



**Matter 8 Housing
Allocations**
Representations on behalf of
Richborough (ID 1609_2)

Examination of The Hyndburn 2040: Local Plan (Strategic Policies)

Hearing Statement

Matter 8 – Housing Allocations

Submission on behalf of Richborough

Representor ID 1609_2



CONNOLLYS

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1. INTRODUCTION

- 1.1 This Hearing Statement is submitted on behalf of Richborough in response to Matter 8 and supplements our previous submissions made at the Regulation 18 and 19 stages on behalf of Richborough.
- 1.2 Richborough now hold the controlling interest in the Land at Bell Lane Clayton-le-Moors, which we have consistently promoted for inclusion in the Local Plan as a housing allocation.

2. MATTER 8 – HOUSING ALLOCATIONS

ISSUE 8.1 HAS THE PLAN BEEN POSITIVELY PREPARED AND IS IT JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY IN RESPECT OF ITS HOUSING ALLOCATIONS FOR HYNDBURN?

HOUSING ALLOCATIONS

GENERAL

- 2.1 Taken as a whole, the allocations are not positively prepared, justified or consistent with national policy. The portfolio over-concentrates delivery at Huncoat Garden Village (HGV) and does not provide a sufficiently varied range of sites across the Borough. Our representations identify that Huncoat-related allocations account for around 60–62.5% of the Borough’s allocations, with approximately 1,500 dwellings within the plan period. This creates a single-point delivery risk and is inconsistent with NPPF para. 60 (significantly boost the supply of homes) and paras. 68 and 74 (varied supply; realistic trajectory). A positively prepared plan should diversify allocations, including additional sites at the Principal Town, including our client’s site at Bell Lane, Clayton-le-Moors, to compliment and reduce the pressure on delivery from HGV and support early and continuous delivery.

1. IN THE INTEREST OF EFFECTIVENESS SHOULD THE INDICATED NUMBER OF DWELLINGS FOR EACH ALLOCATION BE DESCRIBED AS AN INDICATIVE SITE CAPACITY OR AN APPROXIMATE YIELD, RATHER THAN AN EXACT NUMBER?

- 2.2 Indicating the number of dwellings provides certainty and should represent a minimum requirement (in line with a Plan’s overall requirement being a minimum target rather than a ceiling). However, the indicated figure must be supported by evidence that it can realistically be achieved in light of any ground conditions, viability and access solutions etc. An indicative site yield may assist in this regard but, again this should be supported by proportionate evidence.

2. NOT ALL THE HOUSING ALLOCATIONS HAVE A SPECIFIC POLICY SETTING OUT DEVELOPMENT REQUIREMENTS? WHAT IS THE JUSTIFICATION FOR THIS? DO ANY OF THESE ALLOCATIONS HAVE PARTICULAR CONSTRAINTS OR MATTERS WHICH WOULD BE APPROPRIATE TO BE ADDRESSED IN A POLICY?

- 2.3 Small, unconstrained sites may not need bespoke policies. Where known constraints exist, sites should be supported by evidence that they can be overcome. As a whole, the trajectory is wildly optimistic for the key components of the supply with many sites facing significant viability and delivery challenges.

POLICY HP1 LAND AT CHARTER STREET (H2)

5. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL'S TRAJECTORY (H016).

- 2.4 This site was first allocated for housing development in the 1996 Local Plan. Approaching 30 years later, it remains undeveloped.
- 2.5 Whilst there is a live application for 40 affordable homes, it remains undetermined 8 months after submission and, even if the application is determined positively, the site's history casts significant doubt as to whether that proposal would come forward. The fact that's the Council's own evidence suggests that a site with a live full planning application might only come forward in years 6-10, would seem to concur.
- 2.6 Given the site's history, without firm evidence on realistic lead-in/build-out and any abnormal costs, the site should not be included as an allocation. Our and the Council's general viability evidence cautions that brownfield sites in the Borough are difficult to deliver without public-sector delivery assistance due to remediation/abnormals and 30 years of allocation without development would seem to bear that point out.

6. THE SITE IS AT RISK OF SEWER FLOODING. WOULD AN ADDITIONAL DEVELOPMENT CRITERION BE JUSTIFIED TO REQUIRE CONSIDERATION OF THIS IN THE DETAILED DESIGN?

- 2.7 Yes, but, given the risk, our client would question whether, without this information now, the site can be relied upon as an allocation in principle.

POLICY HP2 LAND AT HOPWOOD STREET (H4)

8. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL'S TRAJECTORY (H016).

- 2.8 This is another site that was first allocated for housing development in the 1996 Local Plan. Approaching 30 years later, it remains undeveloped.

- 2.9 The site historically had outline permission for up to 50 (granted 11/06/2018) which has expired and the Council cannot confirm when or whether development can come forward. This site is clearly technically challenging and the Council has presented no evidence that those challenges can be overcome. It cannot be relied upon to deliver homes

POLICY HP3 LAND N OF SANDY LANE. (H7)

12. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL'S TRAJECTORY (H016).

- 2.10 No. At the point of the submission of the Plan, the Council has not demonstrated that access and landscape are capable of being overcome and that the site deliverable within the assumed timescales.

13. IS SANDY LANE AN APPROPRIATE ACCESS FOR A RESIDENTIAL DEVELOPMENT? WHAT IMPACT WILL THE NECESSARY HIGHWAY IMPROVEMENT WORKS HAVE ON THE CHARACTER AND HERITAGE VALUE OF THIS ANCIENT LANE?

- 2.11 Access acceptability depends on detailed engineering and heritage appraisal. We would question whether the site is suitable for allocation, given that known access, landscape and biodiversity issues have not been shown as being capable of being resolved at the point of the submission of the Plan.

POLICY HP4 RINGSTONHALGH FARM (H9)

19. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL'S TRAJECTORY (H016).

- 2.12 The Council has presented no evidence that this site can be developed without resolving access issues and without adverse impact on the highway network. It cannot be relied upon to deliver homes.

POLICY HP15 LAND S OF MOORFIELD AVENUE HUNCOAT (H15)

25. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL'S TRAJECTORY (H016).

- 2.13 Again, this is another site that was first allocated for housing development in the 1996 Local Plan. Approaching 30 years later, it remains undeveloped.
- 2.14 Delivery assumptions should reflect dependencies on strategic junction works and any utilities upgrades, meaning late plan delivery, if at all during the Plan period. The site cannot be relied upon.

POLICY HP7 – LAND SOUTH OF STANHILL ROAD, KNUZDEN (H16)

28. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL'S TRAJECTORY (H016).

- 2.15 Yet another site that was first allocated for housing development in the 1996 Local Plan. Again, approaching 30 years later, it remains undeveloped.
- 2.16 The Council should confirm justification for the inclusion of this site. No evidence has been provided to date. The site had the benefit of planning permission during the most buoyant housing market in recent memory and yet the site remains undeveloped, which points to some form of issue affecting its ability to be delivered viably. No such evidence has been presented to date.
- 2.17 Full planning permission now exists for part of the site comprising 89 dwellings (Ref. No.: 11/23/207). Various conditions have been discharged so it is reasonable to assume that this scheme will come forward. There is however no evidence that the remainder of the site will come forward and, given the site's history, the remainder of the proposed allocation cannot be relied upon to deliver homes.

POLICY HP8 – LAND OFF BROOKSIDE LANE/NOOK LANE, OSWALDTWISTLE (H17)

32. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL'S TRAJECTORY (H016)?

- 2.18 This site is clearly technically challenging and the Council has presented no evidence that those challenges can be overcome. Again, it appears to represent the very kind of site that the Local Plan Viability Assessment states cannot be delivered viably. The uncertainty around its ability to come forward for development is borne out by the fact that the site was the subject of an historic refused outline planning application (ref. 11/13/042) for a scheme including 52 homes but has had no further activity for over ten years.
- 2.19 It cannot be relied upon to deliver homes.

POLICY HP9 – LAND AT RHODEN ROAD (H19)

36. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL’S TRAJECTORY (H016)?

- 2.20 This site is clearly technically challenging (several owners, private access etc.) and the Council has presented no evidence that those challenges can be overcome.
- 2.21 In addition, the site was designated as a Special Area of Restraint under Policy S.4 of the 1996 Local Plan. The Policy states that *in areas of special restraint as defined on the proposals map development other than that permissible in the green belt will not be allowed during the plan period. after 2006, only if there is a strategic requirement will such development be permitted.* Our clients are not aware of any specific assessment to justify the removal of such protections on this site and its inclusion in the submission Plan as a housing allocation.
- 2.22 H19 clearly cannot be relied upon to deliver homes.

POLICY (HP10 – LAND TO THE NORTHEAST OF CUT LANE (H20)

40. IS THE SITE ALLOCATION SOUNDLY BASED; AND IS THERE EVIDENCE THAT THE DEVELOPMENT IS VIABLE, DELIVERABLE/DEVELOPABLE AND THAT THERE IS A REALISTIC PROSPECT THAT IT WILL COME FORWARD IN THE TIMESCALES INDICATED IN THE COUNCIL’S TRAJECTORY (H016).

- 2.23 According to the Council’s own evidence base, the site appears to have constraints relating to access/flood risk with no associated evidence to demonstrate that those matters can be addressed viably. It cannot be relied upon to deliver homes.

3. MATTER 8 - CONCLUSION

- 2.24 In summary, the evidence demonstrates that a number of the proposed allocations are beset by significant viability and other constraints, creating a high degree of uncertainty over their timely and full delivery. Reliance on such sites undermines the effectiveness of the housing trajectory and places the soundness of the Plan at risk.
- 2.25 Our client is of the view that there is a case that sites H2 (45 units), H4 (50 units), H7 (43 units), H9 (31 units), H15 (part) (54 units), H16 (63 units) and H19 (51 units) should be removed from the supply, resulting in the loss of **337** units.
- 2.26 To ensure that the Local Plan is robust, positively prepared, capable of meeting identified needs and being found sound, it is essential that additional, readily deliverable allocations are identified and included within the Local Plan. Our client's site at Bell Lane is suitable site for inclusion as a housing allocation to assist.