

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?		
General	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?	<p>The amount of development indicated for each allocation is intended to be approximate, and not a maximum. For effectiveness the Council proposed that <i>Indicative</i> should be added prior to all number of dwellings for each allocation.</p> <p>The indicative figures have been calculated using the densities set out in the Site Assessment and Selection Background Paper (HBC8.003, page 10) and the SHLAA 2016 Main Report (HBC5.001a). However, the yield of the proposed allocations has also been altered when predicated by constraints such as flood risk, Surface water flooding and ecology; or if the Council have other evidence which justifies an alternative density or dwelling yield such as planning history / call for sites, then we have applied this manually.</p>
	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?	<p>As stated in para 12.1 of the Publication Local Plan (HBC.001), site specific policies set out additional development requirements and considerations on all larger sites. This generally involves any site which would involve residential development of 50 dwellings or more but may include smaller sites if there are particular requirements that need to be taken into account.</p> <p>It is considered that it would be over-onerous to have site specific policies for the smaller sites and any minor details can be addressed in any future planning application.</p> <p>The sites which do not have site specific policies are not considered to have particular constraints or matters which would be appropriate to be addressed in a policy (aside from H18 which may need a clause regarding heritage (see question 3 below). The majority of site H18 is subject to an existing planning permission and development is underway.</p>
	3. A minor amendment to add a requirement for proposals to implement the findings of the Heritage Impact Assessment or other suitable mitigation measures to avoid or minimise harm to the significance of heritage assets is proposed in Policies SP27 and SP30.	<p>This requirement was added to the strategic policy (SP30) as there were no site specific policies for the site which requires a HIA. In retrospect it would be more consistent with the approach taken for other sites (such as H15 and H20) and add a site specific policy for site H18 (Land S. of Rhyddings Street and N. of Stone Bridge Lane). The Council would be happy to include this a site specific policy as a main modification.</p>

	Should this requirement be more appropriately added to the respective housing allocation policies?	The clause regarding H9 Ringstonhalgh Farm should be added to Policy HP4 rather than SP27, this was an error on HBC1.005a.
Policy HP1 Land at Charter Street (H2)	4. Are the development requirements set out in the policy justified and effectively worded?	<p>As is the case for all the site allocations, the site specific development requirements set out for each are considered to be both justified and effective. Sufficient detail is given to provide clarity to developers, local communities and other interested parties about the nature and scale of development. They relate to the important site-specific issues such as biodiversity, flooding, ecology, heritage identified through the site assessment process and informed by a robust evidence base. As a result, they are effective, justified and in accordance with the approach set out in the NPPF. Any mitigation measures identified through the site assessment process are also included as development consideration. It is important to note, however, as specified on para 12.3 of the Publication Local Plan (HBC1.001) that <i>“As well as the specific points raised in the following policies, any development proposals for the sites should have due regard to all relevant policies contained within the Local Plan and, in particular, the DM DPD.”</i> The development requirements are therefore not an exhaustive list of requirements.</p> <p>All development requirements have been subject to consultation with site promoters, infrastructure providers and where necessary, statutory advisors. No significant objections have been raised during the Regulation 19 consultation to the development requirements for the site. United Utilities and Lancashire HER department representation requested additional criteria, some of which are included as proposed minor amendments to the Plan within document (HBC1.005a).</p> <p>The identified constraints and potential mitigation measures were considered during the Sustainability Appraisal and the site selection process, and the Council is confident that the process for selecting sites was robust, positive, and justified, based on a significant amount of evidence and a wide range of considerations.</p>
	5. Is the site allocation soundly based; and is there evidence that the development is viable, deliverable/developable and that there is a realistic	The Council considers the process for selecting this and all other sites was robust and soundly based. The approach taken to the identification of sites for housing allocations is set out in detail in the Background Paper No. 3: Site Selection Process (HBC8.003), It provides an overview of the Site Assessment Methodology (SAM) which has been used, in a consistent and transparent manner, to assess the most suitable, available and achievable (viable) sites

	<p>prospect that it will come forward in the timescales indicated in the Council’s trajectory (H016).</p>	<p>for new housing at various stages in the plan making process. The SAM has already been described in detail – and consulted upon – in previous background papers prepared for earlier Local Plan consultations.</p> <p>Other documents which include the site selection process are the SHLAA (HBC5.001a and b) process, the Sustainability Appraisal (HBC2.007 to HBC2.009) and they have been subsequently tested through Local Plan consultations with stakeholders.</p> <p>Watson Land Ltd. Submitted a full planning application on the site for the erection of 40 Affordable Dwellings (11/25/0025) on 24/01/25. The application is awaiting determination with discussions ongoing regarding arboriculture, viability and surface water. The site is therefore viable and developable.</p>
	<p>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?</p>	<p>The LLFA have requested an updated drainage strategy to support the applicant’s current planning application.</p> <p>Flooding incidents have occurred in the wider vicinity of the site, therefore the Council would be happy to include wording here, as proposed by United Utilities in its response to Reg. 19(2) (Ref 706(2)):</p> <p><i>“Viii. Existing public sewers pass through and near to this site. Modelling data (and / or flooding incident data) identifies these sewers as being at risk of sewer flooding. This will need careful consideration in the detailed design, masterplanning and drainage details for the site”</i></p>
<p>Policy HP2 Land at Hopwood Street (H4)</p>	<p>7. Are the development requirements set out in the policy justified and effectively worded?</p> <p>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).</p>	<p>Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective.</p> <p>Modifications have been proposed to include further development requirements for archaeology following consultation with statutory bodies.</p> <p>The Council has deemed the site as available as it was granted outline planning permission for 50 dwellings in May 2017 (11/17/0012). However, no response has been received from the landowner regarding delivery in recent times. The site has been retained as medium term allocation as previous planning application history indicates that it has potential. The Council will continue to pursue the sites owner to understand development potential.</p>

	<p>9. The site is at risk of sewer flooding. Would an additional development criterion be justified to require consideration of this in the detailed design?</p>	<p>Flooding incidents have occurred in the wider vicinity of the site, therefore HBC would be happy to include wording here, as proposed by United Utilities in its response to Reg. 19(2) (Ref 706(2)):</p> <p><i><u>“VIII. Existing public sewers pass through and near to this site. Modelling data (and / or flooding incident data) identifies these sewers as being at risk of sewer flooding. This will need careful consideration in the detailed design, masterplanning and drainage details for the site”</u></i></p>
	<p>10. Is it appropriate and justified to add further development requirements relating to the need to undertake an archaeological assessment and heritage impact assessment?</p>	<p>The proposed minor amendment (HBC1.005a) has been requested regarding Archaeological Assessment based on the HER Site Allocations Report (HBC6.003a and b). This is appropriate and justified as there is potential of archaeological interest onsite.</p> <p>There is no identified need for a heritage impact assessment identified in the HIA (HBC6.005).</p>
<p>Policy HP3 Land N of Sandy Lane. (H7)</p>	<p>11. Are the development requirements set out in the policy justified and effectively worded?</p>	<p>Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective.</p> <p>Modifications have been proposed to remove a development requirement for archaeology following consultation with statutory bodies.</p>
<p>Policy HP3 Land N of Sandy Lane. (H7)</p>	<p>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).</p>	<p>Yes the allocation is sound and has been found to be viable. There is an active agent involved with the site who is in contact with Development management. They mentioned that they have sent an improved access scheme to DM, although Lancashire Highways Department raised no objections.</p>
<p>Policy HP3 Land N of Sandy Lane. (H7)</p>	<p>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?</p>	<p>The Landscape Assessment (HBC6.004c) states that currently [Sandy Lane] changes character entirely becoming very rural in nature where it leaves the junction with Wensley Drive and Epsom Way... the character of the lane would be entirely altered and would be made unavoidably more suburban by the need to incorporate a footpath, kerbs and new surfacing”. However, the report also acknowledges that “Sensitive detailing of new works could make a significant impact on the way the new road fits into the existing landscape”. The agent for the site is submitting initial transport plans to the Inspector which show how this access would be formed, stating that “the character of the lane will not change beyond that needed to access the site, and in the context of the length of the lane this change will be minimal”.</p>

		Any planning application for the site would need to adhere to development requirements which seek to address this issue. The Council believe that any harm to the character of the Lane can be mitigated and does not outweigh the benefits of developing the site.
	14. In part ii) the policy suggests that an alternative access to Sandy Lane should be investigated. Is access from Austwick Way achievable?	Whilst the Council believe that an improved Sandy Lane probably provides the most logical access to the site it is open to developers suggesting alternative routes. There may be ownership issues taking access from Austwick Way which would need to be investigated. This is an estate cul-de-sac Lane which has been built with the purpose of serving a small number of residential properties so the Council question whether it would be appropriate to accommodate this quantum of housing.
	15. What is the justification for the proposed modification to remove part iii) of the policy relating to archaeology?	According to Lancashire HER department there is no known archaeological interest at this site. The Hyndburn Local Plan HER Site Allocations Report (HBC6.003a) states that H22 can be allocated without any further archaeological investigation. It is assumed that this requirement was added in error during Reg19(1), before the HER report had been incorporated into the plan.
	16. How have the landscape and visual amenity implications of development on this site been considered? What is the justification for the restriction of development above the 200m contour line in part vii) of the Policy?	<p>The landscape and visual amenity implications of development have been taken into consideration and the recommendations of the Landscape Assessment (HBC6.004a-C) and suitable development requirements have been included in the policy to reflect this.</p> <p>This development requirement is based on recommendations in the Landscape Assessment Stage 2 (HBC6.004c), which states: "Development should be avoided on the upper part of this site to avoid intrusive views of new development at a high level on the east side of the town, and maintain some separation between urban and rural communities, the maximum development altitude should be no more than 200 m."</p>

	17. What exceptional circumstances are there to justify the release of land in the Green Belt? 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?	Please refer to the Background Paper 4 (HBC8.004) and HBC's response to Matter 3 , question 1.
	18. Are the development requirements set out in the policy justified and effectively worded?	Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective.
	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).	The site has been actively promoted for development throughout the Local Plan process and the landowners are not aware of any impediment to bringing forward development, other than the current policy designation of the site. The agent for the site has confirmed that they expect the site to be developable within next 5 years. They have proposed an extended site suggesting the additional land is safeguarded.
Policy HP4 Rinstonhalgh Farm (H9)	20. What impact will the necessary highway improvement works have on the character of the existing access track? Is any mitigation required?	The Landcape Study raised no concerns about the impact to the existing track. The track itself is a currently a private road which leads to a farm and then on to the Hyndburn Brook Greenway; as the access road is a PRoW, this link should be " <i>prioritised and enhanced for pedestrians and cyclists</i> " as per criteria ii of the development requirements.
	21. Is it appropriate and justified to add further development requirements relating to the need to undertake an archaeological assessment and heritage impact assessment?	A proposed minor amendment (HBC1.005a) is requested regarding Archaeological Assessment based on the HER Site Allocations Report (HBC6.003a and b). This is appropriate and justified as there is potential of archaeological interest onsite.
	22. Are there any other constraints to developing the site and if so, how can they be appropriately mitigated?	The Landscape Strategy (HBC6.004c) states that " <i>the rounding off of the urban boundary in this location would only have a very localised impact, development of this site for housing would not significantly alter the current perception of tranquillity in the immediate vicinity</i> ". There are no there are no further constraints. Initially a larger site was looked at 9.44 ha and 250 dwellings, the site was significantly reduced in size due to ecological networks, priority species / habitats and the merging of settlements.

<p>Policy HP5 Clayton Triangle (H10)</p>	<p>23. The Council suggest the allocation should be deleted. Is this justified?</p>	<p>Yes, the site had been developed.</p>
<p>Policy HP56 Land S of Moorfield Avenue Huncoat (H15)</p>	<p>24. Are the development requirements set out in the policy justified and effectively worded?</p>	<p>Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective. Modifications have been proposed to include further development requirements for archaeology and heritage following consultation with statutory bodies.</p>
	<p>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).</p>	<p>Yes this site is owned by the Council, there are no current highways issues and the site is likely to come forward in the medium term (11-15 years).</p>
	<p>26. Are there any other constraints to developing the site not mentioned in the policy such as heritage assets, surface water drainage, ground conditions and presence of mine shafts and if so, how can they be appropriately mitigated? Do they need to be referenced in the policy?</p>	<p>The site size was reduced to minimise impact on biodiversity, there are no other known constraints which would impact on delivery.</p>
<p>Policy HP7 Land south of Stanhill Road, Knuzden (H16)</p>	<p>27. Are the development requirements set out in the policy justified and effectively worded?</p>	<p>Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective. Modifications have been proposed to include further development requirements for archaeology and school playing fields following consultation with statutory bodies.</p>
	<p>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).</p>	<p>Yes, The eastern portion of the site already had full planning permission for 89 dwellings (11/23/0207), the S.106 has been signed and conditions are being discharged.</p> <p>The remained of the site is expected to deliver around 63 dwellings. This is in 2 ownerships, owner of the majority of the western portion (LA48895 and LA776695 (see below)) Mr Towers, has confirmed they would still be willing to develop the site. However no further updates have been received from the owner of the smaller central portion (LA484613) (Heywood) but the Council believe the site to be developable within 0-5 years.</p>

		<p>MapSearch Snapshot</p> <p>Page 1</p> <p>Map scale 1:2500</p> <p>© Crown copyright and database rights 2021 Ordnance Survey 100026316 This map is for reference purposes only. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form. Data last updated 10:00pm 05 MAY, 2021</p>
	<p>29. Is it appropriate and justified to add a further development requirement to take account of the adjacent primary school playing field and ensure suitable mitigation is included in the design and layout to protect its current and future use?</p>	<p>HBC would be happy to include a development requirement regarding this and suggest the following modification as proposed by Sport England:</p> <p><i><u>“Proposals will be required to take account of the adjacent primary school playing field and ensure suitable mitigation is included in the design and layout to protect its current and future use”.</u></i></p> <p>However, this land has already been granted planning permission with appropriate mitigation incorporated into the design and layout.</p>
	<p>30. Is it appropriate and justified to add further development requirements relating to the need to undertake an archaeological assessment and a heritage impact assessment?</p>	<p>Yes, this has been proposed as a modification to the inspector following consultation with LCC HER department.</p>

Policy HP8 Land off Brookside Lane/Nook Lane, Oswaldtwistle (H17)	31. Are the development requirements set out in the policy justified and effectively worded?	Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective. Modifications has been proposed to include further development requirements for archaeology following consultation with statutory bodies.
	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).	Yes, the Council has contacted the landowner whom responded to say that they have "every intention to put in a planning application in the coming months for housing on this site". Pre app P/11/0335 was submitted by Countryside Partnership.
	33. The site is allocated for 62 dwellings however part vii) of the policy states that the access can accommodate around 100 dwellings. How has the site capacity been assessed? To make the most efficient use of land, could the capacity be higher or are there technical constraints which would prevent this?	The net deliverable area refers to the previously developed section of the site, the remainder of the site is identified as having DWS potential due to its ecological. Sections of the site are also at risk of flooding from both fluvial sources and surface water and are potentially undevelopable. Therefore, HBC believes circa 62 dwellings is an appropriate density to make best use of the land.
	34. Is it appropriate and justified to add a further development requirement relating to the need to undertake an archaeological assessment?	Yes, this has been proposed as a modification to the inspector following consultation with LCC HER department.
Policy HP9 Land at Rhoden Road (H19)	35. Are the development requirements set out in the policy justified and effective?	Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective. Modifications has been proposed to include further development requirements for archaeology following consultation with statutory bodies.
	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).	Yes, the site has previous outline consent for 34 dwellings (11/16/128) and the landowners for both parcels have recently confirmed that they are pursuing development and intend to suit a planning application in the near future.

	<p>37. Is access a constraint to developing the site? If so, how can it be appropriately mitigated?</p>	<p>No, an outline planning application has already been granted showing that access can be successfully obtained from Rhoden Road. This included a significant highway improvement scheme which would see the carriageway of Rhoden Road resurfaced and widened to 5.5m.</p>
	<p>38. Is it appropriate and justified to add further development requirement relating to the need to undertake an archaeological assessment and heritage impact assessment?</p>	<p>Yes, this has been proposed as a modification to the inspector following consultation with LCC HER department.</p>
<p>Policy HP10 Land to the northeast of Cut Lane (H20)</p>	<p>39. Are the development requirements set out in the policy justified and effectively worded?</p>	<p>Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective. Modifications have been proposed to include further development requirements for archaeology, ecology and school playing fields following consultation with statutory bodies.</p>
	<p>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).</p>	<p>The site has a willing landowner who has an active agent and are currently discussing options with house builders. Therefore, the site is likely to come forward in the near future.</p>
	<p>41. Is it appropriate and justified to add a further development requirement to take account of the adjacent primary school playing field and ensure suitable mitigation is included in the design and layout to protect its current and future use?</p>	<p>The Council would be happy to include a development requirement regarding this and suggest the following modification as proposed by Sport England: <i><u>"Proposals will be required to take account of the adjacent primary school playing field and ensure suitable mitigation is included in the design and layout to protect its current and future use"</u></i>.</p>
	<p>42. Is it appropriate and justified to add further development requirement relating to the need to undertake archaeological and heritage impact assessments?</p>	<p>Yes, this has been proposed as a modification to the inspector following consultation with Historic England and LCC HER department.</p>
	<p>43. The proposed development may impact on a small part of Cut Wood Park to facilitate the site access. Is this</p>	<p>Whilst reviewing the draft LNRS, HBC officers noted that Cutwood Park adjacent to the access route for H20 had recently been noted as having potential to be ancient woodland.</p>

<p>justified? Has the status of the Wood been clarified and what are the implications if any?</p>	<p>The Council sent an email to Natural England to clarify the status of the woodland and the evidence used to make the decision. HBC have provided cartographical evidence from old maps that the site was marsh land in the 18th century and therefore may not meet the criteria for ancient woodland. The map evidence indicates that the woodland is a plantation which was created at the same time as the adjacent reservoir which supports the canal.</p> <p>Natural England replied (HO20) to say they agree with the evidence presented by HBC, they have also looked in more detail at the ancient woodland vascular plants (AWVPs) used to qualify the site. They have concluded that <i>“the evidence currently available to Natural England does not support the site as ancient woodland and Natural England will now remove the site from the Ancient Woodland Inventory at the next opportunity”</i>.</p> <p>HBC sent this email to ecology officers to check the proposed development requirements are sufficient to take consideration of any arboriculture impacts. HBC’s ecologist has suggested that the wording regarding arboriculture impacts could be strengthened</p> <p>“viii. Development should take account of the areas of important habitat within the site. A Habitats Survey will be required as part of any planning application and areas of biodiversity should be retained wherever possible or suitable mitigation provided.</p> <p>ix. Consideration needs to be given to the impacts of access provision on Cutwood Park, including arboricultural impacts</p> <p>x. An AIA will be required and any trees lost as a result of the upgrade of Cut Lane should be appropriately reinstated. <u>Suitable mitigation and enhancement measures are to be provided and agreed with the council.”</u></p> <p>In addition, HBC have contacted the agent to explain the situation. The parties are looking at ways to provide access whilst minimising impact on the woodland.</p>
<p>44. What alternative access points have been considered and why have they been rejected?</p>	<p>The Council does not believe that there are any other valid access points. The Council believes that access from the estate to the south, via Ulverston Drive or Windermere Drive, would have an undue impact on the estate's occupants and may be incapable of providing a safe and secure access.</p>

<p>Policy HP11 Land off Fielding Street and Barn Meadow Crescent (H22)</p>	<p>45. What exceptional circumstances are there to justify the release of land in the Green Belt? 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?</p>	<p>Please refer to the Background Paper 4 (HBC8.004) and HBC's response to Matter 3, question 1.</p>
	<p>46. Are the development requirements set out in the policy justified and effectively worded? Specifically, part xiii) states that an access option from Butler Street could be explored? What other options are there and are they feasible? Should the policy be clearer to set out where the access is expected to be taken from?</p>	<p>Yes, as described in further detail in the answer to question 4, the site specific development requirements set out for each are considered to be both justified and effective. Modifications have been proposed to remove the development requirements for archaeology as it is deemed unnecessary following consultation with statutory bodies.</p>
	<p>47. 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).</p>	<p>Yes, whilst there is no relevant planning history, the landowners have confirmed that they are discussing options with developers and expect the site to come forward within 2 to 4 years.</p>
	<p>48. Existing public sewers pass through and near to this site. Modelling data (and / or flooding incident data) identifies these sewers as being at risk of sewer flooding. Would an additional development criterion be justified to require consideration of this in the detailed design?</p>	<p>Reflecting this risk, the Council would be happy to include wording here, as proposed by United Utilities in its response to Reg. 19(2) (Ref 706(2)):</p> <p><i><u>"Xvi. Existing public sewers pass through and near to this site. Modelling data (and / or flooding incident data) identifies these sewers as being at risk of sewer flooding. This will need careful consideration in the detailed design, masterplanning and drainage details for the site."</u></i></p> <p>Please note, Untied Utilities have also recommended this clause for H21 which does not currently have a site specific policy. The Council would not object to including one.</p>
	<p>49. Are there any constraints to developing the site and if so, how can they be appropriately mitigated?</p>	<p>When consulted, LCC highways gave an amber rating as there are some issues with visibility caused by on-street parking on Wharf Street/High Street. It is believed that extra land could be used to reconcile this. The agent sent an annotated copy of a deed (LAN188573) of land which is in the same ownership and could be used to improve access (see below).</p>



50. What is the justification for the proposed modification to remove part xii) of the policy relating to archaeology?

According to Lancashire HER department there is no known archaeological interest at this site. The Hyndburn Local Plan HER Site Allocations Report (HBC6.003a) states that H22 can be allocated without any further archaeological investigation.

It is assumed that this requirement was added in error during Reg.19(1), before the HER report had been incorporated into the plan.