



**Matter 9 Huncoat Garden
Village**

Representations on behalf of
Richborough (ID 1609_2)

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

Hearing Statement

Matter 9 – Huncoat Garden Village

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 9 and supplements our previous submissions made at the Regulation 18 and 19 stages on behalf of Miller Homes.
- 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 9 – HUNCOAT GARDEN VILLAGE

ISSUE 9 - HAS THE PLAN BEEN POSITIVELY PREPARED AND IS IT JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY IN RESPECT OF ITS POLICIES AND PROPOSALS FOR HUNCOAT GARDEN VILLAGE?

- 2.1 Huncoat Power Station was decommissioned and closed in 1984, with the cooling towers demolished in October 1988 and the remaining structures demolished in September 1990. The author of this Statement remembers it well, as he was in attendance at the latter two events.
- 2.2 The remaining site has, as near as damn it, been allocated for development ever since, with varying degrees of success.
- 2.3 Parts of the power station site now forming part of proposed allocations H12 and H13 were allocated for employment development in the 1996 Local Plan. No such development has come forward in almost 30 years. The Council's solution is to now displace that failed employment allocation with housing allocations that face significant (and mainly unquantified) viability and delivery challenges and expect delivery within the Plan period.
- 2.4 There is no doubt that the whole plan strategy relies upon HGV and its delivery, which in turn relies on significant grant funding, which, because the site hasn't been fully tested for viability, the Council has no firm evidence to suggest will be enough. Indeed, major land owners and statutory consultees (McDermott Homes and National Highways) both rightly point to likely viability concerns and subsidy shortfalls.
- 2.5 Similarly, the allocation of funding towards infrastructure, mooted as c£30m, appears to be reliant on the adoption of the allocation of HGV "as is" in this Local Plan. According to paragraphs 4 and 5 on page 25 of the Minutes of the meeting of Hyndburn Council's Cabinet:

"Homes England considered the HGV project as a significant opportunity for new housing at scale, consistent with national Government policy. The funding was critical to supporting new infrastructure at Huncoat, without which, the Council's ability to enable additional housing to meet future housing needs would be potentially jeopardised.

Reducing the number of new housing units at Huncoat Garden Village was also not an option. The Council's bid was framed within the Masterplan Framework, and in

turn the draft new Local Plan. The whole business case justifying circa £30 million grant funding was predicated on 1,816 new housing units. In turn, a reduction in units would fail to achieve the required Benefit Cost Ratio and potentially exceed the maximum grant rate per unit. Therefore, Homes England would not consider such an option.

- 2.6 Set against this context, the complete reliance upon HGV, which in turn relies upon several complex factors, places the soundness of the whole Plan in jeopardy.

POLICY SP2 HUNCOAT GARDEN VILLAGE (HGV)

- 2.7 Whilst not objecting to the principle of HGV, our client's position is that the Local Plan is unduly reliant on it for housing delivery. In light of known issues, including unresolved strategic infrastructure, viability, land assembly and governance risks, such reliance places the soundness of the Plan at risk. The concentration of growth at Huncoat diminishes early and mid-period delivery and increases the risk to the five-year supply. To address this, the Plan should diversify the portfolio with additional deliverable sites in sustainable locations, including our client's site at Bell Lane, Clayton-le-Moors, which forms part of the Principal Town (the most sustainable location for development) and re-profile HGV to a realistic quantum within the Plan period.
- 2.8 The Council's Cabinet minutes (30 October 2024¹) record that there is not 'anywhere near enough brownfield' land and that many brownfield sites are not viable. They further indicate that the HGV/Local Plan package was progressed ahead of the 12 March 2025 (NPPF, December 2024) transitional cut-off specifically to avoid a higher standard-method requirement. Read together, this amounts to an explicit acknowledgment that the strategy has been driven by a desire to lock-in a lower requirement rather than to significantly boost the supply of deliverable homes across a range of sites, which flies in the face of the government's aspirations to 'significantly boost the supply of homes' (NPPF para. 60).

¹ Appendix included at Appendix 1 to our Matter 5 Hearing Statement.

1. WHAT EXCEPTIONAL CIRCUMSTANCES ARE THERE TO JUSTIFY THE RELEASE OF LAND IN THE GREEN BELT FOR THIS DEVELOPMENT? HAVE ALL OTHER REASONABLE OPTIONS FOR ALTERNATIVE SITES BEEN EXAMINED FULLY? WHAT COMPENSATORY WORK IS PROPOSED AND HOW WOULD IT IMPROVE ENVIRONMENTAL QUALITY AND ACCESSIBILITY?

- 2.9 Exceptional circumstances for Green Belt alteration require (i) an evidenced need; (ii) a thorough appraisal of reasonable alternatives; and (iii) a sustainable pattern of development supported by compensatory improvements (NPPF paras. 140–143). While our client agrees that exceptional circumstances for Green Belt release exist in principle in order to meet development needs and deliver the Plan’s Vision, they question whether specific exceptional circumstances exist to support removal of the concentration of approximately 1,500 dwellings at HGV is justified when balanced against the availability of sustainable, reasonable alternative sites in “weak” performing Green Belt locations, that can deliver earlier and with greater certainty.
- 2.10 The Council’s own Cabinet minutes emphasise deficits in viable brownfield capacity and with the Green Belt being so tightly drawn around existing settlements, development within the Green Belt is inevitable. However, that does not justify focusing so large a share of the requirement on a single complex location with multiple unresolved issues.
- 2.11 This is particularly the case in relation to sites H11 and EMP3, both of which propose the use of “moderate” Green Belt land.
- 2.12 Our client’s site at Bell Lane performs only a “weak” function on our and the Council’s own assessment, is deliverable and sits in the most sustainable location in the Borough.

2. THE SITE IS IN MULTIPLE OWNERSHIP. HAS ANY DEVELOPMENT AGREEMENT BEEN PREPARED TO COORDINATE THE DEVELOPMENT AND SECURE ITS DELIVERY?

- 2.13 Our client is not aware of any binding development agreement. Fragmented ownership presents material risks to programme, infrastructure cost-sharing and the timely delivery of even small sites, never mind the delivery of a Garden Village upon which the whole Plan strategy relies. Without a robust governance and equalisation framework, there is a real prospect that individual landowners will proceed at different paces, compromising the trajectory and also potentially resulting in fragmented rather than cohesive delivery, risking the non-delivery of the benefits HGV is supposed to provide. Indeed, through representation, one of the major developers associated with HGV has rightly called into question

whether their site can be delivered viably if it is subject to the Masterplan and other policy requirements for contributions and the like. This is hardly surprising when the Masterplan itself questions whether HGV can be viably delivered.

3. WHAT EVIDENCE IS THERE TO DEMONSTRATE THE SITE IS DELIVERABLE IN THE TIMESCALES ANTICIPATED?

- 2.14 Deliverability depends on a relief road, capacity enhancements linked to M65 Junction 8 and Shuttleworth Mead, significant utilities reinforcement, and remediation of former power station and colliery land. Our representations explain that funding, consents and procurement for these elements are not secured to a time-bound programme. On that basis, the lead-in periods and early/mid-period build-out rates assumed for HGV appear wildly optimistic.
- 2.15 Key stakeholders, including National Highways, have expressed concerns regarding insufficient funding and delivery, which remain unresolved and were certainly not resolved at the point of submission of the Plan.
- 2.16 The trajectory for HGV should therefore adopt a more realistic evidence-based parameters for planning, discharge of conditions, site preparation and market absorption, and should build in contingencies. To maintain a robust five-year supply, compliment the HGV and deliver the Plan's Vision, additional deliverable allocations outside Huncoat are necessary.

4. HOW MUCH OF THE DEVELOPMENT IS LIKELY TO TAKE PLACE OUTSIDE THE PLAN PERIOD? SHOULD THIS BE INDICATED IN THE SUPPORTING TEXT FOR EFFECTIVENESS?

- 2.17 Given the strategic nature of the infrastructure and the extent of site preparation, a significant proportion of HGV is likely to come forward beyond 2040. To present a more realistic picture and for effectiveness and transparency, the Plan should identify a more truthful delivery amount for the Plan-period. Based upon industry accepted delivery rates from large Urban Extensions, we suggest at least **500 units** should be deleted from the anticipated supply within the Plan period.

5. GRANT FUNDING WITH HOMES ENGLAND HAD BEEN SECURED FOR THE NEW RELIEF ROAD, ASSOCIATED LAND ACQUISITION, REMEDIATION OF THE POWER STATION AND COLLIERY SITES AND A CONTRIBUTION TO M65 J8 IMPROVEMENTS. WILL THERE BE A NEED FOR ANY ADDITIONAL GRANT FUNDING? WHAT EVIDENCE IS THERE THAT THE SCHEME IS VIABLE?

- 2.18 Experience with strategic sites of this complexity suggests that additional public sector intervention may be required as remediation, infrastructure and education/health obligations are refined. Our representations identify constrained viability for large brownfield and infrastructure-dependent sites.
- 2.19 In the absence of a verified, scheme-wide viability appraisal that demonstrates deliverability of both the strategic infrastructure and policy asks, heavy reliance on HGV to meet plan-period housing requirements would be unsound. The Plan should provide flexibility and contingencies through the allocation of additional suitable sites, such as our client's at Bell Lane, to relieve the burden on HGV and help ensure a 5-year supply.
- 2.20 The Council's proposal to address any slippage by releasing different phases of HGV misses the point: if HGV as a whole is beset by difficulties, bringing forward other sites within its demise will not help matters. Other sites elsewhere in the Borough are clearly required.

6. WHAT PROGRESS HAS BEEN MADE WITH THE DELIVERY OF THE RELIEF ROAD? ARE THERE ANY CONSTRAINTS TO ITS DELIVERY?

- 2.21 We understand that route safeguarding and preliminary design are advancing. However, land assembly, statutory consents, funding certainty and procurement remain critical-path risks, as pointed out by National Highways themselves. There is insufficient evidence that these risks have been mitigated to a degree that supports the optimistic trajectory for HGV.

9. PART 1 OF POLICY SP2 REQUIRES THAT DEVELOPERS ‘ARE EXPECTED TO FOLLOW’ THE HUNCOAT VILLAGE MASTERPLAN AND DESIGN CODE? WHAT IS THE CURRENT STATUS OF THE DESIGN CODE? IS IT CLEAR TO DEVELOPERS, DECISION MAKERS AND THE COMMUNITY WHAT IS EXPECTED OF THEM? SHOULD DEVELOPMENT RIGIDLY ‘FOLLOW’ OR ‘HAVE REGARD’ TO THESE NON-STATUTORY DOCUMENTS? WHAT IF THERE ARE TECHNICAL OR VIABILITY ISSUES WHICH MEAN THE REQUIREMENTS ARE NOT ACHIEVABLE?

2.22 In principle, non-statutory masterplans and design codes should be material considerations rather than rigid requirements. However, the purpose of a Garden Village as a concept is to deliver coherent, tangible benefits that the development of sites individually cannot. Without a single Masterplan in place with infrastructure-first phasing, HGV is just a collection of individual sites, determined on their own merits.

3. MATTER 9 - CONCLUSIONS

- 3.1 For the reasons set out above, Policy SP2 is not justified, effective or fully consistent with national policy. It places an excessive reliance on a single, complex allocation without secured infrastructure, a binding governance framework or sufficient contingency. The Council's Cabinet record suggests the Plan has been advanced to avoid a higher housing requirement rather than to significantly boost housing supply across a range of deliverable sites, which weighs against the proposed concentration at Huncoat (NPPF paras. 35, 60 and 73).
- 3.2 For the plan to be found "sound", our client seeks the following modifications:
- (i) re-profile HGV to a realistic in-period capacity with the balance identified as post-2040;
 - (ii) allocate additional deliverable sites in the Principal Town, including Clayton-le-Moors to diversify and de-risk supply (including Bell Lane/Burnley Road); and
 - (iii) require a delivery vehicle for HGV addressing equalisation, cost-sharing and flexible phasing.