

<b>Application Number:</b>	2025/0438	<b>Application Type:</b>	Full
<b>Proposal:</b>	Full: Demolition of existing market stalls/shop units on the western side of the site and the retention/alteration of retained market stalls on the eastern side (flanking Bright Street); the erection of a canopy feature (601.3sqm); erection of a single storey cafe with public toilets (145.5 Sqm GEA) with associated external pavement cafe; the creation of a hard and soft landscaped external public space for the purposes of temporary pop up market stalls, community event space and informal leisure, with associated lighting.	<b>Location:</b>	Bacup Market Union Street Bacup Lancashire OL13 0AY
<b>Report of:</b>	Head of Planning	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	14.04.2026
<b>Applicant:</b>	Rossendale Borough Council	<b>Determination Expiry Date:</b>	07.01.2026 (Extension of time agreed until 17.04.2026)
<b>Agent:</b>	Richard Gee – Roman Summer Associates Ltd.		

<b>Contact Officer:</b>	Storm Grimshaw
<b>Email:</b>	planning@rossendalebc.gov.uk

<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	No
<b>Member Call-In</b> Name of Member: Reason for Call-In:	No
<b>3 or more objections received</b>	No
<b>Other (please state):</b>	Council planning application submitted on Council owned land.

## HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

### Article 8

The right to respect for private and family life, home and correspondence.

### Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

## 1. RECOMMENDATION

That Members resolve that they would be minded to grant planning permission subject to the conditions recommended in section 10 below.

## APPLICATION DETAILS

### 2. SITE

The application relates to Bacup Market (also known as Temple Court Market Place), a modern market made up of cabins and open stalls in Temple Court Place. The market buildings are of stone and slate construction, single storey height, with shuttered frontages. The open stalls to the centre of the market are covered with corrugated steel roofs. The market is located on a 'backlands site' in the centre of Bacup. A mix of historic and modern buildings surround the market, apart from a section of Market Street where the former Barclays Bank building (no.12 Market Street) previously stood but has since been demolished.

The application site covers the existing outdoor market, the site of the former Barclays Bank building, Tower Street to the north, a section of Bright Street, Union Square, and parts of the wider public realm. Tower Street, Bright Street and Union Square are all highways maintained at public expense. There is a noticeable change in levels across the site, with Market Street and the site of the former Barclays Bank building occupying an elevated position above the outdoor market. The application site includes areas of planting/trees fronting Market Street. Otherwise, most of the site is hardsurfaced, with the site including an informal parking area to the west of Union Square.

The site is located within the town centre boundary of Bacup and is located wholly within the District Centre's Primary Shopping Area (PSA), as shown on the Policies Map accompanying the Council's Local Plan.

The site is also located within the Bacup Conservation Area and near to a number of Grade II listed buildings, including 18-20 Market Street, the Waterloo Hotel, Mechanics Hall, 12, 14 & 16 King Street, and 9 King Street. A number of non-designated heritage assets (NDHAs) can also be found within the surrounding area.

Most of the site is located within flood zone 1, although parts of the site fall within zone 2. The lower half of the site falls within the Coal Authority's High Risk Development Area.

### 3. RELEVANT PLANNING HISTORY

2024/0230 – Major: Redevelopment of Bacup Market, to include the demolition of all existing market stalls / shop units; the erection of a new mixed use indoor market and cycle hub over three levels (1,178.9 sqm GEA); the creation of hard and soft landscaped external public spaces for informal leisure, occasional / temporary 'pop up' market stalls and event space; associated lighting and highways-related works, including the reconfiguration of parking space and servicing arrangements and the introduction of a one-way traffic circulation system along Tower Street / Bright Street / Union Square; and the erection of a sub-station (12.3 sqm GEA).

*Application withdrawn.*

2024/0007/PREAPP – Pre-application: Demolition of existing buildings and erection of a new indoor Market Hall (to replace the existing market) with associated new public realm.

*Formal advice issued on 07.05.2024 in response to the pre-application enquiry.*

2023/0560 – Discharge of Conditions: Approval of Details reserved by Condition 4 (Construction Method Statement/Plan) pursuant to planning permission 2023/0276 to demolish 12 Market Street

*Pending consideration. Letter issued to applicant 25.01.2024 confirming that the demolition of the building can commence in line with the approved details provided, however the requirements of the condition will not be fully discharged until the post-construction photos have been submitted and any necessary repairs carried out to return the highway to its original condition. At the time of writing post-construction photos have not been submitted.*

2023/0276 – Demolition in a Conservation Area: Proposal to demolish 12 Market Street.

*Approved 04.08.2024*

#### **4. PROPOSAL**

The applicant seeks planning permission for a scheme to redevelop the existing market and parts of the surrounding public realm. The proposed scheme includes:

- Demolition of the existing market stalls/shop units on the western side of the site and the alteration of the retained market stalls on the eastern side flanking Bright Street.
- Erection of a canopy feature covering an area of 601.3sqm.
- Erection of a single storey building with a total floorspace of 145.5 sqm. The building would feature a café, public toilets, a waste / bin storage area and a plant room. The café would also benefit from an outdoor seating area.
- Creation of a hard and soft landscaped external public space to host temporary ‘pop up’ stalls, serve as a community event space and informal leisure. Works also include external lighting.

The two existing market stall blocks to the east of the site would be refurbished and modernised, providing 12 permanent market stalls in total, whilst the remaining market stalls/buildings on site would be demolished. The stonework of the refurbished market stalls would be cleaned and restored as required, and the roofs would be retained and restored. The existing shutters would be retained and restored also. A pressed aluminium signage zone would be added above each stall to provide an area for traders to include their name or branding. The Design and Access Statement notes that some units would require an open space that customers can walk into and others would require a built-in counter at the front to sell from. In terms of the latter, the counter would be clad in green glazed tiles to match the colour of the signage. Based on the Proposed Stall Elevations drawing only one unit would include such a counter.

The centre of the site would be cleared of buildings and turned into an open public square. Following negotiations the public square and steps to Market Street would be surfaced in Holcombe Sandstone paving, in small stone blocks and elongated stone blocks. The existing areas of planting along Market Street would be retained and extended into the market square, with further areas of soft landscaping included along Tower Street and around the café. Steps would be installed between the planting along Market Street, with stepped seating included in the centre of the steps. The proposed seating would be formed from either granite or in-situ concrete clad in granite. Retractable bollards would be included to the north and south of the public square to control vehicular access.

The refurbished market stalls and a large area of the new public square would be covered by a cantilevered canopy built from glulam timber and supported by a series of timber columns. The roof of the canopy is made up of a series of repeating gables, with the underside of the canopy reaching a height of 5000mm above ground level. The roof covering would be a single-ply waterproofing membrane in a mid-grey colour, with aluminium trims to the fascias.

The proposed single storey building containing the café would be positioned to the rear of the former Market Hotel. The walls of the building would be finished with natural stone, apart from one elevation finished in render, and the pitched roof would be laid with natural slate with PV solar panels above. The gables of the roof would be framed with stone copings. The building would have a rectangular footprint extending north to south, with the building's northern elevation opening on to the market square with an outdoor seating area beyond. The glazed opening would be framed with anodized aluminium bronze colour frames with signage of a similar material above. The east elevation would include an entrance and windows and a stone clad market signage reading 'Temple Court'. The metal cladding and glazing would be framed in anodized aluminium bronze colour frames also. The south elevation would include doors leading to a refuse area and plant room, and would feature louvers in a similar colour to the bronze frames.

Details of the external lighting proposed across the site have been provided, with standalone columns, lighting featured on the columns of the canopy, on the back of the retained market building (along Bright Street) and on the café building.

According to the Planning Statement, it is anticipated that the market will operate at least 5 days a week, likely from 8am until 5pm. However, the Planning Statement goes on to state those periods / times are not fixed, and it is expected that the new plaza will accommodate evening functions – for example, 'foodie markets', or special events such as Christmas tree lighting and carol singing.

The originally submitted scheme has been revised following negotiations between the case officer, statutory consultees, and the planning agent acting on behalf of the applicant.

## **5. POLICY CONTEXT**

### **National Planning Policy Framework**

- 2 – Achieving Sustainable Development
- 4 – Decision Making
- 6 – Building a Strong, Competitive Economy
- 7 – Ensuring the Vitality of Town Centres
- 8 – Promoting Healthy and Safe Communities
- 9 – Promoting Sustainable Transport
- 11 – Making Effective Use of Land
- 12 – Achieving Well Designed Places
- 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- 15 – Conserving and Enhancing the Natural Environment
- 16 – Conserving and Enhancing the Historic Environment

### **Development Plan Policies**

#### **Rossendale Local Plan**

SS: Spatial Strategy

SD1: Presumption in Favour of Sustainable Development

SD2: Urban Boundary and Green Belt

SD3: Planning Obligations

R1: Retail and Other Town Centre Uses

R3: Development and Change of Use in Town, District and Local Centres and Neighbourhood Parades

R6: Shopfronts

ENV1: High Quality Development in the Borough

ENV2: Historic Environment

ENV4: Biodiversity, Geodiversity and Ecological Networks

ENV6: Environmental Protection

ENV8: Other forms of Energy generation

ENV9: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality

ENV10: Trees and Hedgerows

LT2: Community Facilities

LT3: Tourism

TR1: Strategic Transport

TR2: Footpaths, Cycleways and Bridleways

TR4: Parking

### **Other Material Considerations**

National Planning Practice Guidance

Climate Change SPD

Planning (Listed Buildings and Conservation Areas) Act 1990

## **6. CONSULTATION RESPONSES**

<b>Consultee</b>	<b>Response</b>	<b>Conditions Recommended?</b>
Bacup Natural History Society	No comments received.	No
Cadent Gas	No objection. Informative required.	No
Environment Agency	No objection. Informatives recommended.	No
Growth Lancashire (Heritage)	Proposal represents a limited level of less than substantial harm.	No
Historic England	No objection.	No
Lancashire Constabulary Designing out Crime Team	No comments received.	No
Lancashire Fire & Rescue	No comments received.	No.
LCC Active Travel	No comments received.	No
LCC Highways	No objection, subject to conditions.	Yes, including pre-commencement conditions.
LCC Historic Environment Team	No objection.	Yes, including pre-commencement condition.
RBC Contaminated Land Consultant	No objection.	Yes, including pre-commencement.
RBC Environmental Health	Advised "There are no comments from Environmental Health in relation to this	No

	application."	
RBC Tree Consultant	No objection.	No
RBC Operations	No comments received.	N/A
Rossendale Civic Trust	No comments received.	N/A
The Coal Authority	No objection. Informative recommended.	No
Twentieth Century Society	No comments received.	N/A
United Utilities	No objection, subject to conditions.	Yes

## 7. REPRESENTATIONS

To accord with the General Development Procedure Order a press notice was published, site notices were posted near to the site, and letters were sent to neighbouring properties. 2 representations have been received: 1 neutral representation and 1 representation in support.

The neutral representation raised the following matters:

- *The moving of the designated "Disabled Parking Spaces" is welcomed due to the design of parallel parking as opposed to tandem parking. However, there is no mention on parking restrictions on Tower Street nor any resurfacing work. For a disabled person or even a parent with a child buggy, the navigation of Tower Street is very uncomfortable. The continued abuse of the area by taxis not using South Street is an issue to both the non car user and car user alike. The suggestion is that this opportunity is taken for the Developer to resurface Tower Street and to install parking restrictions so that free access to Tower Street is available for all pedestrians.*

*Secondly, there is provision for the recharging of electric vehicles in the Town Centre but no provision for the recharging of mobility scooters and electric wheelchairs. These require a 13amp socket can this provision be incorporated into the exterior of the cafe area?*

It should be noted that the original submission has been revised to remove the disabled parking spaces from the proposed scheme, including other works to the existing public highway within the site. The highway-related works have been removed to ensure the development meets the deadlines set within the Levelling Up Fund programme, which has awarded substantial funding to support the proposal. The applicant has confirmed their intention to submit a separate 278 application under the Highways Act 1980 for the highway-related works. This is discussed in further detail in the relevant section of the report below.

In regards to the provision for the recharging of mobility scooters and electric wheelchairs, the applicant has considered the request and commented as follows:

*"External provision was reviewed but discounted due to concerns from the design team regarding security, supervision and the safeguarding of users' equipment in an open, public location.*

*The option of internal provision within the cafe building was also explored. However, advice from the project Fire Engineer confirmed that mobility scooter charging is not permitted within areas forming part of an escape route unless located within a dedicated fire-resisting enclosure, incorporating additional fire detection. Approved Document B and BS 9999 advise that higher-risk activities, including battery charging, should only be located within dedicated spaces provided with suitable fire-resisting construction and automatic fire detection. Essentially, this would mean a separate and dedicated mobility scooter / wheelchair charging room.*

*Due to spatial constraints, it is not feasible to accommodate such a compartmented space without fundamentally compromising the layout and future tenant flexibility. On this basis, it has not been possible to safely or reasonably provide a wheelchair / mobility scooter charging point as part of the current proposal.”*

The representation in support commented:

- *I want to see this passed and built. It will make a smaller and more manageable stallholder base and allow for public events to take place. I think the design works well and, having lived here for just over three years, it has just rumbled on and on. It is time that this matter was finally put to bed. Hopefully, March 2026 will see the start of the redevelopment with an opening date of March 2027. It will make for a very attractive and usable space and complement the built environment quite well.*

## **8. ASSESSMENT**

### Sustainable Development

The Framework makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development, and achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These include an economic objective, a social objective and an environmental objective. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development, and for decision-taking this means:

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

Policy SD1 of the Local Plan echoes the above presumption in favour of sustainable development, and states the Council will seek to secure development that improves the economic, social and environmental conditions in the area. For reasons covered in detail below, it is considered that the proposed development represents a sustainable form of development, and is in accordance with the Framework and Policy SD1 in regards to achieving improvements in the economic, social and environmental conditions of Bacup market.

## Principle

The principle of regenerating the existing market at the heart of Bacup's town centre is strongly supported by national and local planning policy, and is in line with the Council's strategic priorities and vision for Bacup town centre.

The Framework states "*planning policies and decisions should support the role that town centres play at the heart of the local communities, by taking a positive approach to their growth, management and adaptation*" (paragraph 90). The same paragraph goes on to state "*policies should retain and enhance existing markets and, where appropriate, re-introduce or create new ones*".

The proposal is expected to support a number of the Local Plan's vision and objectives which include:

- *Rebalancing the east/west divide in Rossendale by providing a range of housing and economic opportunities across the Borough;*
- *Promoting economic prosperity and helping to grow and retain local job opportunities...;*
- *Supporting each centre identified in the retail hierarchy through appropriate development which strengthens their role and function, in particular increasing the retail and leisure offer and delivering the 2040 Visions for Bacup and Haslingden;*
- *Supporting the visitor economy to raise the profile of the Borough's attractions and strengthen the offer to visitors.*

The strategic priorities that will help achieve the above (according to the Local Plan), include delivering the 2040 visions for towns such as Bacup. Regeneration proposals for the existing market have been reviewed and refined since the original Bacup 2040 Vision was published, to reflect changing circumstances, funding requirements and feedback from the community. It is understood that the Bacup 2040 Vision formed a significant part of the Council's successful bid for funding from the Government's Levelling Up Fund, with the regeneration of Bacup market and improvements to the public realm identified as key projects. Regeneration of the market remains a key part of the Bacup 2040 Vision, and the proposed scheme would support the delivery of the 2040 Vision for Bacup.

Strategic Policy R1 of the Local Plan echoes national policy set out in the Framework and makes clear that existing markets will be retained, with a clear steer towards retaining markets in their current locations. The broader aims of Policy R1 are to direct new retail development and other main town centre uses to the defined centres set out in the retail hierarchy (and more specifically, the Primary Shopping Areas of those identified centres), and to maintain or strengthen the retail offer and vitality and viability of the defined centres. For proposals requiring planning permission which would result in the loss of E(a) uses in the PSA of a town centre, Policy R1 also goes on to state such proposals 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.*

In support of the above, Policy R3 of the Local Plan sets out criteria which new development within defined centres needs to be considered against to ensure the vitality and viability of centres such as Bacup are protected.

The proposed scheme would regenerate and modernise an underutilised market, nonetheless it needs to be acknowledged that the proposal would decrease the total number of market stalls, and this loss of potential retail floorspace needs to be considered against the requirements of the policies set out above.

Commenting on the condition and performance of the existing market, the submitted planning statement states:

*“In common with many traditional markets nationally, over recent years Bacup Market has suffered from declining footfall and reducing trader numbers.*

*The current Market comprises a mix of small shop units and open market stalls. It is an important, but underutilised, asset to the town centre. Presently it struggles to extend its appeal beyond a small, loyal customer base, resulting in low levels of footfall and limited trade. This is reflective of a national trend where many traditional markets face decline and stagnation due to aging traders, an aging customer base and a lack of investment. Despite efforts to program events and improve engagement, the market continues to struggle and require substantial subsidies, underscoring the need for a transformative approach.*

*With that in mind, Rossendale Council has successfully secured funding from the government’s Levelling Up Fund to create a new, improved community-focused market at the site of the current market and the site of the former Barclays Bank building in the heart of the town centre.*

*The town centre has already undergone positive changes, with the High Street Heritage Action Zone delivering shopfront improvements, public realm works and community interventions. Stakeholders have developed a ‘Bacup 2040 Masterplan’, and aligned to that - with the support of Levelling Up Funds - the new Market project is intended to be an ‘anchor’ transformational project for the town.*

*This proposal is therefore an attempt to re-energise and improve the site as a whole by creating a new, re-energised and more appealing market and to introduce good quality public realm to attract interest and encourage revitalisation, activity and investment in the area.”*

While no specific details of vacancy rates within the existing market have been provided, officers have visited the market on several occasions since 2024 and have observed that the market had a very limited retail and food and drink offer, with multiple buildings and stalls unused. Beyond the realities of a changing high-street and consumer spending, the market’s poor performance could partly be explained by its inward-facing configuration and lack of active frontages. Glimpsed views of the market from the wider public realm include blank walls, security grilles and fencing. Whilst the main entrance to the market from Union Square includes a fairly attractive decorative gated opening, the gateway to the site is otherwise uninspiring and constrained by its distance from Union Street. Officers would agree with the “hidden” characterisation attributed to the market in the submitted Planning Statement, and would add that the configuration and enclosed nature of the market harms its ability to be a central focal point for the town centre. The lack of commercial activity and footfall within this part of the PSA, combined with the appearance of inactive frontages and empty open stalls, contribute negatively to the perception of Bacup’s vitality.

According to the Design and Access Statement, the vision for the proposed development is to:

*“Revitalise the existing market square and surrounding stalls, re-imagining it as a vibrant and inclusive focal point for the town. The ambition is to breathe new life into the market through thoughtful design interventions that enhance both its functionality and character, transforming it into a dynamic public space capable of hosting a variety of markets and community events throughout the year. Key proposals include the refurbishment and modernisation of market stalls, the introduction of a distinctive canopy structure to offer shelter and visual identity, and comprehensive improvements to the public realm. These enhancements aim to improve accessibility, create a more welcoming and cohesive environment, and ensure the market square serves as a key civic space that supports local culture, commerce, and community life.”*

In the context of the above it is not considered that the reduction of the total number of market stalls and potential retail floorspace available to the market would harm the vitality and viability of Bacup town centre, or reduce the ability of local residents to meet their day-to-day needs within the centre. Instead, it is considered that the proposed regeneration of the market in its current location through refurbished and modern stalls within an enhanced public realm would strengthen the retail offer and make a positive contribution to the vitality and viability of the centre. It is considered that the proposed scheme would improve not only the function of the market but the shopping function of the wider town centre by:

- Providing a visually attractive public open space to the centre of the town that could serve as a new civic and event space and which, in turn, is likely to increase footfall to the PSA;
- Providing a large canopy over the permanent stalls, which could provide shelter and act as a focal point for the centre alongside the new public open space.
- Increasing the permeability of the site and providing new connections;
- Increasing the visibility of the site from the wider public realm.

In summary, Officers are satisfied that the proposed regeneration of Bacup market and the reduction in the total number of market stalls available would accord with Policies ENV1 and ENV3 of the Local Plan. In respect of Policy R1, for reasons covered elsewhere in the report, Officers are satisfied that the proposal would have no significant adverse impacts on the character of the area, the amenity of local residents, road safety, car parking or traffic flows. The proposal to provide a new purpose-built café with outdoor seating, and new public toilets, on the site would accord with Policy R1 and R3.

Overall, it is expected that the proposal would enhance and strengthen the existing retail and food and drink offer within Bacup town centre, and increase the commercial attractiveness and commercial viability of the Primary Shopping Area and District Centre. It is considered that the proposal represents a positive approach to the growth, management and adaptation of Bacup town centre and would be expected to deliver economic growth to the area. Accordingly, the proposal is in line with the Framework and Policies R1 and R3 of the Local Plan.

Policies R3 and R5 of the Local Plan are concerned with proposals for hot food takeaways. The proposed scheme involves the regeneration of existing market stalls; no new permanent market stalls are proposed, and the proposed café building would include indoor seating. The existing market stalls could serve hot food that could be eaten off-site, as was the case for a number of stalls prior to the market recently closing. As such, whilst it is reasonable to assume that some of the units within the proposal will serve hot food and may offer a takeaway service, it is recognised that it's common for markets to include units selling hot food which can be consumed off-site (to some degree this is a characteristic of many town centre markets). Therefore, officers are satisfied that the proposed scheme does not trigger consideration of Policies R3 and R5 of the Local Plan in regard to development for hot food takeaways.

No socio-economic assessment supports the application, nonetheless it is considered reasonable to expect that the proposed scheme would improve the economic and social conditions of the area through supporting economic growth and promoting social interaction. Regeneration of the market would enhance the vitality and commercial attractiveness of a site located at the heart of the PSA, whilst the creation of a new public open space with a large external canopy would create a new visitor attraction for Bacup with capacity to host market/community events. In this regard the proposal would create a new community facility as part of the proposed development, which is encouraged under Policy LT2 of the Local Plan.

Overall, it is considered that the proposal would be acceptable in principle.

#### Heritage Impact (including archaeological interest)

The application site is located within the Bacup Conservation Area and is also within the setting of several listed buildings and non-designated heritage assets.

The Planning (Listed Building and Conservation Areas) Act 1990 incorporates several 'statutory duties' for local planning authorities, as decision-makers, including the following:

*"S. 66 (1): In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

*"S. 72 (1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

With reference to national planning policy, Paragraph 208 of the Framework states LPAs *"should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal"*.

In determining planning applications, paragraph 210 states LPAs should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness*

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 212).

Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification. Paragraph 215 states that in circumstances that would lead to less than substantial harm to a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

In reference to non-designated heritage assets, paragraph 216 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 219 states that LPAs should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals which preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.

Strategic Policy ENV2 of the Local Plan focuses on the Historic Environment and largely accords with the policies of the Framework. Relevant parts of the policy are repeated below:

*The Council will support proposals which conserve or, where appropriate, enhance the historic environment of Rossendale.*

*Particular consideration will be given to ensure that the significance of those elements of the historic environment which contribute most to the Borough's distinctive identity and sense of place are not harmed. These include:*

- *The historic town centres of Bacup*
- *The Nineteenth century institutional buildings including its libraries, institutes, schools and former public baths;*
- *The range, wealth and quality of its places of worship; and*

In respect of proposals within the setting of a conservation area, Policy ENV2 states:

*Proposals within or affecting the setting of a conservation area will only be permitted where it preserves or enhances the character and appearance of the area, including those elements which have been identified within the conservation area appraisal as making a positive contribution to the significance of that area.*

The Bacup Town Centre Conservation Area Appraisal identifies a series of character areas within the boundary of the Conservation Area, and the application site mostly falls within Character Area 2 'Town Centre – Union Street, St. James Square and Rochdale Road', while the frontage to Market Street is within Character Area 4 'Market Street and Bank Street'. The Appraisal makes no judgement on the existing market's contribution to the character areas or wider conservation area, only describing it as 'modern'.

In terms of the development's impact on heritage assets, the key issues for consideration are:

1. Whether the proposal preserves the special interest of the listed buildings through development in their setting.
2. Whether the proposal preserves or enhances the character or appearance of the Bacup Town Centre Conservation Area.

3. In respect of NDHAs, the LPA is required to consider the significance of the NDHA, and the scale of any harm or loss.

The applicant has submitted a Heritage Impact Assessment (HIA) which has undertaken an assessment of the significance of the heritage assets it considers affected by the proposed development. This includes, but is not limited to, the following:

- Bacup Town Centre Conservation Area
- Nos. 18 and 20 Market Street (Grade II Listed)
- Nos. 12, 14 and 16 King Street (Grade II Listed)
- Nos. 9 and 11 King Street (Grade II Listed)
- St. Mary's R.C. Church, Bankside Lane (NDHA)
- Market Hotel (No.14 Market Street) (NDHA)
- Post Office, Irwell Street (NDHA)
- The former National Westminster Bank, Market Street (NDHA)

In respect of the Conservation Area, the HIA concludes that the current condition of the application site makes an adverse contribution to the character and appearance of the Conservation Area. In terms of the listed buildings and NDHAs listed above, the statement concludes that the application site makes a neutral contribution to the setting and significance of each listed building and NDHA.

In terms of the development's impact on heritage assets, the impact assessment within the statement concludes that the proposal represents:

1. A neutral impact on the setting and significance of the identified listed buildings.
2. A positive impact that would preserve the character and appearance of the conservation area.
3. Either a neutral or no impact on the significance of the identified NDHAs.

In the context of the above, the HIA concludes:

*"There would be an enhancement to the character and appearance of a large site at the heart of the conservation area, which would itself contribute both directly and indirectly to the enhancement of the conservation area as a whole (which is recognised as being 'at risk') and its listed buildings (the majority of which are in commercial use). The proposals would also contribute to the distinctive identity and sense of place of the conservation area."*

Growth Lancashire, who act as the Council's 'Conservation Officer' and provide heritage related advice, originally concluded that the proposed development would result in a limited level of 'less than substantial harm' to the character and appearance of the conservation area on account of the obscured views within the site as a result of the canopy, and the substantial use of timber for the canopy frame, which Growth Lancashire felt could be improved. In Growth Lancashire's view a steel framework supporting the timber roof would be of a more fitting appearance and would more reflect the industrial character of the wider area and be more in line with its heritage and architectural context.

In regards to the development's impact on the setting of the nearby listed buildings and non-designated heritage assets, Growth Lancashire concluded the proposal would result in no notable harm; instead, in relation to the non-designated heritage assets the former Market Hotel (No.14 Market Street and the former National Westminster Bank, the development would enhance their setting.

Historic England, a statutory consultee, also raised concerns regarding the application on heritage grounds, noting the development could lead to harm to the significance of the conservation area:

*“We have some concerns over the size of the proposed canopy, which feels unnecessarily large in scale. The height of the canopy combined with its form and the materials proposed means it would be clearly visible when looking into the site from Market Street and would dominate the area, detracting from the prominence of historic buildings. We are not concerned about the principle of a canopy here, or the use of glulam, or the proposed shape of the canopy roof; but these elements when combined with the currently proposed height could lead to harm to the significance of the conservation area and we do not think that this proposed height has been justified. Another impact of it being so high is that it may not provide effective shelter from driving rain.”*

In response to the comments received from the heritage consultees, the original scheme has been revised through reducing the height of the canopy from 5.9m to 5m, which represents the minimum practical height for the canopy in order to retain the ability to host temporary stages, to avoid undue obstruction of nearby first-floor windows, and to ensure that daylight levels are not overly reduced in the square. However, the use of timber as the primary material for the proposed canopy has been retained by the applicant, and in response the Planning Agent has reiterated points made in the Planning Statement, namely that the use of timber as opposed to steel would better complement the materiality of the surrounding built environment, and that steel is rarely found in the materiality of the town centre (whereas timber features much more widely).

In terms of the reduced height of the canopy, Historic England advised they no longer had any objection to the application on heritage grounds and the application (as revised) meets the requirements of the Framework. Growth Lancashire also commented that the amendment is a positive alteration.

Officers agree the canopy as revised will appear less prominent as a result of the amendment, with the structure sitting more comfortably within the townscape of the site. Regarding the use of timber, Officers consider that there is merit in the argument advanced by the applicant, but equally feel that the use of steel painted black could be more sympathetic to the character and appearance of the site given the existing metal railings enclosing the site, the traditional metal street lamp on the site, and the black, and in some cases traditional cast iron, drainpipes which can be found in the area. In the context of the Framework expecting LPAs to take account of any ‘necessary expertise’ when considering the impact of a proposal on a heritage asset, it is considered that the proposed development would result in a limited level of less than substantial harm to the character and appearance of the conservation area. Accordingly, the harm identified will be weighed against the public benefits of the proposal, and this balancing exercise has been undertaken at the end of this assessment.

In respect of the more detailed aspects of the proposal, such as the proposed external materials of the café, landscaping details, external lighting and bollards, Growth Lancashire have clarified, notwithstanding their original comments, that the approval of such details could be conditioned in the event the scheme is recommended for approval. Officers consider this approach to be appropriate given the proposals to potentially use “slate effect tiles” and concrete paving have been replaced with natural slate and natural stone paving respectively. In terms of the external lighting, details have been provided, but following discussions between the Case Officer, Growth Lancashire, and the Planning Agent and applicant’s consultants, it is considered appropriate to include a condition securing the details of any external lighting to ensure the final design and specifications of any lighting are appropriate to the character and appearance of the Conservation Area.

Growth Lancashire requested the potential significance of the traditional streetlamp on site to be investigated to determine if the streetlamp should be retained as part of the scheme. The applicant's consultants investigated this matter and provided the initial assumptions:

- The lamppost is not original to this site, or to a market in Bacup (for example transplanted from the Victorian market place), or even to Lancashire. It bears the Birmingham coat of arms.
- It is likely historic rather than a modern replica, but has no historic relationship with the site.
- As far as can be determined, there is no record of its provenance or its current position on the site.
- It is not regarded or treated as a non-designated heritage asset/positive contributor.

Based on the above findings, the applicant has proposed to remove the lamppost and, in consultation with the Bacup 2040 Board and Growth Lancashire, identify an appropriate new location to be agreed with the Local Planning Authority. Officers consider this approach to be appropriate and have recommended a suitably worded condition below.

In terms of archaeology, the Bacup Town Centre Conservation Area Appraisal (2011) identifies the site as having potential archaeological interest, and if this site is ever brought forward for redevelopment, the Appraisal notes a programme of archaeological works may be beneficial. The site of Bacup Market is one of the more historic parts of the town and was historically known as Temple Court, an area that was already developed in some form at the advent of industrialisation, and by the 20<sup>th</sup> century had become an area suffering from severe levels of overcrowding.

LCC's Historic Environment Team has identified the site as one of potential archaeological interest, and the applicant's Heritage Impact Assessment also comments: *The site's early history, as the historic core, and the resultant "potential for archaeological evidence" as being of a "relative highest significance"*.

To ensure the potential archaeological significance of the site is investigated, LCC's Historic Environment Team have recommended a programme of archaeological work is secured by condition. The relevant condition has been recommended below.

### Visual Amenity, Design and Landscaping

The Framework states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development. Paragraph 135 of the Framework states planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy ENV1 of the Local Plan accords with the Framework and expects new development to be 'high quality', and to take account of the character and appearance of the local area. The policy includes a list of criteria new development is expected to take into consideration.

As already discussed above, the existing market is made up of modern buildings, which in some cases include visually unattractive features (e.g. steel corrugated roofing), and has a poor layout with limited visibility and inactive frontages. Therefore, the loss of a number of the existing market buildings, including all of the open stalls with corrugated roofing, will have no adverse impact on the visual amenity of the area, and the proposed refurbishment of the existing stalls would improve their appearance. The sense of enclosure created by the market's existing layout would be replaced by an open and visually attractive environment, providing the market with a more functional and permeable layout, whilst allowing for the creation of a new public open space in the heart of the town centre. The enhancements to the public realm, which provide space for community events, and include seating and new areas of planting, would not only significantly enhance the appearance of the site, but would also create a strong sense of place which is unfortunately lacking from the existing market as a result of its layout, design and poor permeability. The increased permeability of the site and, in turn, the expected increase in footfall to the area will also enhance the natural surveillance of the site and create a more safe, inclusive and accessible public realm in the heart of the town centre.

The scheme originally proposed to surface the market and areas of public realm in modern concrete paving in a muted palette of light contrasting tones, however the colour and type of surfacing material proposed was considered to be unsympathetic to the character and appearance of the historic setting. Given the context and materiality of the site, Officers considered that the use of natural stone paving would be more appropriate and would result in a significant enhancement above the proposed concrete paving. Following negotiations the proposed scheme has been revised so the market and public realm will be surfaced in natural sandstone paving.

The erection of a large contemporary canopy above the retained stalls and parts of the public realm, whilst somewhat unusual in this historic setting, would provide users of the site with a shelter during inclement weather, and will serve as a striking focal point for the town centre and would not unduly detract from the character and appearance of the local area. The proposed café building would respond to the size, scale and materials of the existing built environment and would be a positive introduction to the site.

Overall, it is considered that the proposed development reflects high-quality design and would make a strong contribution towards creating a sense of place in the heart of Bacup town centre. In view of the above, it is considered that provided suitable conditions are imposed to ensure the satisfactory appearance of the development and a high-quality landscaping scheme, the proposal would be acceptable in visual amenity terms reasonably satisfying the requirements of Section 12 of the Framework and Policy ENV1 of the Local Plan.

### Neighbour Amenity

Residential accommodation is located near to the site, including apartments within buildings backing onto Tower Street to the north and along Market Street to the west, however, it is not considered that the proposed development would unduly harm the living conditions of any residents living nearby. The proposal to create a new area of public open space where civic,

market or other temporary events could be hosted is likely to increase footfall to the area, however, it needs to be recognised that the existing market could hold similar outdoor events which would have a similar impact to any temporary events hosted on the proposed site. Consideration also needs to be given to the site's location within an urban centre, where certain levels of background noise and disturbance would be expected. The Council's Environmental Health Team were consulted on the application and they raised no objection to the proposal.

It is understood that none of the upper floors of the properties fronting St. James Street and backing on to Bright Street are in residential use. The applicant under the previous planning application submitted evidence to confirm the Council has no record of the properties being domestic properties paying council tax. It should be noted that all of the properties along St. James Street (and surrounding the site) were notified of the planning application but no representations were received in response. The proposed canopy would be around 8m from the rear of properties along St. James Street, and the structure may limit some of the outlook from the rear first floor windows of the buildings. Nonetheless, it's not considered that the development would unacceptably harm the amenity of the neighbouring uses along St. James Street when considering the strong likelihood that none of the windows serve habitable rooms; many of the windows include metal grilles, and thus in some cases already have very limited outlook, and the size and profile of the canopy roof would reduce any potential impact.

In view of the above, the proposal is considered to be acceptable in terms of neighbour amenity, reasonably satisfying the requirements of the Framework and Policy ENV1 of the Local Plan.

#### Highway Safety Matters

The proposed scheme has been revised to address some of the concerns raised by the Local Highway Authority; amendments include:

- Removing the section of canopy overhanging Tower Street
- Removing all highway-related works to parts of the Publicly Maintained Highway, including Tower Street, Bright Street and Union Square
- Removing the disabled parking spaces to the north of 9A Union Street, in light of the property having an exit to the rear of the property
- Removing the turning head located to the west of Union Square, and to the north of 9A Union Street

Notwithstanding the above amendments, the Local Highway Authority maintained a number of concerns with the proposed development including:

- a) Alterations to Union Square and the potential need to adopt a turning head, which would require a Section 278/38 Agreement
- b) The new access from Market Street is not suitable for any wheeled access such as a wheelchair or mobility scooter
- c) No indication if any alterations to the existing Traffic Regulation Orders (TRO) are to be made
- d) A suitable footway will be required to allow access to the rear exit of 9A Union Street
- e) A series of swept path analysis drawings are required to ensure waste collection vehicles can access the site and collect waste from nearby properties

With regard to the above, it is important first to recognise that the site's lawful use is a market, and has operated and functioned as a market for decades with the existing highway and servicing/waste management arrangements. The application is not only proposing to retain the site as a market, but is proposing a *reduction* in the overall amount of retail floorspace available, and is

not proposing any alterations to the market's existing servicing and waste management/collection arrangements. Other than works to the interface of the new areas of public realm and publicly maintained highway, the applicant has confirmed that the application as revised is proposing to make no alterations to the local highways.

In response to the points a) – e) above, Officers would note:

- a) No alterations (other than interface works) are proposed to be carried out to Union Square, and no turning head is proposed as part of this application.
- b) The scheme has been designed to provide accessible wheelchair access from Union Square and Tower Street. The Planning Agent has also commented: *“Providing direct wheelchair access from Market Street would be highly problematic due to the significant level differences between Market Street and the site. The engineering works required to provide a fully compliant DDA ramp would be very substantial, would necessitate a significant redesign of the proposal, and would involve costs that are wholly disproportionate and unaffordable within the funding available for the project. The development nevertheless delivers appropriate and fully accessible routes into the site from surrounding streets.”*
- c) The process for making a TRO is separate to the planning system, and therefore the potential need for any TRO can be considered and determined separate to this planning application.
- d) It is not considered that the introduction of a footway to the rear of 9A Union Street is relevant to the development being applied, or necessary to make the development acceptable.
- e) No changes to the waste management and collection arrangements previously associated to the market are proposed.

In regards to points a) and e), the case officer, together with the Planning Agent, met with LCC's Highways Team to discuss the need for swept path analysis drawings, potential highways works required under any Section 278 Agreement and any potential TROs. From the meeting it was agreed that the cycle parking provision to the south of the café building would be removed from the proposed scheme to ensure there would be no conflict with vehicles reversing into the existing dropped kerb from Union Square. It was also agreed, in light of the funding arrangements and timescales associated with the LUF programme, that improvements to the hard standing area to the east of Union Square to accommodate a turning head will be included in the future wider works to Union Street. The applicant also agreed to explore the potential need to amend TROs or to carry out works to parts of the highway outside of this planning application under the relevant statutory processes. Following the meeting, the Local Highway Authority confirmed they had no objection to the development subject to conditions.

In view of the above, subject to the imposition of appropriate conditions, it is considered that the proposed development will be acceptable in highway safety terms, reasonably satisfying the requirements of the Framework and Policy TR4 and Appendix 1 of the Local Plan.

#### Drainage and Flood Risk

Most of the site is located within flood zone 1, however some of the development proposed falls within Flood Zone 2, namely the new café building.

Paragraph 170 of the Framework states: *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

The Framework sets out that a sequential risk-based approach should be taken to individual applications in areas known to be at risk from flooding, with the aim to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

The applicant's Planning Statement has applied the sequential test to consider whether there are any reasonable and alternative sites which are appropriate for and capable of accommodating the proposal. The sequential assessment concludes that there are no reasonable and alternative sites available and Officers would agree with this assessment.

In dealing with flood risk, paragraph 181 of the Framework makes clear that local planning authorities should ensure that flood risk is not increased elsewhere. Policy ENV9 of the Local Plan corresponds with national policy and expects development proposals to consider and address flood risk from all sources. Policy ENV1 and Policy ENV9 both expect development to manage surface water in a sustainable manner and to incorporate sustainable drainage systems.

The applicant has submitted a Flood Risk Assessment and Surface Water and Foul Water Drainage Strategy for consideration. To mitigate the potential risk from flooding, the submission states the finished floor level of the café building will be raised above ground level and set no lower than 251.200mm AOD, while surface water run off on site is to be attenuated in a geocellular attenuation tank and discharged from the site at 5 l/s.

The Environment Agency (EA) have been consulted on the proposed scheme and have raised no objection, recognising that the development proposal is classified as 'lower risk', and therefore the EA's Flood Risk Standing Advice should be applied to the development.

United Utilities have been consulted on the proposed scheme, and whilst they raise no objection to the development, they have raised concerns with the original drainage proposals. In response to United Utilities' comments, the applicant submitted a revised Flood Risk Addendum and Surface Water & Drainage Strategy back in early March for consideration, but unfortunately United Utilities have failed to provide a response on the latest submission. Considering United Utilities acknowledge in their latest response that the drainage details could be secured by condition, if necessary, Officers are satisfied the scheme will be acceptable in regards to flood risk and drainage subject to the conditions recommended by United Utilities.

In view of the above, subject to the relevant conditions recommended below, it is considered that the scheme will be acceptable in terms of drainage and flood risk, reasonably satisfying the requirements of Policies ENV1 and ENV9 of the Local Plan and Section 14 of the National Planning Policy Framework in this regard.

#### Land Contamination, Ground Conditions and Coal Mining Legacy Features

The Council's land contamination consultant has raised no objection to the proposals, subject to the inclusion of conditions requiring extensive investigation and potentially remediation of the site prior to commencement of development

The lower half of the site falls within the Coal Authority's High Risk Development Area. A Coal Mining Site Investigation and Geotechnical Ground Investigation Report has been submitted for consideration, and concludes that the risk to the proposed development from shallow coal workings is low and no further action is required. The Coal Authority have reviewed the submitted details, and following confirmation from the applicant's geotechnical consultants that they remain

satisfied there is no risk from unrecorded shallow coal mining, they have confirmed they have no objection to the development.

In view of the above, it is considered that the development would not be at any unacceptable risk from land contamination or coal mining legacy features, subject to a condition dealing with the potential risks from land contamination. Accordingly, it is considered the development would reasonably satisfy the requirements of Section 15 of the Framework and Policies ENV1 and ENV6 of the Local Plan.

### Ecology, Biodiversity Net Gain (BNG) and Trees

A Preliminary Ecological Appraisal has been undertaken by a qualified ecologist, and the Appraisal identified the buildings as having moderate suitability for roosting bats, with the immediate habitat surrounding the site having low suitability for foraging and commuting bats. The Appraisal found no evidence of roosting bats during the building inspections, but recommended emergence surveys to be undertaken on the buildings to be impacted to establish the presence or likely absence of roosting bats on site.

A Bat Emergence Survey Report has been submitted for consideration and includes details of emergence surveys undertaken. The results confirmed bat activity in the area was very low and no roosts were identified, or suspected, within the surveyed buildings. The report concluded that the surveys demonstrated an ongoing likely absence of roosting within the survey buildings and the proposed works present little risk of impacting upon bats.

In regards to nesting birds, the buildings provide suitable nesting habitat for feral pigeons, which are known to nest throughout the year, and has concluded that a nesting bird survey will be required by a suitably experienced ecologist prior to the demolition of any buildings. A relevant condition has been recommended below.

In terms of BNG, the applicant has confirmed that the development is exempt from the Biodiversity Gain Condition, on the basis that less than 25sqm of habitat will be impacted as a result of the development. The Ecological Appraisal confirms no net loss of on-site habitat is anticipated as a result of the development and as such the development qualifies under the 'de minimis' exemption. Officers are satisfied the appraisal has been undertaken by a qualified ecologist, and therefore there are no grounds to suggest the assessment of mandatory BNG is incorrect.

While the development is exempt from mandatory BNG, both the Framework and Policies ENV1 and ENV4 of the Local Plan expect development to deliver a net gain in biodiversity. The Appraisal makes recommends measures to enhance the sites suitability for bats including the incorporation of planters around the site containing native night scented wildflowers to attract bat prey, and the provision of additional bat roosting features within the development, including bat boxes on mature trees present on the site. Insufficient information has been provided to demonstrate how a net gain in biodiversity would be achieved on site; therefore, a condition has been recommended to secure details of how the development will deliver a net gain in biodiversity.

In terms of trees, an arboricultural impact assessment (AIA) has been submitted in support of the application. All trees will be retained as part of the development, and a Tree Protection Plan has been submitted. The Council's Tree Officer has reviewed the submission and has raised no objection.

Overall, subject to the relevant conditions below, it is considered that the proposed scheme will be acceptable in regards to ecology, BNG and trees, reasonably satisfying the requirements of Sections 12 and 15 of the Framework and Policies ENV1, ENV4 and ENV10 of the Local Plan.

## Climate Change / Renewable Energy

The Council declared a Climate Change Emergency in September 2019 and published a Climate Change Strategy in 2020. The Local Planning Authority adopted a Climate Change SPD in November 2020, which discusses actions relating to key principles that can help mitigate the impact of climate change. This includes improving energy efficiency and promoting renewables in the Borough.

The Framework expects the planning system to meet the challenge of climate change and to support renewable energy infrastructure. The Framework expects significant weight to be afforded to the benefits associated with renewable energy generation and the proposal's contribution to a net zero future, and expects local planning authorities to recognise the valuable contribution small-scale projects make to cutting greenhouse gas emissions. Policy ENV1 supports proposals that will be adaptable to climate change, incorporate energy efficiency principles and adopt principles of sustainable construction (including Sustainable Drainage Systems). Policy ENV8 of the Local Plan expects the Council to take a positive approach to renewable energy proposals, subject to negative impacts being minimised.

The applicant has submitted a Climate Change Statement in support of the application, which sets out how the development meets the requirements of the Framework and Policy ENV1 of the Local Plan. Officers are satisfied that the proposed development demonstrates a clear commitment to mitigating climate change and promoting environmental sustainability through measures such as the installation of a solar photovoltaic (PV) system on the roof of the café building and the installation of a Sustainable Drainage System (which can be secured by condition). As such, it is considered that the development will be acceptable in regards to mitigating the impacts of climate change and renewable energy generation, reasonably satisfying the requirements of Section 14 of the Framework and Policies ENV1 and ENV8 of the Local Plan.

### Planning Balance and Conclusion

S.38(6) of the Planning and Compensation Act 1991 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision-making.

In principle, the development is acceptable on the site. However, owing to the identified limited level of less than substantial harm to the character and appearance of the Bacup Conservation Area, it is necessary to carry out a balancing exercise of the public benefits of the proposal against the identified harm to the significance of the heritage asset, in accordance with the requirement contained in Section 16 of the Framework.

### Benefits of the Development

The proposed development would regenerate an underutilised market in the heart of Bacup Town Centre, providing an enhanced market with refurbished market stalls, a new café and toilet block; a new public open space that could be used for civic, market and other community events; new tree planting and soft landscaping throughout the public realm, and a distinctive canopy over the market stalls and public open space.

It's considered that the proposed scheme would strongly enhance and strengthen the existing retail and food and drink offer within Bacup town centre, and increase the commercial attractiveness and commercial viability of the Primary Shopping Area and District Centre. The increase in footfall to the area from customers of the market, users of the public space, and any

visitors to civic or market events would also bring economic benefits to the area. Accordingly, **significant weight** is afforded to the proposed economic growth and enhanced retail offer to Bacup town centre.

The creation of high-quality public open space that is welcoming and accessible to all and could be used for civic and market events is a significant benefit to the town centre and the local community. The contribution public open space and community facilities can make towards supporting health, social and cultural well-being are well established, and the scheme reflects a very high level of design in this regard. Accordingly, **substantial weight** is afforded to the social, recreational and cultural benefits the scheme could provide to the local community and visitors to the area.

The proposed scheme would also benefit from on-site renewable electricity generation through the installation of photovoltaic (PV) panels on the roof of the proposed café/toilet block comprising of 48 panels. Planning policy encourages the installation of renewable energy development and the solar panels will reduce the market's reliance on grid supplied electricity and contribute towards lowering carbon emissions. The proposed sustainable surface water drainage proposals would also increase resilience to climate change by removing surface water from the public sewers and by reducing the discharge rate of surface water from the site to culverted watercourse. Accordingly, **moderate weight** is afforded to the measures proposed to help tackle climate change.

The proposed planting and landscaping details have not yet been finalised, nonetheless, the proposed details indicate 4 high heavy standard specimen trees and other areas of planting could be accommodated within the development, which could be secured by condition. Further ecological benefits will be secured through the delivery of habitat enhancements for bats. It's considered that the scheme is going above providing a net gain in biodiversity as required by planning policy, although any net gain would be limited in the context of what is being proposed. Accordingly, **limited weight** is afforded to the ecological benefits that will be secured as part of the development.

In addition, there would be temporary economic benefits brought about during the construction process in relation to job creation, materials sourcing and increased trade to local businesses. These benefits would be limited and temporary in nature, and accordingly only **limited weight** can be afforded to them.

#### Harm caused by the Development

In line with the requirements of Paragraph 212 of the Framework, Officers consider that the identified less than substantial (low level) harm to the character and appearance of the Bacup Conservation Area must still attract **significant weight** ('great weight') in the planning balance – however, in line with Paragraph 215, this needs to be weighed against the public benefits of the proposal outlined above. In determining the weight to be afforded to this harm, officers have had regard to the fact that the harm caused is likely to be low-level, as identified by the Council's heritage consultant.

#### Conclusion

All other matters in the planning balance have been assessed earlier in this report and subject to the proposed plans being implemented in accordance with the recommended conditions, it is considered that such matters have a neutral impact on the planning balance.

Whilst great weight is duly afforded to the limited level of *less than substantial* harm caused to the character and appearance of the Bacup Conservation Area, it is not considered that such harm outweighs the public benefits of the scheme in this case. When considered as a whole, the proposed scheme would deliver substantial net public benefits.

## 9. SUMMARY REASON FOR APPROVAL

The proposed development involves the regeneration of an existing market within a Primary Shopping Area and is therefore acceptable in principle. The proposed development will deliver economic, social and environmental benefits that outweigh the low level of less than substantial harm to the Bacup Conservation Area. Therefore, subject to the planning conditions recommended below, the scheme is acceptable with regards to its impact on heritage assets; its design, visual amenity, and landscaping; impact on neighbour uses; impact in terms of access, parking and highway safety; drainage and flood risk; response to climate change and the generation of renewable energy; safeguarding of ecology and trees, and approach to land contamination and ground conditions. Overall, the development is in accordance with the Framework and Policies SS, SD1, SD2, R1, R3, ENV1, ENV2, ENV4, ENV6, ENV8, ENV9, ENV10, LT2, LT3, TR1 and TR4 of the Rossendale Local Plan.

## 10. CONDITIONS

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. The development shall be carried out in accordance with the following unless otherwise required by the conditions below:

Drawing Title / Document	Drawing No./Reference	Date
Application Form	N/A	23/10/2025
Location Plan	3382-CDA-00-XX-DR-A-0001	09/10/2025
Existing Site	3382-CDA-00-XX-DR-A-0002	05/04/2022
Demolition Plan	3382-CDA-00-XX-DR-A-0003	08/10/2025
Existing Stall Elevations	3382-CDA-00-XX-DR-A-020100	24/09/2025
Proposed Site Plan – Ground Floor Plan	3382-CDA-00-SL-DR-A-040500 Rev G	23/03/2026
Proposed Site Plan	3382-CDA-SP-SL-DR-A-040501 Rev F	23/03/2026
Proposed Café Block Plans	040600 Rev A	17/09/2025
Proposed Café Block Elevations	3382-CDA-01-XX-DR-A-040700 Rev F	27/03/2026
Proposed Canopy Elevations	3382-CDA-00-XX-DR-A-040701 Rev A	15/01/2025
Proposed Café Block Sections	040801	06/08/2025
Proposed Stall Elevations	3382-CDA-00-XX-DR-A-040802 Rev A	30/01/2026
Landscape General Arrangement	BMRBC_SQR_XX_DR_L_001 Rev J	23/03/2026

Bat Emergence Survey Report	ER-8834-01	06/10/2025
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Reason: To define the permission and in the interests of the proper development of the site.

3. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes shall include:
  - (i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
  - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, and to ensure compliance with Sections 14 and 15 of the National Planning Policy Framework and Policies ENV1 and ENV9 of the Rossendale Local Plan 2019 to 2036.

4. Prior to the development hereby approved being brought into use a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
  - (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a responsible body; and
  - (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan for the lifetime of the development.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, and to comply with Section 14 of the National Planning Policy Framework and Policies ENV1 and ENV9 of the Rossendale Local Plan 2019 to 2036.

5. No development shall commence (including demolition, site clearance and any earthworks) until details demonstrating how the water main(s) that are laid within the site boundary will be protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing.

These details shall include the following:

(i) Evidence that diversion works for the water main(s) have been agreed with the relevant statutory undertaker and that the approved works have been undertaken.

(ii) Details of the means of ensuring the existing and newly diverted water main(s) is protected from damage as a result of the development. These details shall include the potential impacts on the water main(s) from construction activities and the impacts post completion of the development, including landscaping, on the water main(s) infrastructure, and identify mitigation measures, to protect and prevent any damage to the water main(s) both during construction and post completion of the development.

Any mitigation measures identified by (ii) shall be implemented in full prior to commencement of development in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

Reason: In the interest of public health and to ensure protection of the public water supply, and to ensure compliance with Section 15 of the National Planning Policy Framework and Policy ENV6 of the Rossendale Local Plan 2019 to 2036.

6. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site, and to ensure compliance with Section 16 of the National Planning Policy Framework and Policy ENV2 of the Rossendale Local Plan 2019 to 2036.

7. Notwithstanding any information submitted with the application, no development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

i) A revised Phase 2 Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, groundwater and the wider environment; and

ii) Should unacceptable risks be identified the applicant shall also submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy (including verification plan) prior to commencement of development. The development shall thereafter be carried out in full accordance with the duly approved

remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

Reason: To mitigate risks associated with land contamination and to prevent pollution, and to ensure compliance with Section 15 of the National Planning Policy Framework and Policies ENV1 and ENV6 of the Rossendale Local Plan 2019 to 2036.

8. Pursuant to condition 7; and prior to first use or occupation a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate risks associated with land contamination and to prevent pollution, and to ensure compliance with Section 15 of the National Planning Policy Framework and Policies ENV1 and ENV6 of the Rossendale Local Plan 2019 to 2036.

9. No development shall take place until a Tree Protection Plan and Arboricultural Method Statement (AMS) demonstrating how retained trees will be protected during the construction period has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter proceed in strict accordance with the approved Tree Protection Plan and AMS unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect trees during construction, and to ensure compliance with Section 14 of the National Planning Policy Framework and Policies ENV4 and ENV10 of the Rossendale Local Plan 2019 to 2036.

10. No above ground construction shall take place until a full scheme of hard (including all external ground surfacing materials) and soft landscaping (including tree planting, grass seed/turf mix, plant numbers, locations, mix, etc., a specification for depth of soil and its cultivation and the setting out, planting, staking, protection and mulch of the stock) has been submitted to and approved in writing by the Local Planning Authority.

All soft landscaping and planting forming part of the approved scheme shall be undertaken in accordance with a timetable of implementation which shall be provided with the submitted details. Any planting, shrubs or trees forming part of the approved scheme which are removed, dying or become seriously damaged or diseased within 10 years of planting shall be replaced by plants of a similar size or species.

Details of the hard landscaping shall include physical samples and trade literature of the proposed surfacing materials, including details of their colour, form and texture. All hard landscaping forming part of the approved scheme shall be completed prior to the development being brought into use. The approved scheme shall include full details of any seating or other permanent features of the public realm. The development shall proceed in strict accordance with the approved landscaping scheme, and shall be maintained in accordance with the details thereafter following implementation.

Reason: Insufficient information has been submitted with the application in relation to landscaping and biodiversity enhancement measures; to ensure the landscaping of the

development is high-quality and visually appropriate; to conserve and protect heritage assets in the local area; to ensure the development delivers a net gain in biodiversity, and to ensure compliance with Sections 12, 14 and 16 of the National Planning Policy Framework and Policies ENV1, ENV2 and ENV4 of the Rossendale Local Plan 2019 to 2036.

11. No above ground construction shall take place until full details, including physical samples and supporting trade literature, of all external facing materials including the following have been submitted to and approved in writing by the Local Planning Authority:

- Details of the colour, form and texture of all external facing and roofing materials;
- Details of the colour, appearance and style of all windows and doors.

The development thereafter shall be constructed utilising the approved materials.

Reason: To ensure the development is appropriate in terms of visual amenity; to conserve and enhance heritage assets in the local area, and to ensure compliance with Sections 12 and 16 of the National Planning Policy Framework and Policies ENV1 and ENV2 of the Rossendale Local Plan 2019 to 2036.

12. Notwithstanding the details already submitted, prior to first use of the development hereby approved full details of the external lighting, including details of its installation, siting, appearance and finish, forming part of the scheme shall be submitted to and approved in writing by the Local Planning Authority.

The approved lighting details shall thereafter be implemented prior to first use of the development.

Reason: To ensure the external lighting is sympathetic to heritage assets in the local area; to ensure the external lighting has no adverse impact on neighbouring uses, and to ensure compliance with Section 12 of the National Planning Policy Framework and Policies ENV1 and ENV2 of the Rossendale Local Plan 2019 to 2036.

13. No market stall/unit (including the café block) involved in the preparation and making of food on site shall be occupied or opened for trading until full details confirming the means of ventilation for the extraction and dispersal of cooking smells/fumes for that particular stall/unit have been submitted to the Local Planning Authority for approval. The details shall include the method of construction of the kitchen ventilation and extraction systems, odour control measures, noise levels, and details of their appearance and finish.

The approved kitchen ventilation and extraction system shall be installed before the use of the particular individual stall/unit commences and thereafter shall be permanently retained and maintained in good working order.

Reason: To safeguard the amenity of neighbouring properties; to ensure the proposals do not have an adverse impact on the character and appearance of local area and nearby heritage assets, and to ensure compliance with Section 12 of the National Planning Policy Framework and Policies ENV1 and ENV6 of the Rossendale Local Plan 2019 to 2036.

14. Prior to the development hereby approved being brought into use full details of the photovoltaic (PV) solar panels to be installed on the approved café block shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall confirm the design, specification and appearance of the PV solar panels and their method of installation and integration into the roof structure.

The PV solar panels shall thereafter be implemented in accordance with the approved details prior to the development being brought into first use.

Reason: To ensure a high-quality appearance to the development; to conserve local heritage assets nearby; to mitigate the impacts of climate change; to ensure the renewable energy proposals are delivered as part of the development, and to ensure compliance with Section 14 of the National Planning Policy Framework, Policies ENV1 and ENV8 of the Rossendale Local Plan and guidance contained in the Council's Climate Change Supplementary Planning Document (2022).

15. The historic streetlamp currently present on the site shall not be removed until a Method Statement, detailing how the streetlamp will be removed, stored and relocated, has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall be prepared by a suitably qualified person and shall include:

- A photographic and written record of the streetlamp's condition;
- Details of how the streetlamp will be safely removed, protected and transported for storage;
- Details of how the streetlamp will be securely stored;
- Details of where the streetlamp will be relocated within the surrounding area or town centre of Bacup, including details of how the streetlamp will be installed and fixed to the ground;
- A timetable for relocation.

The removal, storage and relocation of the streetlamp shall be carried out in accordance with the approved details.

Prior to the development hereby approved being brought into use, the streetlamp shall be relocated and installed in accordance with the approved details. A photographic and written record of the streetlamp's condition following its relocation and installation shall be submitted to and approved in writing by the Local Planning Authority, and any damage to the streetlamp shall be made good to the satisfaction of the Local Planning Authority prior to the development being brought into use.

Reason: To protect the historic streetlamp and to conserve the Bacup Conservation Area, and to ensure compliance with Section 16 of the National Planning Policy Framework and Policy ENV2 of the Rossendale Local Plan 2019 to 2036.

16. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- Details of the parking of vehicles of site operatives and visitors.
- Details of loading and unloading of plant and materials.
- Arrangements for turning of vehicles within the site.
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
- Measures to protect vulnerable road users (pedestrians and cyclists).
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- Measures to deal with dirt, debris, mud, or loose material deposited on the highway as a result of construction.
- Measures to control the emission of dust and dirt during construction.
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Construction vehicle routing.
- Demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of the safe operation of the adopted highway during the demolition and construction phases, and to ensure compliance with Section 9 of the National Planning Policy Framework.

17. HGV construction deliveries to the approved development shall be made only between the hours of 9:00am and 2:30pm Monday – Friday, or before 8:00am and retained on site until 9:00am, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety, and to ensure compliance with Section 9 of the National Planning Policy Framework.

18. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means shall also be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety, and to ensure compliance with Section 9 of the National Planning Policy Framework.

19. No part of the development hereby approved shall be occupied or opened for trading until the highway works (i.e. the interface works where resurfacing will meet parts of the public highway) have been constructed and completed in accordance with a scheme that shall first be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works, and to ensure compliance with Section 9 of the National Planning Policy Framework.

20. If the development hereby approved does not commence prior to the 29 March 2027 an updated ecological assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall also include any necessary proposed mitigation measures. The mitigation measures shall thereafter be implemented in full.

Reason: The submitted Preliminary Ecological Appraisal is valid until the above date, on the basis that bats are mobile and could potentially colonise the site, and to ensure compliance with the Section 15 of the National Planning Policy Framework and Policies ENV1 and ENV4 of the Rossendale Local Plan 2019 to 2036.

21. Any work that will impact on habitats where nesting birds may be present (for example demolition of buildings which provide roosting potential), shall not be undertaken unless suitable checks for active bird nests have first been undertaken by a qualified ecologist, who has confirmed that no nests are present.

If active nests are found, a suitable buffer zone (minimum 5–10 metres or as advised by the ecologist) shall be retained around the nest(s), within which no works shall take place until the young have fledged. Written confirmation from the ecologist that nesting has ceased shall be submitted to and approved by the Local Planning Authority before works can restart within the buffer zone.

Reason: To ensure the protection of nesting wild birds, their nests, eggs and young during the nesting season, and to ensure compliance with the Section 15 of the National Planning Policy Framework and Policies ENV1 and ENV4 of the Rossendale Local Plan 2019 to 2036.

22. No part of the development hereby approved shall be occupied or opened for trading until at least one tree-mounted bat box has been installed on an existing mature tree within the site. The bat box shall be:

- A commercially manufactured Woodcrete/WoodStone or equivalent durable bat box suitable for tree mounting and appropriate for UK bat species
- Installed at a height of no less than 3–6 metres above ground level, and positioned facing south, south-east or south-west unless impractical
- Positioned away from artificial light.
- Mounted using non-invasive fixings (i.e. straps) to avoid harming the host tree and to ensure the host tree can safely bear the weight of the box.

The bat box shall be retained and maintained in situ thereafter.

Reason: To ensure the loss of potential bat roosting habitats is compensated, and to ensure compliance with the Section 15 of the National Planning Policy Framework and Policies ENV1 and ENV4 of the Rossendale Local Plan 2019 to 2036.

## 13. INFORMATIVES

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.
2. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

3. Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) or on 0800 688 588 quoting your reference at the top of this letter.

4. The applicant is directed to the advice set out in the comments received from United Utilities.
5. The applicant is directed to the advice set out in the comments received from the Environment Agency.
6. The archaeological work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists. Relevant archaeological standards and lists of potential contractors can be found on the ClfA web pages, <http://www.archaeologists.net> and the BAJR Directory: <http://www.bajr.org/whoseWho/>.

This is in accordance with National Planning Policy Framework (MoHCLG 2024) paragraph 218: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible [Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository]".

7. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.
8. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the developer's expense.
9. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk), in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.
10. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk) or on 01772 533433.
11. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.
12. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).
13. Bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). It is an offence to deliberately capture, injure or kill a bat, or to intentionally or recklessly damage, destroy or obstruct access to any place used by bats for shelter or protection.

Should any bats or evidence of bats (including roosts, droppings or feeding remains) be discovered at any time during the carrying out of the development hereby permitted, all works must cease immediately and advice sought from a suitably qualified ecologist. Where required, works must not recommence until any necessary mitigation measures or licences have been secured from Natural England and implemented in full.

The applicant is advised to ensure that contractors are made aware of the potential presence of protected species and their legal responsibilities prior to works commencing.



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Revision	Date	Drawn	Checked
A	07-08-25	KE	JH
B	07-10-25	RB	JH
C	09/01/26	HS	RM
D	26/01/26	HS	RM
E	05/02/26	HS	RM
F	12/03/26	HS	RM
G	23/03/26	HS	RM



**THIS DRAWING MUST BE READ IN CONJUNCTION WITH THE FOLLOWING SERIES**

00 FEASIBILITY	19 INTERNAL DETAILS
01 EXISTING SITE	20 LIFT AND STAIRS
02 EXISTING PLANS	21 ROOF DETAILS
03 EXISTING ELEVATIONS	22 WINDOW PACKAGE
04 EXISTING SECTIONS	23 DOOR PACKAGE
05 PROPOSED SITE	24 METAL WORK
06 PROPOSED PLANS	25 FACADES
07 PROPOSED ELEVATIONS	26 EXTERNALS PACKAGE
08 PROPOSED SECTIONS	27 BATHROOM PACKAGE
09 PLANNING DETAILS	28 KITCHEN PACKAGE
10 DEMOLITION	29 WAYFINDING
11 FIRE STRATEGY	30 COMMUNAL ELECTRICAL
12 SETTING OUT	31 PRIVATE ELECTRICAL
13 APARTMENT SETTING OUT	32 COMMUNAL FINISHES
14 WALL AND PARTITION TYPES	33 PRIVATE FINISHES
15 FLOOR AND ROOF TYPES	34 COMMUNAL CEILINGS
16 GROUND WORKS DETAIL	35 PRIVATE CEILINGS
17 SUPERSTRUCTURE DETAILS	36 LEGAL PACKAGE
18 MASONRY	50 DOCUMENTS

**CODA Architecture**

CODA Studios Ltd, 82 Countess Road, Sheffield, S1 4TE  
T: 0114 279 6003 E: information@codastudios.co.uk

Client  
**Owner**

Project  
**Bacup Market**

Drawn	Checked	Date	Scale @ A1
KE	JH	28-04-25	1 : 200

Title  
**PROPOSED SITE PLAN - GROUND FLOOR PLAN**

Suitability Code	Purpose for issue
S1	COMMENT

Drawing No  
**3382 - CDA - 00 - SL - DR - A - 040500** **G**

Project Originator Volume Level Type Role Number Revision

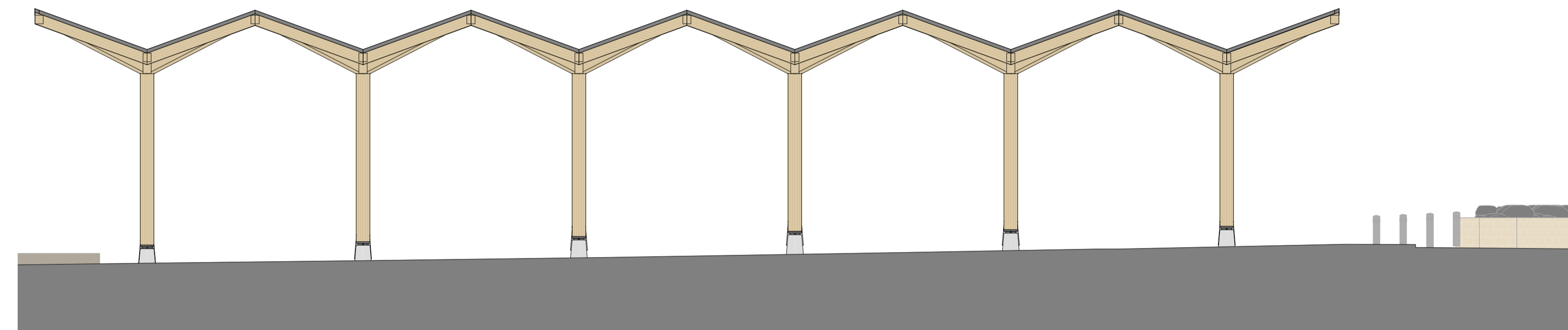
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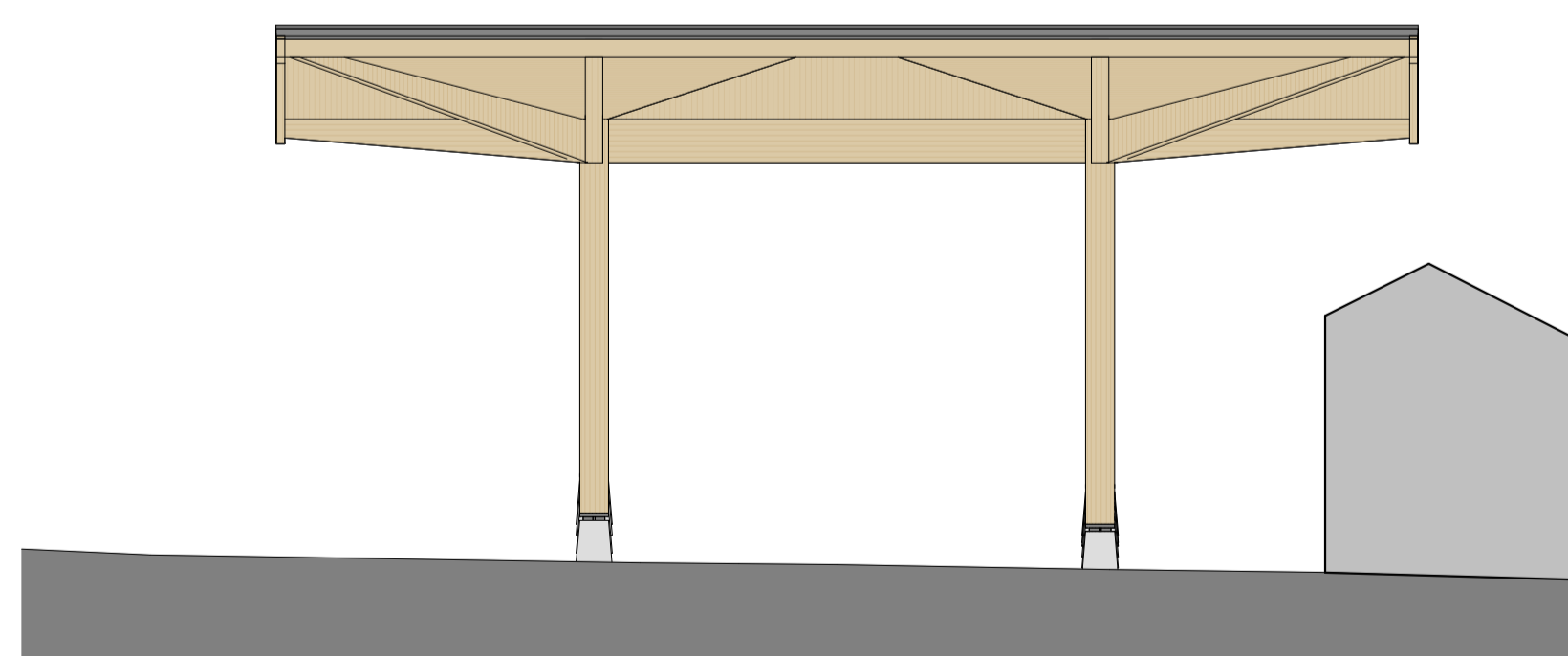
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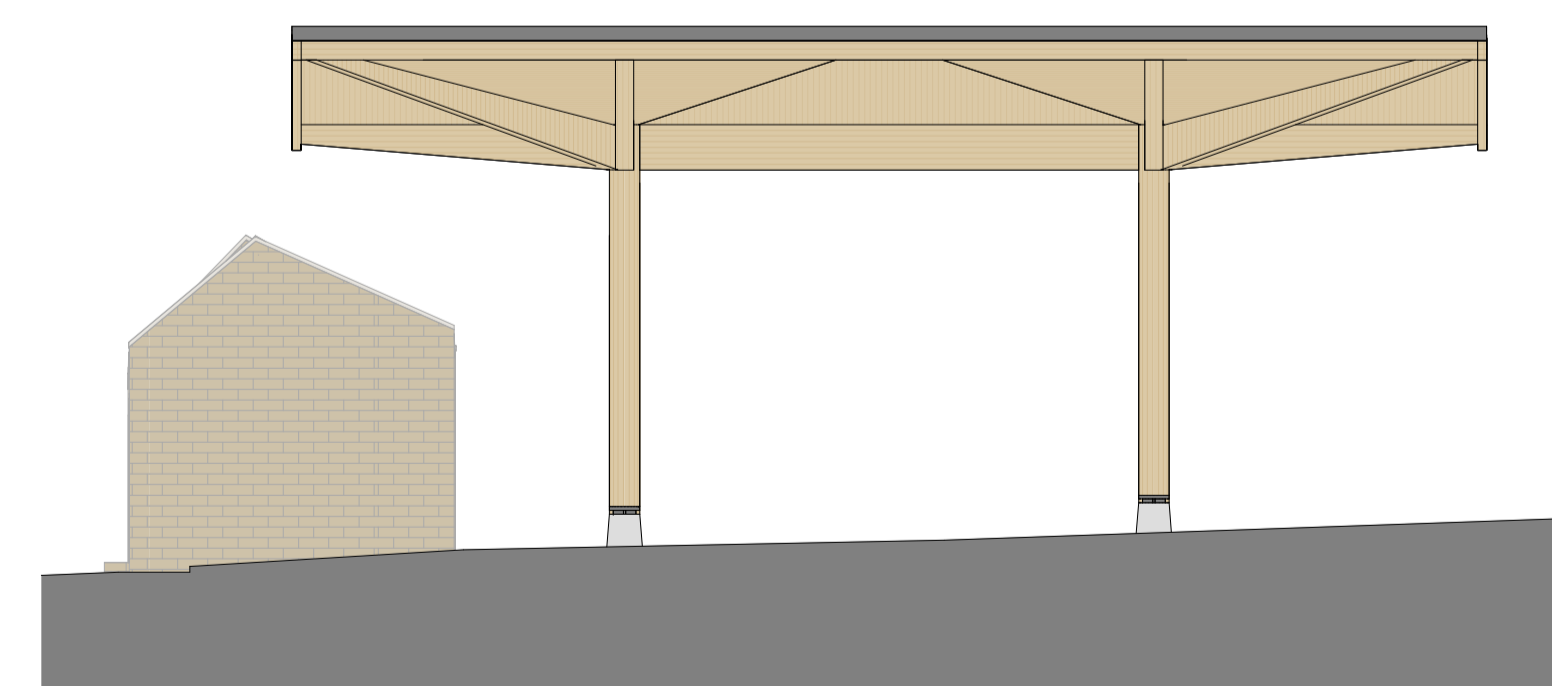
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Scale: 1 : 100



**EAST ELEVATION**  
Scale: 1 : 100



**SOUTH ELEVATION**  
Scale: 1 : 100



**NORTH ELEVATION**  
Scale: 1 : 100

Revision	Date	Drawn	Checked
A	15/01/25	HS	RM

**THIS DRAWING MUST BE READ IN CONJUNCTION WITH THE FOLLOWING SERIES**

- |                             |                        |
|-----------------------------|------------------------|
| 00 FEASIBILITY              | 19 INTERNAL DETAILS    |
| 01 EXISTING SITE            | 20 LIFT AND STAIRS     |
| 02 EXISTING PLANS           | 21 ROOF DETAILS        |
| 03 EXISTING ELEVATIONS      | 22 WINDOW PACKAGE      |
| 04 EXISTING SECTIONS        | 23 DOOR PACKAGE        |
| 05 PROPOSED SITE            | 24 METAL WORK          |
| 06 PROPOSED PLANS           | 25 FACADES             |
| 07 PROPOSED ELEVATIONS      | 26 EXTERNALS PACKAGE   |
| 08 PROPOSED SECTIONS        | 27 BATHROOM PACKAGE    |
| 09 PLANNING DETAILS         | 28 KITCHEN PACKAGE     |
| 10 DEMOLITION               | 29 WAYFINDING          |
| 11 FIRE STRATEGY            | 30 COMMUNAL ELECTRICAL |
| 12 SETTING OUT              | 31 PRIVATE ELECTRICAL  |
| 13 APARTMENT SETTING OUT    | 32 COMMUNAL FINISHES   |
| 14 WALL AND PARTITION TYPES | 33 PRIVATE FINISHES    |
| 15 FLOOR AND ROOF TYPES     | 34 COMMUNAL CEILINGS   |
| 16 GROUND WORKS DETAIL      | 35 PRIVATE CEILINGS    |
| 17 SUPERSTRUCTURE DETAILS   | 36 LEGAL PACKAGE       |
| 18 MASONRY                  | 50 DOCUMENTS           |



CODA Studios Ltd, 82 Countess Road, Sheffield, S1 4TE  
T: 0114 279 6003 E: information@codastudios.co.uk

Client

Owner

Project

**Bacup Market**

Drawn	Checked	Date	Scale @ A1
KE	JH	07-08-25	1 : 100

Title

**PROPOSED CANOPY ELEVATIONS**

Suitability Code: **A1**  
Purpose for issue: **PLANNING**

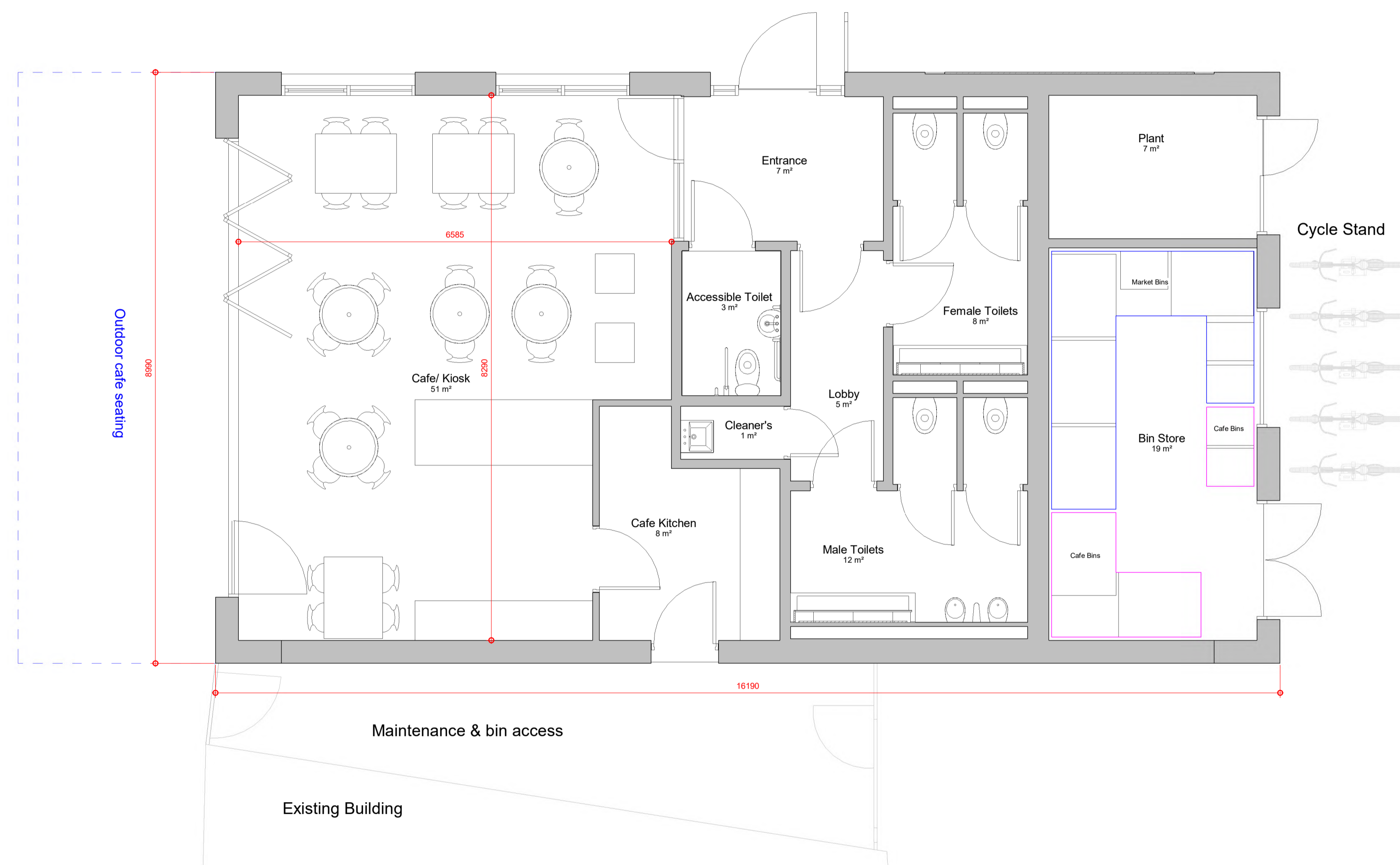
Drawing No: **3382 - CDA - 00 - XX - DR - A - 040701**  
Project: **3382** Originator: **CDA** Volume: **00** Level: **XX** Type: **DR** Role: **A** Number: **040701** Revision: **A**



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Revision	Date	Drawn	Checked
A	17-09-25	KE	JH
B	08/01/25	HS	RM
C	26/01/26		



**PROPOSED CAFE BLOCK - GROUND FLOOR**  
Scale: 1 : 50

**THIS DRAWING MUST BE READ IN CONJUNCTION WITH THE FOLLOWING SERIES**

- |                             |                        |
|-----------------------------|------------------------|
| 00 FEASIBILITY              | 19 INTERNAL DETAILS    |
| 01 EXISTING SITE            | 20 LIFT AND STAIRS     |
| 02 EXISTING PLANS           | 21 ROOF DETAILS        |
| 03 EXISTING ELEVATIONS      | 22 WINDOW PACKAGE      |
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| 05 PROPOSED SITE            | 24 METAL WORK          |
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| 07 PROPOSED ELEVATIONS      | 26 EXTERNALS PACKAGE   |
| 08 PROPOSED SECTIONS        | 27 BATHROOM PACKAGE    |
| 09 PLANNING DETAILS         | 28 KITCHEN PACKAGE     |
| 10 DEMOLITION               | 29 WAYFINDING          |
| 11 FIRE STRATEGY            | 30 COMMUNAL ELECTRICAL |
| 12 SETTING OUT              | 31 PRIVATE ELECTRICAL  |
| 13 APARTMENT SETTING OUT    | 32 COMMUNAL FINISHES   |
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| 16 GROUND WORKS DETAIL      | 35 PRIVATE CEILINGS    |
| 17 SUPERSTRUCTURE DETAILS   | 36 LEGAL PACKAGE       |
| 18 MASONRY                  | 50 DOCUMENTS           |

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**CODA Architecture**

CODA Studios Ltd., 151 Arundel St, Sheffield City Centre, Sheffield S1 2NU  
T: 0114 279 6003 E: information@codastudios.co.uk

Client  
**ROSSENDALE BOROUGH COUNCIL**

Project  
**BACUP MARKET**

Drawn	Checked	Date	Scale @ A1
KE	JH	22-07-25	1 : 50

Title  
**PROPOSED CAFE BLOCK PLANS**

Suitability Code  
**A1**

Purpose for issue  
**PLANNING**

Drawing No  
**3382 - CDA - 01 - GL - DR - A - 040600 - C**

Project Originator Volume Level Type Role Number Revision

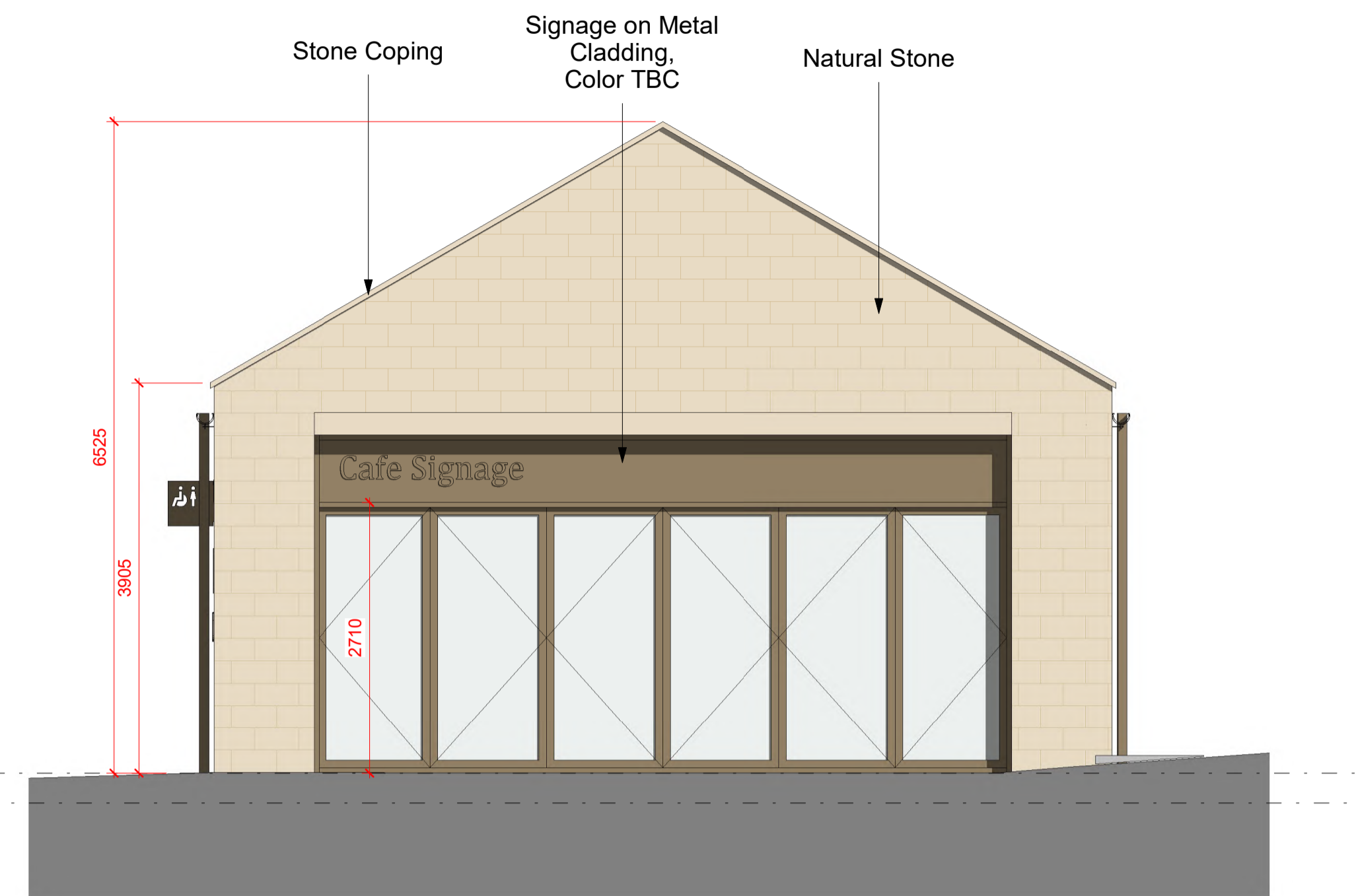
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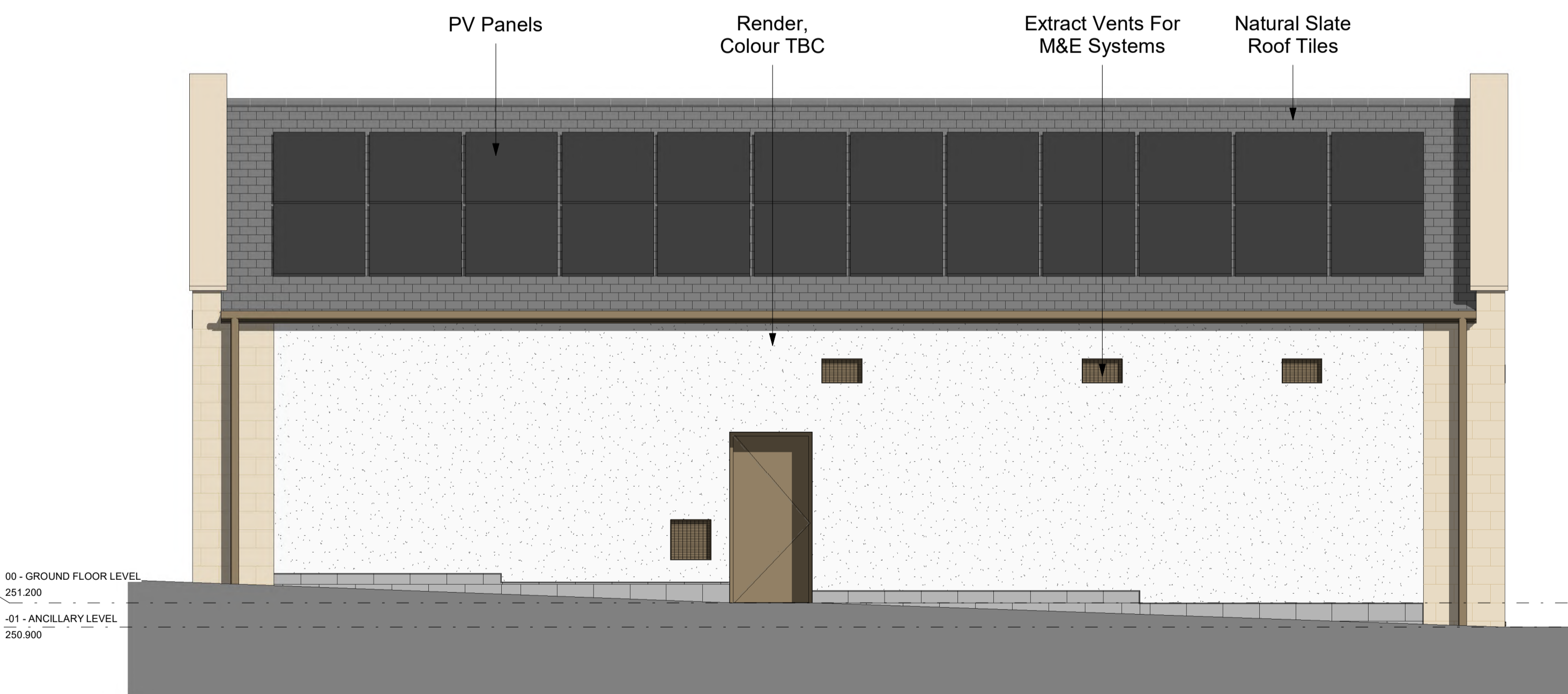
Revision	Date	Drawn	Checked
A	17-09-25	KE	JH
B	Date 5	RB	JH
C	08/01/25	HS	RM
D	26/01/26		
E	25/02/26	RM	JH
F	27/03/26	HS	RM



**PROPOSED EAST ELEVATION**  
Scale: 1 : 50



**PROPOSED NORTH ELEVATION**  
Scale: 1 : 50



**PROPOSED WEST ELEVATION**  
Scale: 1 : 50



**PROPOSED SOUTH ELEVATION**  
Scale: 1 : 50

**THIS DRAWING MUST BE READ IN CONJUNCTION WITH THE FOLLOWING SERIES**

00 FEASIBILITY	19 INTERNAL DETAILS
01 EXISTING SITE	20 LIFT AND STAIRS
02 EXISTING PLANS	21 ROOF DETAILS
03 EXISTING ELEVATIONS	22 WINDOW PACKAGE
04 EXISTING SECTIONS	23 DOOR PACKAGE
05 PROPOSED SITE	24 METAL WORK
06 PROPOSED PLANS	25 FACADES
07 PROPOSED ELEVATIONS	26 EXTERNALS PACKAGE
08 PROPOSED SECTIONS	27 BATHROOM PACKAGE
09 PLANNING DETAILS	28 KITCHEN PACKAGE
10 DEMOLITION	29 WAYFINDING
11 FIRE STRATEGY	30 COMMUNAL ELECTRICAL
12 SETTING OUT	31 PRIVATE ELECTRICAL
13 APARTMENT SETTING OUT	32 COMMUNAL FINISHES
14 WALL AND PARTITION TYPES	33 PRIVATE FINISHES
15 FLOOR AND ROOF TYPES	34 COMMUNAL CEILINGS
16 GROUND WORKS DETAIL	35 PRIVATE CEILINGS
17 SUPERSTRUCTURE DETAILS	36 LEGAL PACKAGE
18 MASONRY	50 DOCUMENTS

**CODA STUDIOS LTD TAKE NO DESIGN RESPONSIBILITY IN RELATION TO APPROVED DOCUMENT B OF THE BUILDING REGULATIONS.**

**ANY ELEMENTS (AS DRAWN OR INDICATED) RELATING TO BUILDING REGULATIONS, AD 'B' ARE INDICATIVE ONLY AND ALL LIABILITY LIES WITH THE APPOINTED FIRE CONSULTANT ON THE SCHEME.**

**CODA Architecture**

CODA Studios Ltd., 151 Arundel St, Sheffield City Centre, Sheffield S1 2NU  
T: 0114 279 6003 E: information@codastudios.co.uk

Client  
**ROSSENDALE BOROUGH COUNCIL**

Project  
**BACUP MARKET**

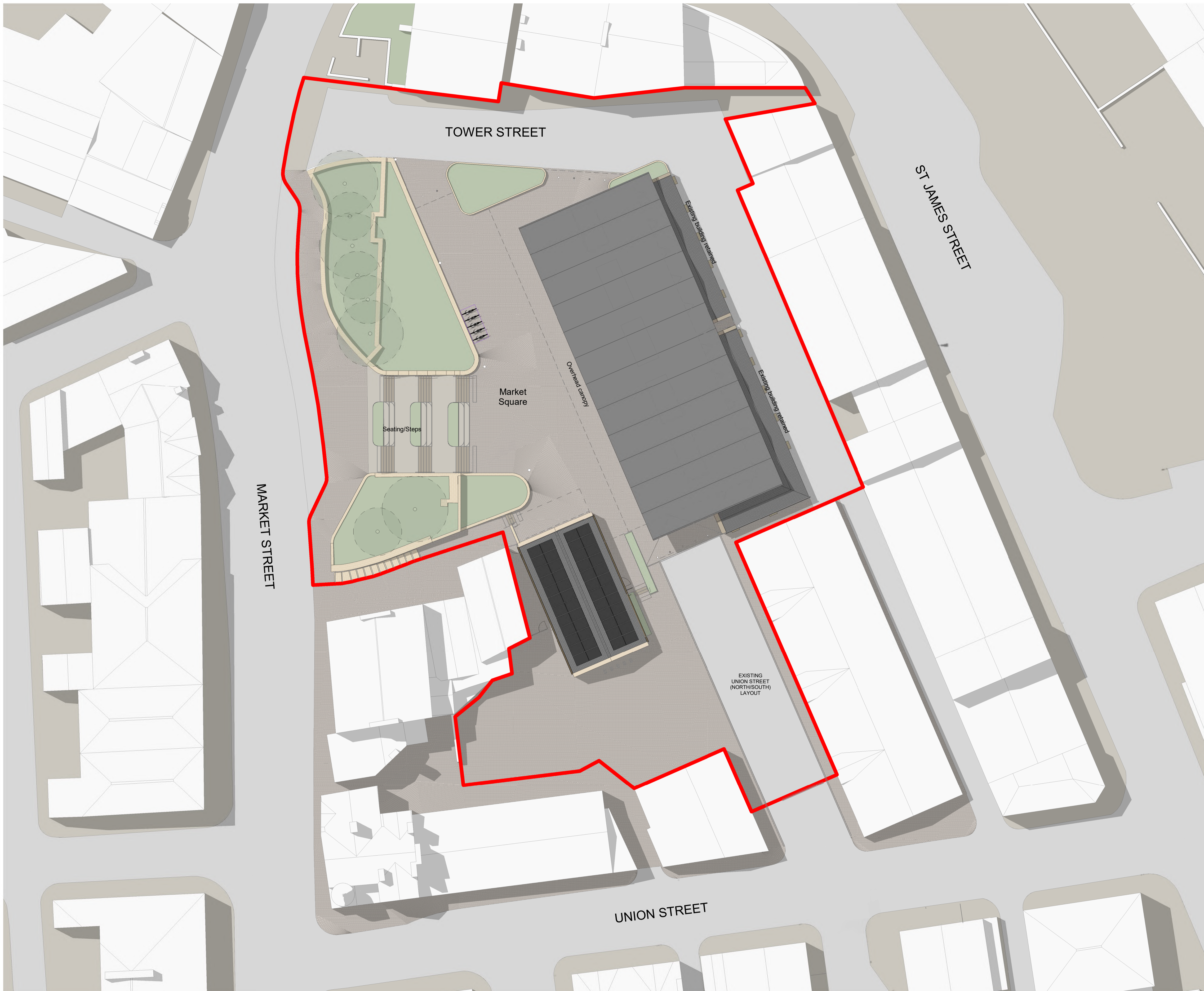
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KE	JH	06-08-25	1 : 50

Title  
**PROPOSED CAFE BLOCK ELEVATIONS**

Suitability Code  
**A1**

Drawing No  
**3382 - CDA - 01 - XX - DR - A - 040700**

Project Originator Volume Level Type Role Number Revision



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**DO NOT SCALE EXCEPT FOR THE PURPOSES OF PLANNING**  
The contractor shall check and verify all dimensions on site and report any discrepancies in writing to CodaStudios before proceeding work.

**FOR ELECTRONIC DATA ISSUE**  
Electronic Data / drawings are issued as "read only" and should not be interrogated for measurement. All dimensions and levels should read, only from those values stated on the drawing. Coda Studios Ltd is not responsible for discrepancies caused by the overlay of other parties BIM/IFC models. These are overlaid purely as reference.

Revision	Date	Drawn	Checked
A	07-10-25	RB	JH
B	09/01/26	HS	RM
C	26/01/26	HS	RM
D	05/02/26	HS	RM
E	12/03/26	HS	RM
F	23/03/26	HS	RM

Cafe GEA - 145.5m<sup>2</sup>  
Existing stalls GEA - 167.5m<sup>2</sup>  
Area covered by canopy - 601.3m<sup>2</sup>

**THIS DRAWING MUST BE READ IN CONJUNCTION WITH THE FOLLOWING SERIES**

00 FEASIBILITY	19 INTERNAL DETAILS
01 EXISTING SITE	20 LIFT AND STAIRS
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**CODA Architecture**

CODA Studios Ltd, 82 Countess Road, Sheffield, S1 4TE  
T: 0114 279 6003 E: information@codastudios.co.uk

Client  
Owner

Project  
**Bacup Market**

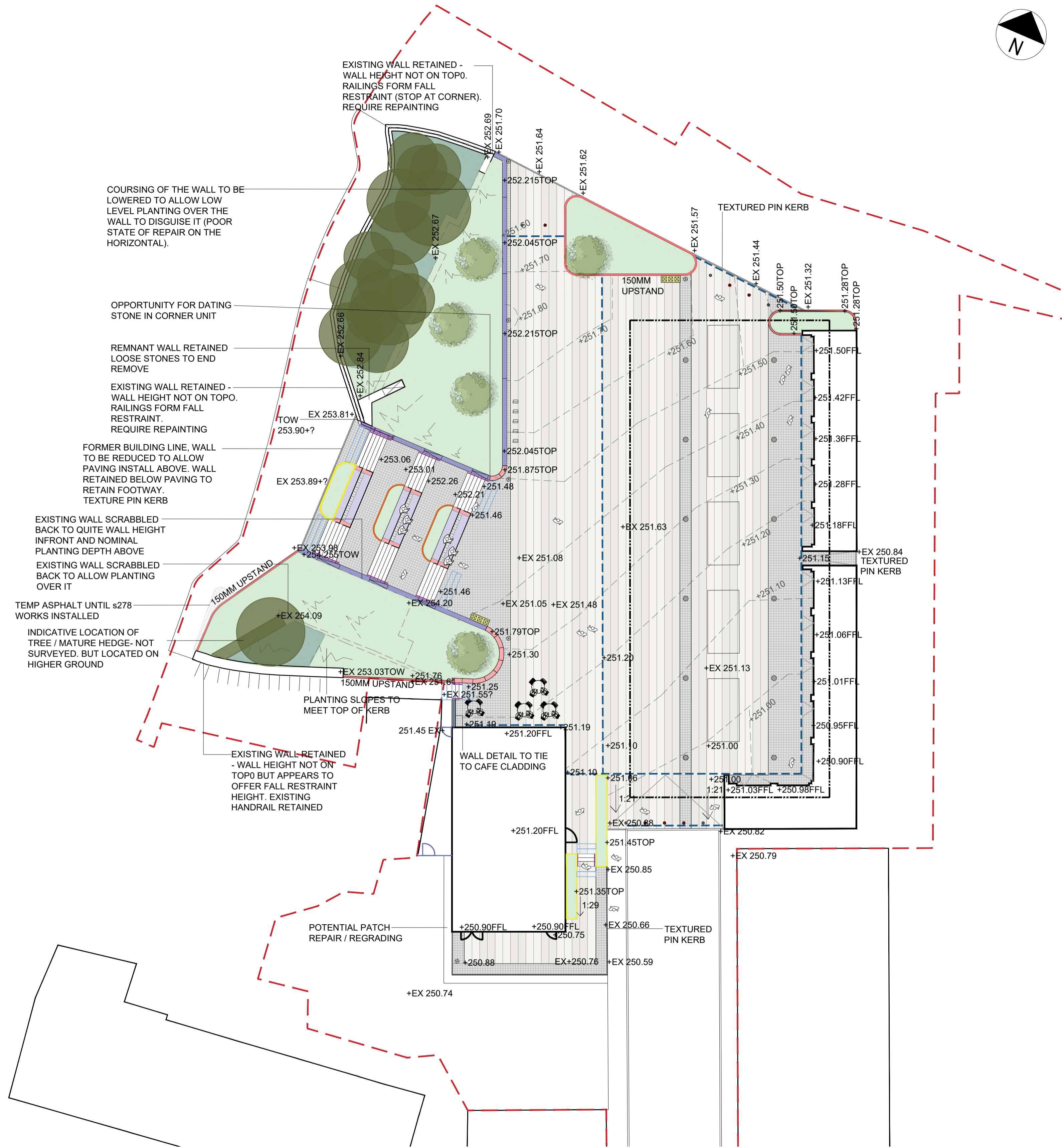
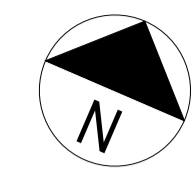
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KE	JH	09/01/25	1 : 200

Title  
**PROPOSED SITE PLAN**

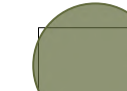

Suitability Code	Purpose for issue
S1	COMMENT

Drawing No  
**3382 - CDA - SP - SL - DR - A - 040501**



Project	Originator	Volume	Level	Type	Role	Number	Revision
							F



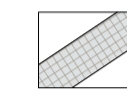



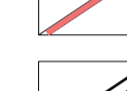
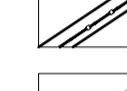

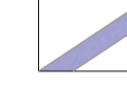
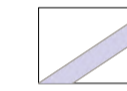
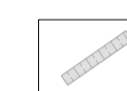




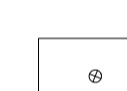
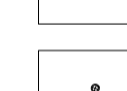
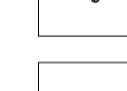
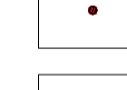
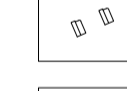
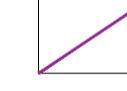
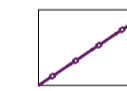

**EXISTING ELEMENTS:**

-  EXISTING TREE TO BE RETAINED
-  EXISTING AMENITY PLANTING TO BE RETAINED AREA TO BE TIDIES UP AND UPSTOCKED AS APPROPRIATE

**SOFT LANDSCAPE KEY:**

-  PROPOSED SPECIMEN TREE TO BE SUPPLIED AS EXTRA HEAVY STANDARD 18-20CM GIRTH FINAL SPECIES SELECTION TBC
-  PROPOSED AMENITY PLANTING MIX INCLUDING PERENNIALS, SHRUBS AND GRASSES FINAL SPECIES DETAILS TBC

**HARD LANDSCAPE KEY:**

-  PROPOSED SMALL STONE BLOCK FEATURE BAND HOLCOMBE SANDSTONE SUPPLIED BY HARDSCAPE OR SIMILAR APPROVED
-  PROPOSED ELONGATED STONE BLOCK FEATURE BAND HOLCOMBE SANDSTONE SUPPLIED BY HARDSCAPE OR SIMILAR APPROVED
-  PROPOSED TEMP ASPHALT (UNTIL s278 UNDERWAY)
-  PROPOSED UPSTAND KERB 'TEXTURED KERB' COLOUR SILVER GREY SUPPLIED BY TOBERMORE OR SIMILAR APPROVED
-  EXISTING STONE PLANTER WALL RETAINED WALL TO BE MADE GOOD WHERE REQUIRED RAILINGS TO BE REPAINTED
-  PROPOSED SEAT WALLS/RETAINING WALLS FORMED FROM IN SOLID GRANITE GRANITE COLOUR SILVER GREY
-  PROPOSED SEAT WALLS/RETAINING WALLS FORMED FROM IN SITU CONCRETE - CLAD WITH 75MM COURSING GRANITE. GRANITE COLOUR SILVER GREY
-  PROPOSED SEAT TIERS FORMED FROM IN SITU CONCRETE - CLAD WITH LARGE FORMAT GRANITE. GRANITE COLOUR SILVER GREY
-  PROPOSED GRANITE INFILL BEHIND LARGE TIER UNITS GRANITE COLOUR SILVER GREY
-  PROPOSED STEEL PLANTERS - CIRCA 450MM HIGH
-  PROPOSED STEEL EDGING - FLUSH
-  PROPOSED STEPS AND SEATING TERRACES FORMED WITH IN SITU CONCRETE AND CLAD WITH GRANITE GRANITE COLOUR - SILVER GREY FINISH AND SPEC TBC S/S CORDUROY TACTILES
-  PROPOSED LIGHT COLUMN TO M+E ENGINEERS DETAILS
-  PROPOSED FIXED BOLLARD 1000MM HIGH STEEL BOLLARD SUPPLIED BY BROXAP OR SIMILAR APPROVED POWDER COATED RAL 9005
-  PROPOSED REMOVABLE BOLLARD 1100MM HIGH STEEL BOLLARD SUPPLIED BY BROXAP OR SIMILAR APPROVED POWDER COATED RAL 9005
-  PROPOSED CYCLE STAND TO M+E ENGINEERS DETAILS
-  PROPOSED STEEL HANDRAIL
-  PROPOSED P/C STEEL BALUSTRADE
-  EXISTING P/C STEEL BALUSTRADE - REQUIRES REPAINTING
-  PROPOSED RAILINGS / GATE
-  PROPOSED BIN (TO RBC SPEC)
-  INDICATIVE DRAINAGE

**S Q U A R E   Y A R D**

Landscape Architecture - Urban Design - Masterplanning

Email - [studio@sqrird.co.uk](mailto:studio@sqrird.co.uk)  
 Web - [www.squareyard.info](http://www.squareyard.info)  
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 SQR YRD LTD.  
 Kingfisher Business Centre,  
 Rosendale, B84 8EQ



- GENERAL NOTES:**
1. DIMENSIONS GOVERN
  2. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS NOTED OTHERWISE ON THE DRAWINGS
  3. ALL DIMENSIONS SHALL BE VERIFIED ON SITE PRIOR TO ANY CONSTRUCTION
  4. SQUAREYARD SHALL BE NOTIFIED OF ANY DISCREPANCIES

**DRAWING NOTES:**

REV	DESCRIPTION	DRAWN	CHECKED	DATE
E	STAGE 4 COORDINATION	KH	KH	10/02/2026
F	STAGE 4 - PAVING SPEC CHANGE	KH	KH	23/02/2026
G	STAGE 4 - PAVING SPEC TEXT CHANGE	KH	KH	25/02/2026
H	STAGE 4 - SEAT CURVE LEVEL AMENDED (NORTH)	KH	KH	09/03/2026
I	STAGE 4 - DISABLED BAYS REMOVED	KH	KH	11/03/2026
J	STAGE 4 - CYCLE STANDS REPOSITIONED	KH	KH	23/03/2026

PROJECT TITLE  
**BACUP MARKET  
 BACUP  
 ROSSENDALE**

DRAWING TITLE  
**LANDSCAPE GENERAL ARRANGEMENT**

SCALE  
**@ A1  
 1:200**

DATE CREATED  
**JUL 25**

PROJECT NUMBER  
**SY\_25\_018**

DRAWING No.  
**BMRBC\_SQR\_XX\_DR\_L\_001**

REVISION  
**J**



Rossendale Valley  
Local Council  
WELCOME TO  
BACUP MARKET  
Open Every Wednesday & Saturday  
9am to 5pm  
01256 342177



**BACUP 2040**  
**LEVelling UP**  
[www.rossendale.gov.uk](http://www.rossendale.gov.uk)

**The Bacup 2040 Vision, is underpinned by 4 key themes:**

- 1 Enterprise**  
 Focus on...  
 (Small images of industrial and commercial buildings)
- 2 Place**  
 Focus on...  
 (Small images of streets and public spaces)
- 3 People**  
 Focus on...  
 (Small images of people and community events)
- 4 Vibrancy**  
 Focus on...  
 (Small images of cultural and leisure activities)

**This new Facility will:**

- Provide a new... (text partially obscured)
- Offer a new... (text partially obscured)
- Create a new... (text partially obscured)
- Deliver a new... (text partially obscured)

**MARKS AS USUK**  
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**REAR OPEN**