
ROSSENDALE LOCAL PLAN 2019 – 2034

EXAMINATION

MATTER 5 – HEARING STATEMENT

CLIENT:
B&E Boys Ltd.

DATE:
29 August 2019

RESPONDENT REFERENCE NUMBER:
5192

Report Drafted By	Report Checked By	Report Approved By
DC	DC	DC
26.08.19	28.08.19	29.08.19

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1. INTRODUCTION

BRIEF

- 1.1 Hourigan Connolly is instructed by B&E Boys Limited having regard to Waterfoot Mills, Burnley Road East, Waterfoot.

SCOPE

- 1.2 This Hearing Statement has been prepared in respect of Matter 5 of the Local Plan (LP) 2019–2034 Examination and responds to the Inspector’s questions regarding employment need and supply as set out in the Schedule of Matters, Issues & Questions.

FORMAT

- 1.3 Each of the Inspector’s questions (where relevant to our originally submitted written representations in respect of the Submission Local Plan) are dealt with in a separate chapter of this Hearing Statement. Accordingly, not all questions posed by the Inspectors are addressed in this Hearing Statement.
- 1.4 In the conclusion Chapter we address whether the Council’s approach to employment provision is sound in accordance with the Planning and Compulsory Purchase Act 2004 and associated regulations.
- 1.5 The National Planning Policy Framework (2019) (the “Framework”) sets out the criteria for determining soundness; namely that the plan is positively prepared, justified, effective and consistent with national policy.

2. QUESTION 5E & 5J

THE COUNCIL IS REQUESTED TO PROVIDE INFORMATION ON ALL POTENTIAL SOURCES OF EMPLOYMENT LAND SUPPLY BETWEEN 2014 AND 2034, INCLUDING COMPLETIONS BETWEEN 2014 AND 2019, OUTSTANDING COMMITMENTS, SURPLUS LAND WITHIN EXISTING EMPLOYMENT SITES, SUPPLY FROM NEW EMPLOYMENT ALLOCATIONS, AND EMPLOYMENT SUPPLY FROM MIXED USE ALLOCATIONS – AND TO CONFIRM THE TOTAL ESTIMATED SUPPLY FIGURE BETWEEN 2014 AND 2034. THE FIGURES SHOULD BE GROSS IN ORDER TO ALLOW DIRECT COMPARISON WITH THE GROSS OAN FIGURE AND HOUSING REQUIREMENT FIGURE.

IS THE RETENTION OF ALL EXISTING EMPLOYMENT SITES AND SITES LAST USED FOR EMPLOYMENT, AS SET OUT IN POLICY EMP3, JUSTIFIED AND DELIVERABLE?

- 2.1 We would draw the Inspectors' attention to our Reg. 19 submissions and our associated Matter 8 Hearing Statement in relation to the subject site, which should be read alongside this hearing Statement.
- 2.2 Part of our client's wider ownership in the area is Site EE42 is proposed for allocation as an existing employment use. This is broadly supported.
- 2.3 However, parts of the wider site, include areas of "white land", which would be protected under policy EMP3. Specifically, part of Waterfoot Business Park, and all of the land at Globe and Albion Mills are no longer fit for purpose as employment use:
- Waterfoot Business Centre – Retain that part currently included in EMP42 as employment use and allocate the remainder (currently "white land") for housing.
 - Globe Mill – Allocate for housing. Globe Mill is not covered by the employment allocation EE42. This building has a lot of vacant units, with the upper floor difficult to let for employment space due to the layout of the mill building and the fact that the goods lift can only provide access to limited space in the building. There are issues with access for vehicles and goods, and problems with the fabric of the construction of the building. The resultant position is that this element of the Waterfoot Mills site is unattractive to new tenants and is financially unviable for retention in employment use either as existing or as a redevelopment employment proposal and is considered more suitable for residential redevelopment.
 - Albion Mill (now demolished)– Allocate for housing - Albion Mill is sandwiched between the main road (Burnley Road East), the adjoining Wales Road, and an area of existing woodland. Albion Mill recently had its road frontage demolished as a consequence of

structural obsolescence, there are no tenants in the building. Following the demolition of the mill this element of the site is more suited to a residential use which would complement the existing residential properties which surround the site. Albion Mill is unallocated, does not form part of EMP42 and is considered suitable for residential redevelopment.

2.4 In such circumstances, para. 120 of the Framework is clear:

“Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.”

2.5 Given the foregoing, the protection of the large parts of the wider Waterfoot Mills area for employment use is not viable. The application of policy EMP3 to these areas could stymie otherwise sustainable development proposals. Accordingly, we would respectfully request that the wider Waterfoot Mills site be allocated as a new mixed-use site, in line with our Waterfoot Mills Strategy Plan submitted at the Reg. 19 stage to facilitate the sustainable regeneration of this part of the Borough.

3. CONCLUSION

- 3.1 In our view the LP is not sound as submitted.
- 3.2 Our client's sites, comprising the wider Waterfoot Mills area, Burnley Road East, presents an exciting opportunity to make a sustainable contribution to the local economy through employment and housing redevelopment. Part of the site is currently proposed to be designated as an Existing Employment Area (EMP42), whilst the remainder would be protected under policy EMP3.
- 3.3 We have demonstrated through submissions that the wider site should be allocated for mixed-use comprising employment and residential uses. The site has an opportunity to contribute to the delivery of jobs and housing over the Plan period on a site which comprises previously developed land within the Urban Boundary, which would be stymied by the current land allocations.
- 3.4 In that respect, the plan is not positively prepared, justified or effective and, in part, is inconsistent with Paragraph 120 of the Framework.
- 3.5 In order for the LP to be found sound, site EE42 should be deleted and replaced by, in our opinion, a new mixed-use allocation covering the whole Waterfoot Mills area to facilitate employment and residential development in this sustainable location.