

ROSSENDALE LOCAL PLAN 2019 – 2034
EXAMINATION HEARING STATEMENT
B&E BOYS LTD (**RESPONDENT REF. 5192**)
THE FORMER REGAL CINEMA, BACUP

MATTER 16 – ENVIRONMENT

1. QUESTION 16 B

IS POLICY ENV2 CONSISTENT WITH THE NATIONAL PLANNING POLICY FRAMEWORK? SHOULD IT REFER TO PUBLIC BENEFITS IN ANY PLANNING BALANCE? SHOULD IT BE TITLED HISTORIC ENVIRONMENT RATHER THAN HERITAGE ASSETS AS SUGGESTED BY HISTORIC ENGLAND?

- 1.1 The Regal Cinema is not listed but is located within the Bacup town Centre Conservation Area. For the avoidance of doubt, our position is that we take no issue with the subject site being located within the Conservation Area, indeed, we agree with the draft Local Plan that this part of Bacup is of historical interest. The site is located directly opposite the Bacup Cenotaph and adjacent to the Grade II Listed Building St Johns Church.
- 1.2 Policy ENV2 confirms that the Council will support proposals which conserve or, where appropriate, enhance the historic environment of Rossendale.
- 1.3 As demonstrated in our submissions to the Reg. 19 stage, the subject site is not suitable for retention or conversion. The building is in a deteriorating state and is not fit for commercial purposes, and certainly not for the current D2 (Assembly and Leisure) use. The site is empty and unused, and this has been the situation for more than four decades. As it stands at the moment, there is no prospect of this position improving. It is our view that Policy ENV2 has not been positively prepared as it should make explicit reference to the demolition of the existing building to facilitate redevelopment of the site for uses appropriate in a Town Centre for the reasons set out in this detailed Representation.
- 1.4 We are aware of the Council's recent funding bids for Bacup, which may help but the planning policy position has to be in place to enable the proper regeneration of the site. It is our view that Policy ENV2 has not been positively prepared as it should make explicit reference to the demolition

of the existing building to facilitate redevelopment of the site for uses appropriate in the District Centre.

1.5 Again, our Reg. 19 representation makes detailed submissions to which we refer the Inspectors, in particular:

- Firstly, the removal of a vacant, unused and deteriorated building would result in many positive benefits to the Bacup Town Conservation Area; these are discussed in detail in Chapter 6.
- Secondly, the allocation of the site for retail would not only accord with the designation of the site within the Bacup District Centre but would wholly accord with the aims of Strategic Policy R1 of the emerging Local Plan; these are discussed in Chapters 5 and 6.

1.6 It is our firm view that the site has an adverse impact upon the setting of the Conservation Area and upon the setting of nearby listed buildings, most notably St John's Church and the redevelopment of the Regal Cinema site offers the opportunity to re-open a long-lost view of the adjacent Grade II listed church.

SOUNDNESS

POSITIVELY PREPARED

1.7 As demonstrated in this Representation the subject site is not suitable for retention or conversion. The building is in a deteriorating state and is not fit for commercial purposes, and certainly not for the current D2 (Assembly and Leisure) use. The site is empty and unused, and this has been the situation for more than four decades. It's inclusion within the Town Centre is a reflection of its location; it makes no contribution whatsoever to the retail offer. As it stands at the moment, there is no prospect of this position improving. It is our view that Policy ENV2 has not been positively prepared as it should make explicit reference to the demolition of the existing building to facilitate redevelopment of the site for uses appropriate in a Town Centre for the reasons set out in this detailed Representation. On this basis alone, the Council's Plan is unsound.

1.8 In this regard, the site should be allocated for retail, to positively reflect the aims of Strategic Policy R1 and Policy R3 as discussed in this Representation.

JUSTIFIED

1.9 Policies ENV2, R1 and fail to plan for the proper growth of Bacup as they do not acknowledge that there is no reasonable prospect of the existing building ever being brought back into a beneficial use, to the detriment of the Conservation Area and the economic objectives of the Plan.

1.10 There is no justification for the retention of a building which does not make a positive contribution to the Conservation Area or to the local economy.

EFFECTIVE

- 1.11 The preceding sections of this document have explained how the existing building is not suitable for retention or conversion for any commercial use or alternative use; the Local Plan is therefore not effective.

PROPOSED MODIFICATION

- 1.12 To be consistent with national policy, the Council is respectfully requested to revise Strategic Policy ENV2 to make specific reference to the redevelopment of the former Regal Cinema site. The NPPG makes it clear that local planning authorities should positively prepare strategies for the conservation and enjoyment of the historic environment and this can include making specific reference to buildings.