
ROSSENDALE LOCAL PLAN 2019 – 2034

EXAMINATION

MATTER 8 – HEARING STATEMENT

CLIENT:
Brother Investments Ltd.

DATE:
30 August 2019

RESPONDENT REFERENCE NUMBER:
5194

Report Drafted By	Report Checked By	Report Approved By
DC	DC	DC
26.08.19	28.08.19	30.08.19

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1. INTRODUCTION

BRIEF

- 1.1 Hourigan Connolly is instructed by Brother investments Limited having regard to their land ownership at Forest Mill (site EE41).

SCOPE

- 1.2 This Hearing Statement has been prepared in respect of Matter 8 of the Local Plan (LP) 2019–2034 Examination and responds to the Inspector’s questions regarding site allocations 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 the site 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 8 V

ARE THE IDENTIFIED B USE CLASSES ON THE EMPLOYMENT ALLOCATIONS (AS SET OUT IN POLICY EMP2) JUSTIFIED AND SUPPORTED BY ROBUST EVIDENCE?

- 2.1 Site EE41 is proposed for allocation as an existing employment use.
- 2.2 We would respectfully refer the inspectors to our Reg. 19 submission, which sets out in terms why the site is not suitable for retention in employment use.
- 2.3 We support the aims of the Local Plan to identify key development sites which are central to the delivery of the overall strategy for new and existing employment assets and the Borough's economy. Crucial to the economy is the delivery of appropriate uses in the right locations.
- 2.4 As an employment site, Forest Mill is poorly located, being over 8 km north east of the A56. The owners have been very fortunate over the years to have been able to obtain some very long-standing tenants, although they have just recently lost their biggest tenant with regard to space occupied and rent achieved.
- 2.5 In order to attract any form of occupancy, the owner will have to offer substantial rent reductions. There are major works required to make Forrest Mill more attractive to businesses. The goods lift needs major refurbishment (costed at roughly £80k) to meet current regulations and the roofs all need completely re-roofing (costed at roughly £600k).
- 2.6 The Council's Employment Land Review 2017 scores the site poorly against the various employment criteria and gives an overall rating of Poor.
- 2.7 The site is no longer a viable employment location and there is no reasonable prospect of either take-up or redevelopment for employment use. 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.”

2.8 To this end we consider that it would be more appropriate for the employment allocation to be removed and for the site to be allocated for residential development. The site comprises brownfield land in a sustainable location, within the urban area, and is therefore entirely appropriate to contribute towards the Borough's housing need over the plan period.

3. CONCLUSION

- 3.1 In our view the LP is not sound as submitted.
- 3.2 The site is not suitable for employment purposes. The site is only partly occupied and needs major works to bring it up to modern standards which is financially unviable. It is located poorly for an employment use. It is our view that Policy EMP2 has not been positively prepared by protecting the Forest Mill as an existing employment site under reference EE41.
- 3.3 There is no reasonable prospect of the site being used for employment in the long term. The allocation is not justified, not effective and is inconsistent with Paragraph 120 of the Framework.
- 3.4 In order for the LP to be found sound, site EE41 should be deleted and replaced by a new housing allocation.