although the application was never formally submitted given the continued designation of the land within the Green Belt, these reports confirm that (i) the site is suitable and sustainable for residential development, (ii) the site can be removed from the Green Belt without offending any of the five ‘purposes’ set out at paragraph 134 of the National Planning Policy Framework (NPPF), and (iii) the development of this site can be achieved without any significant landscape impact. Should the Inspector decide it would be useful to have sight of these documents we would be pleased to provide them upon request.

- 1.6 Our client has therefore consistently engaged with the Council and Local Plan process at every appropriate juncture, and accordingly submit these further comments and confirm our intention to participate in the formal Local Plan Examination process.
- 1.7 For the avoidance of doubt, in this Statement we have intentionally only referred to the specific issues and questions that we wish to comment on and draw to the attention of the Inspector.

## 2 OUR COMMENTS

### Matter 8 – Approach to Site Allocations and Green Belt Release

*Is the Plan's approach to identifying site allocations (housing, employment and mixed use) and Green Belt releases soundly based and in line with national policy? Do the allocation policies provide a clear and effective framework for growth?*

- 2.1 No, the approach to identifying site allocations is unsound and fails to provide an effective framework for growth.
- 2.2 In the earlier version of the draft 'Local Plan Part 2: Site Allocations and Development Management Policies' published in 2015, the land behind the former Rawtenstall hospital site off Union Road was proposed for removal from the Green Belt and allocation for residential development (Ref: H27 – land behind the former hospital site, Rawtenstall). The Council's view at that time was that the site was a suitable candidate for release, reflecting its proximity to the adjacent major developed site and the very limited impact the development of this land would have on the openness of the wider Green Belt in this location. The draft Local Plan anticipated the delivery of approximately 66 houses across the site, albeit in the middle part of the plan period (years 6-10). This was informed by the landscape and visual assessment undertaken by Penny Bennett Landscape Architects in February 2015, who concluded that the site was suitable for development with mitigation.
- 2.3 In the October 2017 consultation version of the new Local Plan, the Council inexplicably changed its view on this site. The plans published in 2017 were not very clear, but it appeared that only a very small part of this site was proposed for allocation as part of what was at that time draft allocation HS2.62, which also covered land outside our client's ownership. The remainder of the land was proposed to stay within the Green Belt. We submitted a representation at that time expressing our deep concern about this unexpected and unjustified change to the status of the Union Road site, and strongly objected to this part of the draft Local Plan.
- 2.4 The Council appears to have ignored our comments and now in the current version of the draft Local Plan the entirety of this site has been omitted from the proposed housing allocations. We also note that the new build housing estate at the former Rawtenstall hospital site (designated as a 'Major Development Site' in the Green Belt within the 2011 Core Strategy) remains washed over by the Green Belt, despite the fact that the land has been fully developed by Taylor Wimpey for housing and is therefore performing no meaningful Green Belt function whatsoever. We consider that the Council's approach to this area of land is also wholly inappropriate and unjustified. This land is clearly developed and should be removed from the Green Belt as it performs none of the five purposes. The land to the immediate rear within our clients control wraps around the north and east of the former hospital site and

would form a modest extension to this deliverable site, without any significant additional incursion into the Green Belt.

- 2.5 We previously supported the Council's decision to remove this land from the Green Belt, which corresponded with our previous representations and robust assessment that the site is performing a very limited Green Belt function. This land represents an appropriate location for the release of Green Belt, and this is clearly required to meet some of the development needs of the Borough. This accords with the Council's own published evidence base, whereby the site was assessed as part of 'Land Parcel 14' in the Green Belt Assessment (LUC, November 2016) as performing as follows:
- Purpose 1 – not applicable
  - Purpose 2 – strong
  - Purpose 3 – weak
  - Purpose 4 – no contribution
  - Purpose 5 – equally significant with all other parcels
- 2.6 The site was therefore found to perform a 'strong' function against only one of the five purposes of the Green Belt. The site was otherwise assessed to make either a weak or no contribution against two of the other purposes. One purpose was not applicable, and the assessment against the fifth purpose is the same for all sites and therefore this land fares no better or worse than others. Overall, the LUC report demonstrates that there is no strong justification to retain this land within the Green Belt.
- 2.7 The Union Road site has also been assessed in the Strategic Housing Land Availability Assessment (SHLAA, August 2018) under site Ref: SHLAA16318 ('Kirkhill Rise C, Land behind Hospital site, Rawtenstall). This report concludes that the land is available, viable and generally suitable for residential development in the medium term. The assessment envisages the delivery of 24 dwellings in the six to ten-year period.
- 2.8 However, we note that the site has now been identified as a 'Wetland and Heath Stepping Stone Habitat' in the 'Lancashire Ecological Network Map', and the area available for development has therefore been reduced by 50 per cent to protect part of the habitat. We have serious concerns about the transparency and robustness of this designation. We assume that the Council is referring to the analysis undertaken over recent years by the Wildlife Trust for Lancashire, Manchester and North Merseyside (LWT), together with the Lancashire Environment Record Network (LERN), on behalf of the Lancashire Local Nature Partnership. We have looked at this document and associated available mapping, and note that the Lancashire Ecological Network Approach and Analysis report (Version 1a, June 2015) includes the following clear caveat:

*'Results from the Wetland and Heath ecological network analysis need further refinement and should be treated as draft at this stage.'* (our emphasis added)

- 2.9 We are not aware of any final and approved data for the wetland and heath category, and therefore the Council should not be making strategic planning decisions based on the draft data which are yet to be finalised. The report comes with this very specific health warning, which the Council seem to have ignored. The Council appear to have used this data to rule out areas of land, and we consider that this approach is flawed and potentially erroneous. Until such a time as this element of the data are in an agreed form, the Council should not be treating this as an absolute constraint. Furthermore, there has been no public engagement during the production of this work, and we have not been offered the opportunity to comment on or challenge this designation.
- 2.10 Not only this, but there is no information in this report which shows that the Union Road site is a 'stepping stone' for wetland and heath habitats. Our own Ecological Assessment of the site has identified small patches of marshy grassland on the site, which are not considered to meet the Lancashire Biodiversity Habitat Action Plans. No locally important designated sites are within the site boundary. The closest Important Wildlife Site (IWS) is Lower Pike Lowe Quarry which is located 20 m from the western boundary of the site. The IWS is designated for its characteristic dry acid grassland. IWSs represent the 'second tier' of non-statutory designated sites in Lancashire, and are considered to be 'Local' value for nature conservation. The closest Biological Heritage Site to the proposed development is Brown Edge Fields, an area of acid grassland and heath located approximately 1.5 km to the northwest of the site. BHSs represent the 'first tier' of non-statutory designated sites in Lancashire, which are considered to be the equivalent of 'County' value for nature conservation. The site has demonstrably little ecological value and the assessment of this site in the SHLAA is fundamentally flawed.
- 2.11 We also note that the SHLAA only reduces the site capacity by half, and does not suggest the entire site should be ruled out on this basis. With this in mind, there is no good reason why the Council should remove this previously proposed housing allocation.
- 2.12 We also question the decision not to extend the urban boundary around the former hospital site, which is now redeveloped for housing. This land is performing none of the Green Belt purposes following its complete redevelopment, and therefore we cannot understand why the Council has not taken this opportunity to propose a sensible amendment to the Green Belt and urban boundary to reflect the new extent of the built up area in this location.
- 2.13 For the reasons set out above, we believe that Local Plan as currently drafted is unsound. We have profound reservations over the reliability and robustness of the approach to assessing potential residential development sites, and indeed the appropriateness of the urban and Green Belt boundary.
- 2.14 To remedy this, we would therefore request that the Council (i) re-visits the SHLAA assessment of all sites affected by the clear mistake in the application of the wetland and heath habitat data, and (ii) reconsiders its approach to this site and reverts back

to allocating the land at Union Road as it did in the previous 2015 draft 'Local Plan Part 2'.

- 2.15 To be clear, we consider that the Council should extend the urban boundary to include the former hospital site and also the land to the rear in control of our client. The Council has previously recognised that the site is suitable for development, and we maintain that the site can accommodate a high-quality scheme that will sit alongside the current development on the former hospital site. We also previously emphasised that the site is fully deliverable in the early stages of the plan period with confirmed market interest, and would like to take this opportunity to reiterate these points. This site is capable of making a genuine contribution towards meeting the housing requirements in the Borough and its inclusion will help ensure that the plan is robust and sound.



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# **APPENDIX A UNION ROAD – INITIAL PLANS**

# Union Road, Rossendale



## Accommodation Schedule

House Type	No.	Sq ft.	Total Sq ft	Beds	Storey
PA21	15	602	9030	2	2
PA30	5	753	3765	3	2
PD48	10	1153	11530	4	2
PD32	8	967	7736	3	2
PB35	8	1085	8680	3	2.5
PA411	4	1248	4992	4	2
PT38	1	818	818	3	2
PT42	2	1222	2444	4	2
PD410	1	1334	1334	4	2

TOTAL 54 50329

**Taylor Wimpey**

**Baldwin Design**  
Consultancy Ltd

Revision:  
 A 19.06.13 Mix amended following client comments  
 B 23.06.13 Text Change  
 C 07.04.14 Site Layout revised.  
 D 22.04.14 Mix amended following client comments  
 E 23.04.14 Plot 1 revised.  
 F 06.05.14 Turning head amended and affordable plots denoted by asterisk  
 G 13.05.14 Plot substitution (Plots 40-43 & 50-53)  
 H 15.05.14 Footpath amendments  
 I 18.07.14 Footpath added  
 J 05.08.14 Foot path amended  
 K 03.09.14 Parking provision and turning head revised

Project Title:  
Residential Development

Address:  
Union Road,  
Rossendale

Drawing:  
Colour Site Layout

Drawing No:  
HH/UR/CSL/01

Drawn: AWK	Date: 07/04/14
Scale: 1:500	Paper Size: A1

Site: 108-110 Lower House, Birchwood Park, Birchwood, Warrington WA9 6FW. Tel: 01462 718193 or email: paul@baldwin.design.com