

Matter 6 – Provision for retail and other town centre uses

Issue – Does the Plan set out positively prepared policies for protecting and enhancing town centres and supporting retail growth, which are justified, effective and consistent with national policy?

[Policies R1 – R6]

- a) Are Policies R1 to R6 justified by robust up to date evidence? Particularly:
- i) Has account been taken of retail development at New Hall Hey (Policy NE4 and EMP7)
 - ii) Have any significant developments been committed or taken place which have not been taken account of in the retail evidence base? If so what are they and what are the implications for the Local Plan?
- b) Does Policy R1 define a soundly based network and hierarchy of town centres?
- c) How and when were the boundaries/extents of the Centres, Parades, Primary Shopping Areas and the Rawtenstall Future expansion defined? Are they justified and consistent with national policy? Particularly:
- i. Is the Rawtenstall Primary Shopping Area the defined areas where retail development is concentrated in the town? Should it incorporate the Asda Superstore?
 - ii. Should the Newchurch Road frontage of the Toll Bar Business Park (EE30) be included within the Stacksteads Neighbourhood Parade?
- d) What is the basis for the impact assessment thresholds set out in Policy R1 and are they justified?
- e) Do Policies R3 and/or R4 apply to development and change of use within the Stacksteads Neighbourhood Parade? If not what is the approach to managing development within the Stacksteads Neighbourhood Parade?
- f) Is Policy R5 justified and effective? Is it clear with regard to opening hours? How would a proposal demonstrate it would not contribute to obesity?
- g) Is Policy R6 effective and consistent with national policy and legislation? With reference to Conservation Areas should it refer to character and appearance?

Strategic Policy R1: Retail and Other Town Centre Uses

Retail development, together with other town centre uses, including offices, leisure, arts, culture and tourist facilities, will be focused within the defined centres, in accordance with the Retail hierarchy set out below (the boundaries of which are identified on the Policies Map):

Town Centre : Rawtenstall

District Centres : Bacup, Haslingden

Local Centres : Crawshawbooth, Waterfoot, Whitworth

Neighbourhood Parade : Stacksteads, Helmshore, Edenfield and Facit

Development proposals will be expected to maintain or strengthen the retail offer and vitality and viability of town, district, local and neighbourhood parades.

Major proposals will be directed to Rawtenstall with other large schemes encouraged to locate in the district centres of Bacup and Haslingden, with ancillary local retail in the other centres. Retail proposals will be directed to the Primary Shopping Areas (PSA). Proposals for non-retail uses appropriate to town centres will be considered favourably within the town centre boundary, which encompasses but extends beyond the PSA.

The existing markets at Bacup, Haslingden and Rawtenstall will be retained. Consideration will only be given to relocation where:

- this forms part of a wider regeneration initiative and
- it positively reinforces the role of the market

Where retail, leisure and office development is proposed outside of the defined centre boundaries, an impact assessment will be required where the floorspace exceeds:

Rawtenstall Town Centre : 400 sq.m

Bacup and Haslingden District Centres : 300 sq.m

Crawshawbooth, Waterfoot, Whitworth Local Centres : 200 sq.m

Proposals that require planning permission which would result in the loss of A1 uses in the PSA of the town, district and local centres will only be supported where:

- It would make a positive contribution to the vitality and viability of the relevant centre;
- It would not result in a significant break in retail frontage or lead to the loss of retail floorspace at a scale that would be harmful to the shopping function of the centre or which would reduce the ability of local communities to meet their day-to-day needs within the centre;
- It is compatible with a retail area and would maintain an active frontage and be immediately accessible to the public from the street; and
- There would be no significant adverse impacts on the character of the area, the amenity of local residents, road safety, car parking or traffic flows.

RCT give qualified support to R1, but Note:

A. Lower Cloughfold, alongside Bacup Road, is not identified as a neighbourhood centre or parade. Nor are large standalones: Musbury Fabrics in Helmshore, Winfields at Rising Bridge, Tesco at Sykeside, Rossendale Interiors in Stacksteads, and New Hall Hey's 3 Retail Parks.

B. NOTE so far not located gross retail areas to compare, BUT the WYG study does tend to confirm Planning Inspector's "is Rossendale shopped out" comment during Core Strategy Hearings in Public 2011. Also come to view that comparison shopping might be better viewed over-all Rossendale, rather than for each centre.

C. RCT note in particular these Sections from White Young Green's April 2017 Rossendale Town Centre, Retail, Leisure and Tourism Study. NOTE use of Primary and Secondary Shopping Area boundaries from 2011 Core Strategy, which include more area and longer walks in Rawtenstall than Bacup and Haslingden, and so should be treated with some caution, eg:

that the new Morrisons foodstore has not been accounted for

7.86 One reason

7.87 The other key reason

7.88 It should be noted

7.89 With some 1,493 sq.m comparison goods floorspace remaining unlet ... Phase I of the New Hall Hey scheme ... further 743 sq.m (GIA) forthcoming Phase II ... not considered that the planning authority needs to take any urgent action ...to address a qualitative need for an improved comparison goods offer in the Borough.....

D. RCT note that past actions have present consequences, and that New Hall Hey Retail Park was built against Officers advice to Members in their reporting on Application 2005/617 to DEVCON of 5 April 2006, in which they gave this:-

Recommendation

That planning permission be refused for the following reasons:

1) *The applicant has failed to demonstrate that a need presently exists*

2) *The proposal fails the sequential approach*

3) *The applicant has failed to demonstrate that the proposals would not adversely affect the vitality and viability of Rawtenstall town centre which is contrary to PPS6: Planning for Town Centres.*

RESOLVED:

That members of the Committee be minded to approve the application as a refusal would be detrimental to the future of Rossendale

E. RCT note, with New Hall Hey Retail Park, these particular Representations, 23/05/2016, on Major Application 2016/0129: Erection of 3no. Retail Units (A1) and a Restaurant/Refreshment Unit (A1/A3/A5) with associated access, car parking, and landscaping. Land off Swanney Lodge Road, Rawtenstall, Rossendale.

1. Design and Access Statement submitted by the Applicant shows proposals for 3557 sq.m gross retail area, to add to New Hall Hey Retail Park's existing 6182 sq.m, of which 3,817 sq.m gross is at ground floor level, **to give this Out of Centre Retail Park a new gross retail area of 9739 sq.m, and to increase its car parking from 157 to 381 spaces.**

2. Rawtenstall Town Centre estimated net **Primary Shopping Area is 5911 sq.m** and its Secondary is 6543 sq.m. Its public **car parking** for shoppers, workers, commuters and residents is 281 Long Stay + 171 Short Stay = 452 + On-street c118 = **Total c570 Spaces.**

3. Rossendale Local Plan Core Strategy 2011. This was subject to Hearings in Public before a Planning Inspector, who considered it in relation to the new National Planning Policy Framework, and, as adopted by Rossendale Borough Council, it does not support food sales at New Hall Hey:-

AVP 4: Strategy for Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

New Hall Hey will be safeguarded for bulky goods retail and business use. An extension for business use of land to the south of Hardman's Mill will be favourably considered subject to flood risk issues being fully addressed.

4. National Policy on retail locations. RCT note NPPF's S2 Ensuring the vitality of town centres, where the definition of Edge of Centre, shows this as within 300m of a Primary Shopping Area. New Hall Hey is far Out of Centre at c.800m.

5. RCT would remind Members that, having given Planning Approval 2007/030 for the erection of 3 retail units measuring 3358 sq.m, 1412 sq.m and 1412 sq.m, these units were constructed by August 2010; and then **remained vacant until Members were persuaded in 2014 to allow** a variation of the conditions, attached to this 2007 planning permission, so that 1,162 sq.m of the gross floor space (Unit A1) can sell all Class A1 goods, including **food, drink** and clothing, along with ancillary uses. In order, it appears to RCT, **to bring a M&S Simply Food to Rossendale; a decision that looks to have "trumped" both local and national planning policies and their intentions to ensure the vitality of town centres.**

6. Rawtenstall Town Centre Retail Growth and Potential. RCT suggest that if a need was not evident in 2006, it certainly isn't now. Did Rawtenstall, or Rossendale, really need this Out of Centre's M&S's 1162sq.m of Simply Food sales, when it had a new Asda, Lidl, Tesco, B&M's 340sqm of food sales in the 3543 sqm ex Focus DIY, the Valley Centre cleared for redevelopment, and the vacated New Hall Hey Station Court: 2181sqm gross, c150 car spaces.

RCT estimate net retail, from VOA data, shows Rawtenstall Town Centre's:– Primary 5911sq.m, Secondary 6543sq.m, Edge 20203sqm to total 32657sqm. **The real change for Rawtenstall was Asda's 10986sqm nett, 13106sqm gross.**

F. RCT note LCC's Lancashire Profiles, which shows gross retail area in Rossendale: 974 - 90,000sqm, 1998 - 92,000sqm, 2008 - 119,000sqm or 29% Lancashire's No 1 for growth in retail space to Hyndburn's 16.6%, and Burnley's 13.5%.

Town	Population	Gross Retail sqm	Sqm/head
Chorley	104,000	173,000	1.65
Rossendale	67,300	119,000	1.77
Blackburn+Darwen	140,700	312,000	2.22
Hyndburn	81,600	196,000	2.40
Preston	132,000	457,000	3.46

Does this show the effects of being close to larger centres?

Maybe, but then take the situation of a large town, close to both other large towns, and also city centres. We see Warrington, where a main high street Boots has moved into a Debenhams expanded Golden Square, and its site is now proposed for a smaller Retail Market. Where a population growth from 122,300 in 1968 to 202,228 in 2011, relates to a 55% reduction of town centre shopping floorspace to 4.8 sqft per person – 0.45 sqm/p, but its gross retail of c296,000 sqm is only 1.46 sqm/p.

Or are we also seeing the effects of the change to larger retail units with more efficient use of space: better ratios of net to gross areas: 49-51 Bank Street ex Woolworths' 49% to Asda St Mary's Way's 84%?

So note Rossendale's recent growth: Tesco x 2, a new Asda, a Lidl, Bacup's 2022sqm Morrisons, and a B&M with Planning Permission for 340sqm of food sales in the 3543 sqm ex Focus DIY. Did Rawtenstall or Rossendale need an Out of Centre 1162sqm of food sales in M&S? And now an Aldi as part of 3557 sq.m gross retail area, added to New Hall Hey Retail Park's existing 6182 sq.m.

RCT see in 2019:

New Hall Hey Retail Park, M&S food sales, Aldi, Iceland, Home Bargains, c9.40am Fridays from X43 bus, a busy car park.

Bocholt Way Tesco Jacks c8.30pm few parked cars and shoppers.

Harrisons butchers leave Bank Street for Bacup Road.

Rawtenstall Market, less stalls and layout changed for alternative activities.

Other goods – typical replacements: washer from Whitworth, fridge from Bury. DIY and building: Screwfix at New Hall Hey. Catalogue: Tesco Direct at Bocholt Way closed, and now nationally, leaving Argos in Accrington with home deliveries from regional base, as does Amazon.

So “shopped out”??? And to repeat RCT note D: that past actions have present consequences, and that New Hall Hey Retail Park was built against Officers advice to Members in their reporting on Application 2005/617 to DEVCON of 5 April 2006. Note ASDA's new superstore's application was approved in 2005.

Policy R2: Rawtenstall Town Centre Extension

Within the area defined on the Policies Map within Rawtenstall Town Centre shown as an extension to the Primary Shopping Area, redevelopment will be permitted subject to the following:

a) Comprehensive development of the site is demonstrated through a masterplan;

- b) The implementation of development in accordance with an agreed design code; and
- c) An agreed programme of implementation in accordance with the masterplan.

The following mixes of uses are considered to be appropriate:

- i. Retail (Use Class A1);
- ii. Hotel (Use Class C1);
- iii. Restaurants and cafes (Use Class A3);
- iv. Drinking establishments (Use Class A4);
- v. Leisure uses (Use Class D2);
- vi. Employment uses comprising B1 (Business)
- vii. Residential units above ground floor level.

RCT support the hopes in R2, but ask where's the nice big landscaped car park.

Since comments 4 October 2018, there's changes in how this policy could be delivered:-

December 12 full Council meeting update on Spinning Point: In the summer, the Council agreed in principle our vision for Spinning Point phase two. Since then, members from all political parties have been looking in detail at the proposals to make sure what we were proposing was actually deliverable and was backed by firm evidence This robust process showed that a high quality, cutting edge luxury spa was viable, deliverable and desirable.

However, the process also showed that a hotel would be too risky in the current climate.....agreed not to pursue that option at this time but instead go for a residential offer..... Council agreed to proceed with the preferred scheme of a spa, apartments and seven retail/food and beverage units.

RCT told RBC of a new SPA in a Neighbourhood Hub: a remodelled 1974 Sankey Forum Joint User Sports Centre in Warrington. And now marketing proposals for Spinning Point Phase 2 show a “standalone” SPA above retail and other uses, previously a cinema was proposed.



July 19, 2019.

Rossendale Council has issued the following update around Spinning Point Phase 2.

We have changed the plans for phase two of the Spinning Point development, after listening to the public and understanding what people want. We are not building the retail units and will bring in more open space and more parking.

We have always been clear that unless the retail element adds to what we have in Rawtenstall, we will not build these retail units. There has been some interest, but not to the level and standard of what we want, or what will enhance Rawtenstall.

The state of the art spa will still be at the heart of the development with some living accommodation as well.

The spa will welcome local visitors looking for a relaxing day experience. Its world class facilities will provide an excellent boost to the local tourism economy.

We have received a significant amount of interest in the retail units at the bus station and are currently in talks with interested parties.



RCT continue to support the hopes in R2, and welcome these intentions to revise proposals for Spinning Point Phase 2. And hope Mk 2's retail, service and leisure uses, will adopt the common sense of re-inventing the frontage of Bank Street: keeping not only parking, but servicing of shops, behind it. Besides its contribution to Rawtenstall Conservation Area, a large landscaped car park could better support its commerce, than its present scatter of parking areas. Some could then be offered for other uses.

RCT note this evidence base, and how others could compete with a standalone SPA: how the unlisted parade on Bacup Road, Lower Cloughfold, already has 2 physiotherapists, an osteopath – podiatrist, Thai massage, nails - makeup, hair dressers.

Rossendale Town Centre, Retail, Leisure and Tourism Study. WhiteYoungGreen. April 2017.

8.0 Leisure Needs in Rossendale

8.22 Alongside the sports, health and fitness offer.... Borough also benefits from a wide range of smaller facilities run by independent and regional operators. ... larger-format multiple health and fitness centresnot represented in Rossendale. However,.....not necessarily considered to raise issues from a qualitative perspective given the strength of the Borough's independent offer.

8.23 In summary,..... majority of those who visit indoor sports, health and fitness facilities use .. provision provided within the Rossendale authority area. offer is appropriately distributed throughout Rossendale's key settlements Rossendale is relatively well provided for in terms of indoor health and fitness facilities. ... whilst there does not appear to be a pressing need to allocate additional land for such leisure uses, proposals for new indoor sports, health and fitness provision should be considered positively, provided that they are in accordance with the provisions of the development plan and national planning policy.

Policy R6: Shopfronts

The Council will seek the retention of shopfronts and commercial frontages with features of architectural or historic interest (particularly those in Conservation Areas), unless the replacement or significant alteration of these shopfronts would better preserve or enhance the character of the building and the wider area.

Proposals for new shopfronts and commercial frontages and the improvement of existing frontages should reflect the character of the area. All proposals will be assessed against the policies set out in the “Shopfront design” Supplementary Planning Document including any subsequent updates.

RCT support R6, with Historic England’s amendment *to include reference to character and appearance*, and with a policy: that works done without a planning application in Conservation Areas, whatever their quality, will need a retrospective application for approval by the local planning authority’s Members, after time for the publicity and consultations, and not by delegation to Council Officers.

While RCT see nothing, in GOVUK planning enforcement guidance to local planning authorities, about Conservation Areas and “Shopfront design” guidance, there’s also nothing about “officer” and “delegation”, whereas “public interest” and “acceptance” are noted as important for enforcement.