

Representations To Pendle Core Strategy Examination On Behalf Of Peel Investments (North) Ltd Matter 2 Statement

March 2015



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REPRESENTATIONS TO PENDLE CORE STRATEGY EXAMINATION ON BEHALF OF PEEL INVESTMENTS (NORTH) LTD

MATTER 2: STRATEGY FOR THE DISTRIBUTION OF DEVELOPMENT

Issue 1: Are the settlements identified in Policy SDP2 in the appropriate position in the settlement hierarchy?

Peel considers that the settlements listed at Policy SDP2 are located in the appropriate position in the settlement hierarchy. The position of each settlement correctly reflects its existing role as a service centre, and the size of its associated catchment area, the level of employment development which each accommodates and the residential population of each.

Importantly however, the policy makes a distinction between settlements located within the M65 Corridor and those outside of the M65 Corridor. Whilst settlements within and outside the M65 Corridor may be broadly of the same size (and therefore placed in the same position within the hierarchy), those within the M65 Corridor generally represent more sustainable locations for growth and will, as a result, have a greater role to play in delivering the Core Strategy (CS), consistent with Policies SDP 3 and SDP 4 of the plan.

Most notably, these settlements are well related to the strategic road network, providing connections to major urban centres outside of Pendle, are located close to major areas of employment development within Pendle, have the greatest regeneration need and have the ability to attract inward economic investment to the Borough. As a result, these settlements can deliver development in a manner which supports the wider objectives of the CS, particularly around economic growth, regeneration and sustainable transport.

Issue 2: Is Policy SDP2 sufficiently clear as to the anticipated growth levels for each settlement category? If anticipated growth levels are included is it necessary to include site selection criteria as shown

Policy SDP2 sets out a clear expectation that development proposals within each settlement should be of a nature and scale that is proportionate to the role and function of that settlement. Whilst the policy does not indicate the overall level of growth to be provided within each, satisfying the above requirement will in itself act as a control on the overall level of growth provided within each settlement area. This will ensure that, cumulatively, the scale of development accommodated within each settlement reflects its position within the hierarchy.

Moreover, this policy must be read in the context of Policies SDP 3 and SDP 4 which identify the approximate proportion of development (housing and employment) which will be directed to each spatial area. Together Policies SDP 2, SDP 3 and SDP 4 provide a framework which will dictate how much development is delivered in each settlement. At the same time, they provide a sufficient level of flexibility in the policy approach to ensure that a diverse range of development sites capable of delivering the plan's overall objectives can be selected.

When read in conjunction with Policies SDP 3 and SDP 4, Peel considers that Policy SDP 2 is sufficiently clear as to the anticipated minimum growth levels for each settlement. Stipulating the specific level of growth to be delivered within each settlement beyond this is not necessary therefore. Indeed, any further clarification would serve to constrain the plan in removing flexibility inherent in Policy SDP 2 relating to the level of growth which each settlement will deliver. This could in turn undermine the plan's delivery.

Issue 3: Does Policy SDP 2 provide the framework to encourage the effective use of brownfield land? For example, should there be a locally appropriate target for the % of brownfield land in selecting sites for new development? Or in the alternative is the policy too restrictive in this regard?

The National Planning Policy Framework (the Framework) encourages the re-use of previously developed land. However, it does not advocate a sequential approach to the release of sites to the extent that greenfield land should only be released where there is no brownfield land available to deliver the development requirements or that the release of greenfield land requires exceptional justification.

The imperative of encouraging the re-use of previously developed land is only one consideration in formulating a sustainable strategy for growth. However it is important that this objective is not overstated nor should it be afforded undue weight relative to other Framework policies.

The interpretation and application of this Framework requirement depends on the local context, including the extent to which previously undeveloped land will be needed to deliver sufficient levels of development in a manner which is consistent with the overall spatial strategy. Even in the context of a 'policy off' scenario, Pendle's Strategic Housing Land Availability Assessment (SHLAA) (2013/14)¹ identifies that during the fifteen year period from 2013 to 2028, only 2,130 residential dwellings can be delivered on previously developed land. This equates to just 48% of the CS minimum housing requirement over this same period (i.e. 4,470). When applying a 'policy on' scenario, the reliance on previously undeveloped land to deliver the Core Strategy's development requirements may be even greater.

Whilst this does not preclude the establishment of a previously developed land target, the available evidence indicates that any such target should be 50% at most.

As worded, Policy SDP 2 sets out a sequential approach to the selection of sites for residential development, with first priority given to previously developed sites and existing buildings within the defined urban area, followed by other land (i.e. previously undeveloped land) within the urban area followed by land outside of a defined settlement boundary for appropriate rural uses. This approach is fundamentally at odds with the Framework and importantly does not reflect the Council's own evidence which demonstrates a reliance on previously undeveloped land to deliver the CS's development requirements.

Such an approach to site selection would result in too much weight being given to whether a site is previously developed land or not to the extent that this consideration would outweigh all other considerations in establishing a site's sustainability. This is at odds with the National Planning Policy Framework's requirement that all aspects of sustainability (i.e. economic, social and environmental) are pursued in an integrated manner.² Clearly there are therefore a wide range of other sustainability considerations to have regard to as part of the site selection process.

Whilst it may be appropriate for Policy SDP 2 to establish some broad site selection criteria, it should emphasise that a number of considerations will be taken into account. Whilst in the spirit of pursuing a truly sustainable approach, this may include a site's status as brownfield or greenfield land, it should also include a variety of other matters, such as a site's location within the settlement hierarchy and

¹ Pendle Strategy Housing Land Availability Assessment 2013/14 (Examination Document CD/04/03)

² Paragraph 8 National Planning Policy Framework (DCLG 2012)

the spatial area in which it is situated, its accessibility and its ability to contribute to achieving the wider objectives of the plan.

It is also important for the policy to qualify that settlement boundaries will be reviewed as part of the Part 2 Local Plan and that land which currently sits outside of a settlement boundary based on those contained in the current Local Plan, may be included within the settlement boundary to enable them to come forward for development if needed.

Issue 4: Is the division of the Borough into three spatial areas appropriate? For example, should the M65 Corridor be split into more than one spatial area as suggested by Policy LIV 4 (M65 Corridor and M65 Corridor North)?

The definition of the three spatial areas is appropriate. Each broad area is sufficiently distinct from the others, has different characteristics and attributes (economically, socially and environmentally) and presents different development challenges and opportunities. Each spatial area has a different role to play in the growth and development of Pendle therefore.

Conversely, whilst the spatial areas are themselves internally diverse, there is a clear level of commonality within each based on shared characteristics in terms of location and connectivity, landscape character, housing and employment market or economic function.

The current definition of the spatial area enables a clear framework for the future growth of the Borough to be established. The current approach represents an appropriate spatial level from which to articulate the plan, its vision and its overall strategy.

There would be no obvious benefit arising from subdividing the spatial areas. Whilst LIV 4 refers to sub-areas within the M65 Corridor, it is inevitable, as noted above, that each area will not be entirely uniform. In this instance, the distinction made within Policy LIV 4 relates to affordable housing viability within the northern part of the M65 Corridor and the rest of this area. This distinction alone does not warrant this area being treated as two separate spatial areas throughout the rest of the CS.

Issue 5: Is the distribution of housing between the spatial areas within Policy SDP 3 justified and will it allow the housing needs of the Borough to be met?

The distribution of housing between the spatial areas has been informed by robust evidence of quantitative and qualitative need and an aspiration to pursue a strategy which marries opportunity with need by directing development to locations where it can have the greatest regenerative effect.

This is reflected in a high level of priority being given to the M65 Corridor where 70% of new housing development will be delivered. As noted above, settlements within the M65 Corridor generally represent the most sustainable locations for growth. Most notably, these settlements are well related to the strategic road network, providing connections to major urban centres outside of Pendle, are located close to major areas of employment development within Pendle and have the greatest regeneration need. As a result, these settlements can deliver development in a manner which supports the wider objectives of the Core Strategy, particularly around economic growth, regeneration and sustainable transport.

The Council's SHLAA concludes that of the 5,958 dwellings which could be delivered on developable sites over the 15 year period to 2028, 75% are on sites located within the M65 Corridor. This further supports the strategy of focusing the majority of development within this spatial area. The distribution

of development across the remaining spatial areas reflects a balanced approach of seeking to meet anticipated localised needs within these areas whilst reflecting their more limited capacity to accommodate housing in a sustainable manner due to their more rural character and lower level of accessibility.

Issue 6: Does Policy SDP 3 incorporate sufficient flexibility to allow the Borough to deliver sufficient new homes, if one of the spatial areas is under performing?

Policy SDP 3 provides a 'guide' as to the level of residential development which will be accommodated in each spatial area. Whilst this policy will inform the Part 2 Local Plan and will be a material consideration in the determination of planning applications, as worded it does not preclude an area from delivering a greater proportion of housing growth than envisaged if needed to ensure a sufficient level of development is delivered in overall terms.

Moreover, the policy includes a number of 'triggers' for a review of policy in the event that one area is failing to deliver. The potential contingencies set out include altering the housing distribution through an early review of the plan.

The policy itself is therefore sufficiently flexible to ensure housing growth can be delivered even in the context of one area not performing as envisaged.

Issue 7: Should a greater proportion of housing development be assigned to the West Craven Towns and Rural Pendle to aid delivery, particularly in the early years of the plan?

The justification for prioritising the M65 Corridor for housing growth is set out in Peel's response to Issues 1 and 5 above.

The CS must take a balanced approach to growth and pursue a strategy which is both sustainable and achievable. It must be realistic and recognise the constraints to development which affect deliverability but should, as far as possible, seek to respond to these constraints in a manner which avoids significant deviations from the overarching goals and objectives of the plan.

To that end, the plan has been informed by the comprehensive viability assessment³ to ensure that the strategy is achievable. This viability assessment has informed a number of aspects of the plan, including the overall level of housing growth, affordable housing requirements and the spatial distribution of development.

Partly in response to the constraints to housing growth in the M65 Corridor presented by structural weaknesses in the housing market in many parts of this area, a substantial level of housing development in the M65 Corridor (some 12% of the total anticipated housing growth for this area) will take place at the proposed Strategic Site at Trough Laithe Farm in Barrowford.

The Strategic Site is located within the northern part of the M65 Corridor. It is located outside of the designated Green Belt and is designated as a protected area through Policy 3A of the existing Pendle Local Plan⁴, intended to provide area '*...of choice for possible development to meet future long term.*' It is capable of delivering up to 500 high quality family houses set within an attractive and strong landscape framework. The residential development will sit alongside Riverside Business Park located immediately to the south, delivering a sustainable mixed use development. Riverside Business Park

³ Pendle Borough Council Development Viability Assessment (December 2013) (Colliers International and Aspinall Verdi) (Examination Document CD/07/01)

⁴ Replacement Pendle Local Plan (2001-2016) (Pendle Borough Council)

benefits from outline planning permission with Phase 1 having been delivered. Future phases include the development of over 20,000 sq m of high quality office accommodation, a pub, hotel and crèche.

Paragraph 5.35 of the Council's viability assessment identifies that large scale residential development within the northern part of the M65 Corridor can be viably delivered. The plan has therefore taken specific steps to boost delivery housing delivery through the allocation of a Strategic Housing site in a viable market area. Moreover, this is done so in a way which is consistent with the plan's overarching objective of delivering the growth and regeneration of the M65 Corridor and which is consistent with the plan's aim to provide a more balanced housing offer in Pendle, including securing the provision of more aspirational homes.⁵ The stimulant to housing delivering provided by the allocation of the Strategic Site will be achieved in a manner which is wholly consistent with the overall plan strategy.

The majority of the Strategic Site is in a single ownership. The site has been promoted by the owner through the CS over a number of years and an outline application for the development of the site is currently being prepared for submission. It is anticipated the Council will grant planning permission by the summer. The site is attracting significant interest from major house builders and it is expected that development will commence during 2016, thereby delivering housing growth in the very early years of the plan following its anticipated adoption in 2015, assisting in ensuring a five year supply of deliverable housing sites. By 2020, the site is expected to have delivered approximately 200 residential units, equating to some 16% of the overall housing requirement over this period.

The Council has recognised the need to deliver housing early in the plan period and, in allocating a viable and deliverable site for housing development through the CS, has taken action to ensure this can be achieved in a manner consistent with the wider goals and objectives of the plan. In the circumstances, there is no requirement to direct a greater proportion of the housing growth to the West Craven Towns and Rural Pendle. To do so would undermine the achievement of the plan's strategic objectives, particularly around the regeneration of the M65 Corridor and settlements within this area. Moreover, whilst these locations are known to be more viable than much of the M65 Corridor, there is no evidence that these locations can support additional growth in a sustainable manner.

Issue 8: Is the distribution of employment between the spatial areas within Policy SDP 4 justified and will it allow the economic needs of the Borough to be met?

The case for directing the majority of housing development to the M65 Corridor is set out above. These points apply equally to the distribution of employment development. The M65 Corridor provides the opportunity to attract inward economic investment to the Borough, particularly in capitalising on its connections with surrounding authority areas and major conurbations in the wider area and will support the regeneration of areas of Pendle where employment rates are lowest and the need for jobs is greatest. This represents a clear marriage of opportunity and need.

It is also important that the strategies for housing growth and employment growth are aligned in order to deliver sustainable development. To that end, achieving a co-location of housing and employment development is desirable in order to promote sustainable commuting and to provide residents with access to employment. This will be achieved through the strategy proposed by the plan.

Peel therefore considers that the distribution of employment between the identified spatial areas to be fully justified.

⁵ Pendle Core Strategy Pre-submission Report – Our Vision (Page 34)