

SCHEDULE OF ACTIONS MATTER 15: EMPLOYMENT AND MIXED-USE SITE ALLOCATIONS (Actions 15.1, 15.3, 15.4 and 15.5)

Mixed-Use Site Allocations

15.1	<p>For all mixed-use and employment sites</p> <p>Produce a technical note which demonstrates the deliverability of each proposed employment allocation, this should include as a minimum:</p> <ul style="list-style-type: none"> i. A map showing land ownership; ii. Clear statement of intent from the landowners and any developers if known, of the intention to develop the site for the uses envisaged and broadly when; iii. An overview of the key constraints and how they could be overcome. This should have regard to Landscape and Green Belt impacts; iv. Specific development requirements, including compensatory measures for Green Belt losses where appropriate; v. Details of access – where from and what site specific infrastructure would be required; vi. High level viability, particularly having regard to the proposed access arrangements.
15.3	<p>M1 – Waterside Mill, Bacup</p> <ul style="list-style-type: none"> i. Note to clarify the ownerships and that constraints can be overcome. Provide evidence that the site is developable at the point envisaged in line with NPPF and PPG. ii. Preparation of a note which provides evidence the site is available and developable, to include cabinet report and what else the Council notes as being supportive towards the site being available and developable in years 6-10. iii. Update on Compulsory Purchase Order.
15.4	<p>M2 – Spinning Point, Rawtenstall</p> <ul style="list-style-type: none"> i. Note to clarify the owner’s intentions to bring forward 28 dwellings. ii. Review Policy R2, to ensure it is linked to EMP2. iii. The Council needs to produce a note on the potential scheme to come forward – residential, hotel or both and confirm number of dwellings.
15.5	<p>M3 – Isle of Man Mill, Water</p> <p>Note to clarify that there is a reasonable prospect of 16 dwellings being delivered when envisaged.</p>

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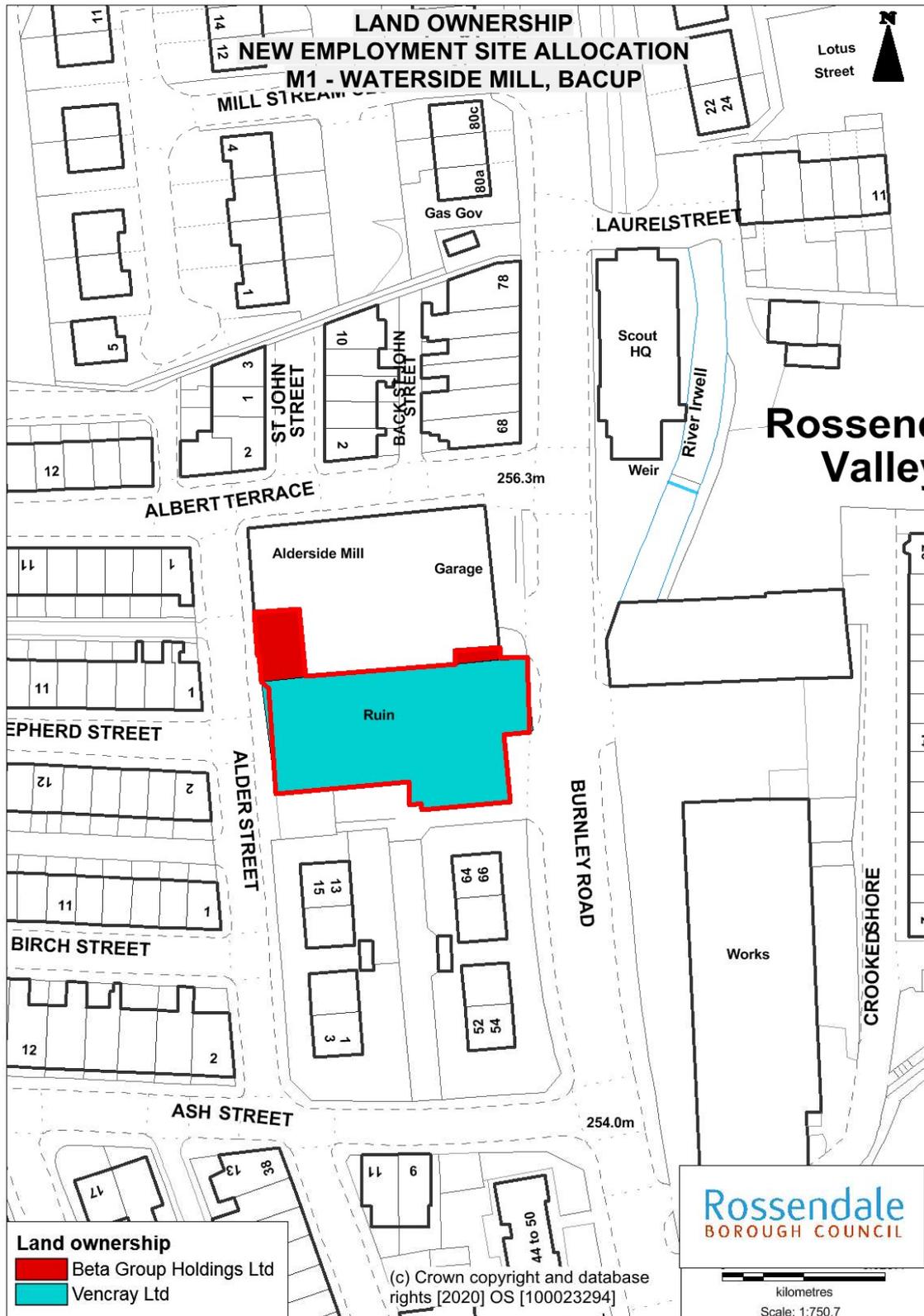
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M1 – Waterside Mill, Bacup

Delivery of the site (Action 15.1)

i. Map showing land ownership

Map 1 shows the land ownership based on information from the Land Registry.



Map 1 – Land ownership information for M1 – Waterside Mill, Bacup

ii. Statement from landowner

The Council have not been able to reach the landowner Vencray Ltd. There is an email from Rossendale Borough Council's Director for Economic Development providing an update (please see Appendix A).

iii. Overview of key constraints

Key constraints for this site are the absentee landowner and the heritage value of the Mill. The landownership situation will be further discussed below, within the section related to Action 15.3. In terms of heritage, the property is a Grade II listed building situated within Bacup Town Centre Conservation Area. The Heritage Impact Assessment (2018) stated that the re-use of the site for a residential scheme is possible with mitigations (e.g. historic fabric to be retained including fixtures and fittings, use of traditional materials and techniques).

However, it is to be noted that the building is in a state of disrepair. The roof structure has been damaged by a fire in May 2003, and in 2005, further works were undertaken by the Council following the partial failure of a section of the roof. In late 2019 and through 2020 other sections of the roof collapsed and in July 2020 the building was no longer considered safe to enter. In September 2020, works commenced with the approval of Historic England to partly demolish the upper part of the building in order to make the structure of the building safe. The Council meeting held on 23rd September 2020 discussed the partial demolition of Waterside Mill and the minutes and report are available to view on the Council's website (<https://www.rossendale.gov.uk/meetings/meeting/1200/council>).

The Strategic Housing Land Availability Assessment identified potential land contamination which should be further assessed at the planning application stage.

iv. Specific development requirements

With regards to heritage, the Conservation Officer proposed the following requirements. The historic fabric should be retained where possible including fixtures and fittings. Also, traditional materials and techniques should be used to convert the building into a mixed-scheme of residential and employment space.

Lancashire County Council stated that adequate parking provision should be delivered, although the sustainable location of the site could reduce parking requirements.

A land contamination survey is expected to further assess the potential land contamination of the site at the planning application stage.

v. Details of access

The site is bound by Burnley Road to the east, Albert Terrace to the north and Alder Street to the west. It is located within 400m (5-minute walk) to a bus stop with a high frequency service between Rochdale and Accrington.

Lancashire County Council Highways Department provided the following comments:

“The site is located close to the town centre and all the facilities such as retail and transport. There are no parking facilities associated with this site and any proposed use will need to provide adequate parking facilities although the sustainable location would support a reduced parking requirement. The site has access onto Burnley Road and the possibility of creating on site parking on the ground floor could be an option.”

vi. High-level viability

As stated in the Cabinet report (item C4) dated 14th March 2018 available to view on the Council’s website

(<https://www.rossendale.gov.uk/meetings/meeting/1071/cabinet>), a mixed-use scheme including residential and light industrial has been drafted by Valley Heritage and is considered to be viable but with a reduced margin which could make it unattractive to some developers. The mixed-scheme could yield a profit of circa £250,000 in addition to the ongoing revenue from 39 homes and 1204m² of employment space. The Council is looking at external funding options to bring the site forward.

Specific questions (Action 15.3)

i. Note to clarify the ownerships and that constraints can be overcome

Several attempts have been made to contact the owner of Waterside Mill over 20 years as stated in the Council Report of 23rd September 2020. Recently, in February 2020, several letters were sent by Beta Group Ltd (the adjoining owner) to the last known addresses of the owner of Vencray Ltd but were all returned.

As mentioned in the Cabinet Report (item C4) dated 14th March 2018, Vencray Ltd went into liquidation several years ago and two individual trustees are cited in the title along with an LLP. The attempts to contact the trustees have not been successful in establishing their interest in the site and the LLP has also gone into liquidation.

In order to overcome the land ownership constraint and to enable the redevelopment of the building, a Compulsory Purchase Order is envisaged. Both options of a Compulsory Purchase Order and acquisition by agreement have been agreed during the Cabinet meeting held on 14th March 2018. The Council’s Economic Development Director confirms Rossendale Borough Council is investigating legal proceedings to bring the site into Council ownership.

ii. Provide evidence that the site is available and developable in years 6-10, including information on Compulsory Purchase Order

During the Cabinet Meeting held on 14 March 2018, it was resolved that “the Planning Manager be authorised to commence the process of the compulsory purchase (CPO) under Section 226 of the Town and Country Planning Act of Waterside Mill, Bacup to secure the redevelopment of this long term vacant site for social, economic & environmental benefits to the area.” It was also resolved that “the Planning Manager, in consultation with the Portfolio Holder and the Commercial Asset Manager be authorised to agree terms for the acquisition of the property in this report by agreement as an alternative to compulsory purchase in accordance with the terms of delegation.”

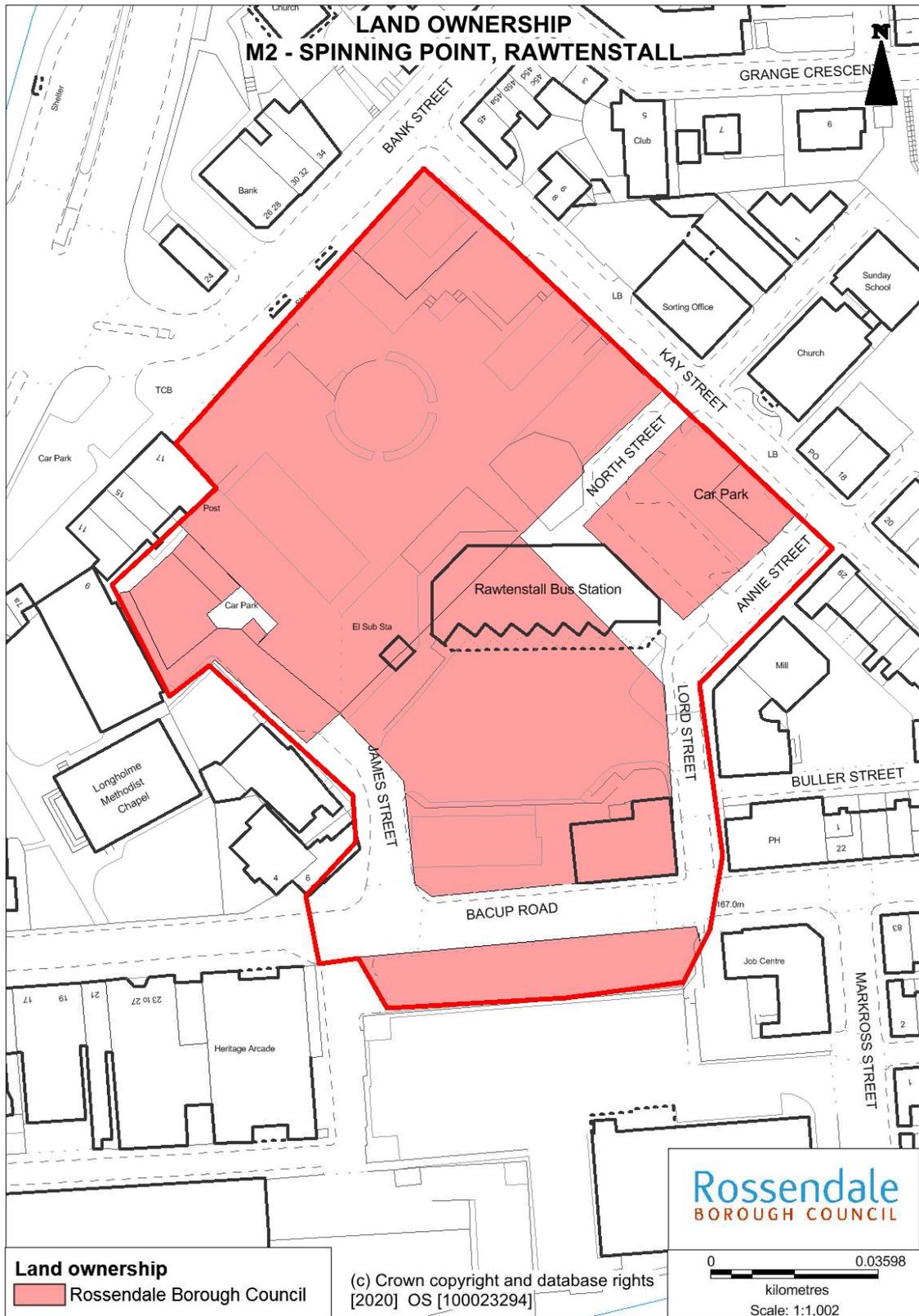
Upon acquisition of the site by the Council, it will be available and developable within the Local Plan period. A draft scheme has been drafted by Valley Heritage in collaboration with an architectural firm for 39 dwellings and 1204m² of employment space showing that the development could be viable with a reduced margin.

M2 – Spinning Point, Rawtenstall

Delivery of the site (Action 15.1)

i. Map showing land ownership

Map 2 shows the land ownership based on information from the Land Registry.



Map 2 – Land ownership information for M2 – Spinning Point, Rawtenstall

ii. Statement from the landowner

Phase 1 of the re-development of the site including the erection of a bus station with retail/café or office units and works to the Old Town Hall is now complete. The site also benefits from a full planning permission granted in March 2018 for the re-development of the former Valley Centre into a mixed-use development comprising leisure, hotel, housing and commercial uses, including an area of public open space (Phase 2).

However, the Council no longer wish to progress with Spinning Point Phase 2 as discussed and resolved at the Council's meeting held on 26th February 2020. The report taken to the Council (item D2) and the minutes of the meeting are available to view on the Council's website

(<https://www.rossendale.gov.uk/meetings/meeting/1184/council>). This is mainly due to changes in circumstances which have taken place: firstly, the recovering of the local economy from the recession associated with an increase in footfall locally and secondly, the lack of interest from national retailers or local providers regarding Spinning Point Phase 2 units. The Council now propose to refresh the vision for Rawtenstall focussing on re-purposing large empty buildings, developing and implementing a new car park strategy, enhancing the town square and supporting the improvement of Rawtenstall's Gyratory.

iii. Overview of key constraints

As stated above, Phase 1 of the project has been delivered but the Council is no longer pursuing Phase 2 which would have seen the potential development of 28 residential units and approximately 1,400 sqm of Gross Internal Area (GIA) of retail units and approximately 2,300 sqm (GIA) of leisure units.

iv. Specific development requirements

Specific development requirements are set out within Policy R2 as follows:

- Comprehensive development of the site is demonstrated through a masterplan;
- The implementation of development in accordance with an agreed design code; and
- An agreed programme of implementation in accordance with the masterplan
- Following uses are considered appropriate:
 - Commerce, Business and Service (Use Class E);
 - Hotel (Use Class C1);
 - Drinking establishments (Sui Generis);
 - Leisure uses (Sui Generis and Use Class F2);
 - Residential units above ground floor level

v. Details of access

No objections were raised on the planning application for Phase 2 by the Highway Officer regarding highway safety or cumulative impacts of the development subject to some off-site mitigations (i.e. widening of the footway at the junction of Asda and St Mary's Way and anti-skid surfacing at the approach to St Mary's Way) as well as planning conditions.

vi. High-level viability

The site is a primary location for commerce, business and services. However, as a result of a lack of interest from national and local retailers to occupy units proposed as part of Spinning Point Phase 2, the scheme will not be progressed and instead the Council will focus on enhancing the Town Square, re-purposing vacant buildings and other improvements in line with the refreshed Vision.

Specific questions (Action 15.4)

i. (and iii.) Note on potential scheme to come forward – residential, hotel or both and confirm number of dwellings

As stated above, the Council is no longer pursuing Spinning Point Phase 2, therefore the additional 28 residential units and approximately 3,700 sqm (GIA) of retail and leisure floorspace are not expected to be delivered within the Local Plan period.

ii. Review Policy R2 to ensure it is linked to EMP2

A proposed Main Modification to Policy R2 had been proposed during the Hearings to ensure that the Spinning Point scheme is also linked to Policy EMP2 and R2 however this mixed use allocation is now proposed to be removed (please also see Action 6.1):

It is now proposed to delete the reference to M2 and retain the policy text in R2 as follows: "Within the area defined on the Policies Map within Rawtenstall Town Centre, shown as an extension to the Primary Shopping Area, redevelopment will be permitted subject to the following"

Similarly, the text in the Explanation to Policy R2 will be amended:

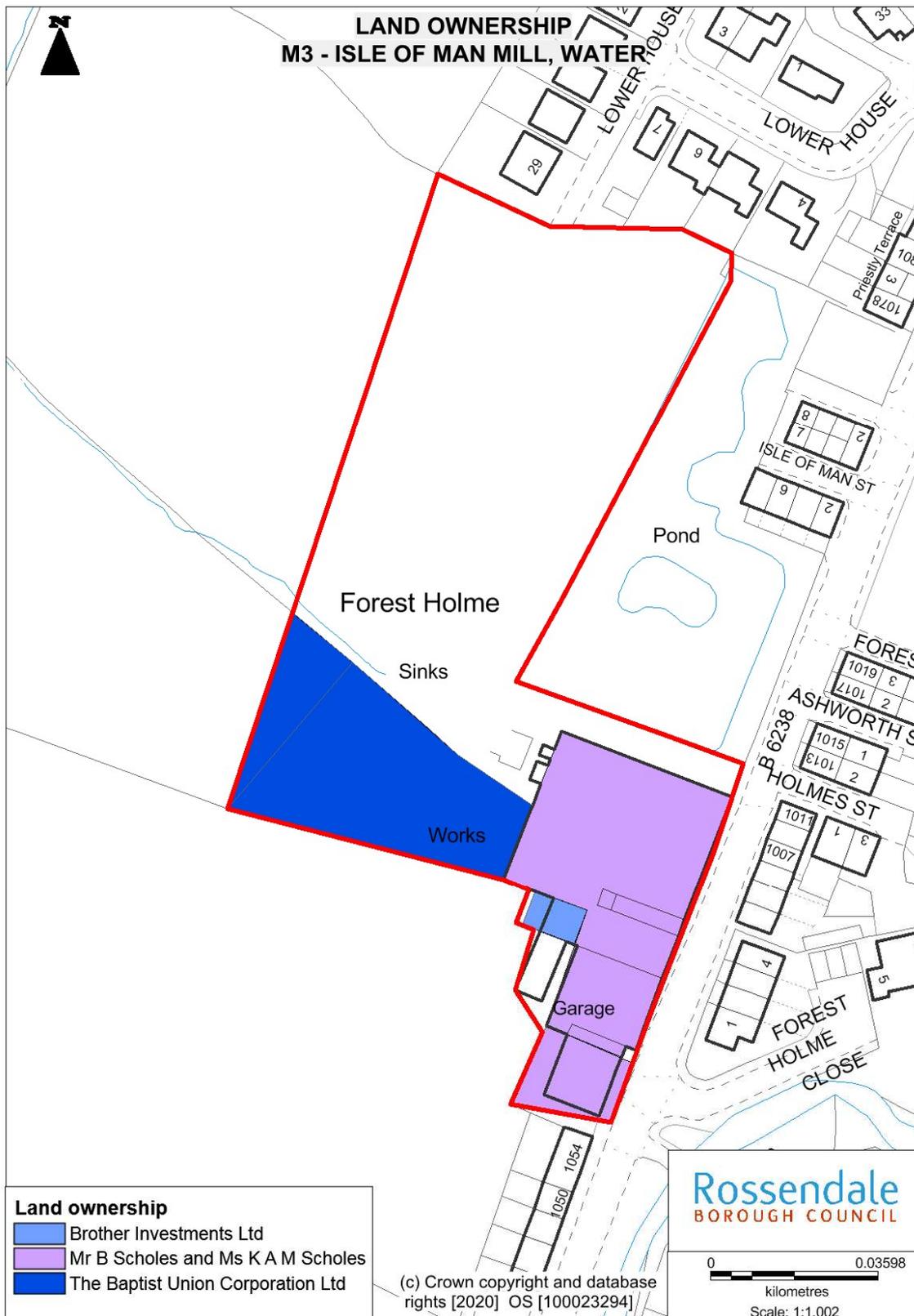
153 *The redevelopment of the former Valley Centre as part of the 'Rawtenstall Town Centre' redevelopment project involves changes to the Primary Shopping Area (PSA). The site of the former Valley Centre has been removed from the PSA and the area is identified as a 'Future Primary Shopping Area Extension'. The area has benefitted from the construction of a new bus station incorporating retail units and the refurbishment of the neighbouring Old Town Hall. ~~The mixed-use scheme will encompass a range of uses such as retail, restaurants, leisure and potentially community space and it is anticipated that the scheme will significantly improve the town centre's retail, evening and leisure economies.~~ Future planning applications within the extension to the PSA for implementing this scheme will be guided by a masterplan and design code.*

M3 – Isle of Man Mill, Water

Delivery of the site (Action 15.1)

i. Map showing land ownership

Map 3 shows information relating to freehold interest in the land (leasehold information has not been represented). A large part of the site allocation is unregistered, however the landowner has been identified and are represented by RTS Richard Turner & Son.



Map 3 – Land ownership information for M3 – Isle of Man Mill, Water

ii. Statement from landowner

Brother Investments, also known as B&E Boys Ltd, and represented by Hourigan Connolly have stated in their response to Matter, Issues and Questions regarding Matter 15 that they would support the allocation of the whole site for residential use (document reference EL2.033f). Furthermore, they report that due to a number of vacancies and a lack of uptake by new tenants, parts of the mill have been demolished.

Mr Scholes has stated in his comment to the Regulation 19 consultation (comment no. 5151) that he would like Isle of Man Mill to be proposed for residential use.

Also, Lumb Baptist Church has recently confirmed that their land is available for development while the unregistered landowner (Ms Mitchell) represented by RTS (shown as white land on the map) has stated that they have no objection for the allocation of their site for mixed-use in the Local Plan. Please see their statements in Appendix A.

iii. Overview of key constraints

A key constraint for this site relates to the vehicular access which is further discussed in section 'v'.

iv. Specific development requirements

Specific development requirements are set out below:

- Design and materials in keeping with local character of the area.
- The development should not negatively impact on the ecology and water quality of the pond situated just outside of the site allocation.
- Provision of car parking spaces in accordance with Parking Standards.

v. Details of access

Proposed access points are from the B6238 Burnley Road East and Lower House Green.

Lancashire County Council Highways Department provided the following comments:

“The redevelopment of the mill for employment use would require parking facilities to be provided, currently there is a reliance on the use of on-street parking which due to the width of the road and existing residential parking demands along Burnley Road East, would not be welcomed. Although the site includes additional land to the rear there is currently no vehicular access to this area. Although there is a potential route between the mill and the mill pond, this has a restricted width and an acceptable junction layout could not be formed within the constraints of the land available. The other potential access that has been looked at is via Lower House Green, however

this is only partially adopted along its length with a section fronting Nos 27 and 29 being privately maintained with a restricted width and no pedestrian provision.”

vi. High-level viability

The mill is in existing employment use and the land to the rear is proposed to be developed for a residential scheme of approximately 16 dwellings. The site is situated within Zone 2 of sale prices value in figure 5.1 of the Local Plan Viability Study (2019). The residential viability assessment concluded that development on greenfield sites within this zone are sufficiently viable to support 10% affordable housing provision. Other viability information has been provided by Keppie Massie and forms Appendix E to Matter 15.

Specific questions (Action 15.5)

i. Note to clarify reasonable prospect of 16 dwellings being delivered when envisaged

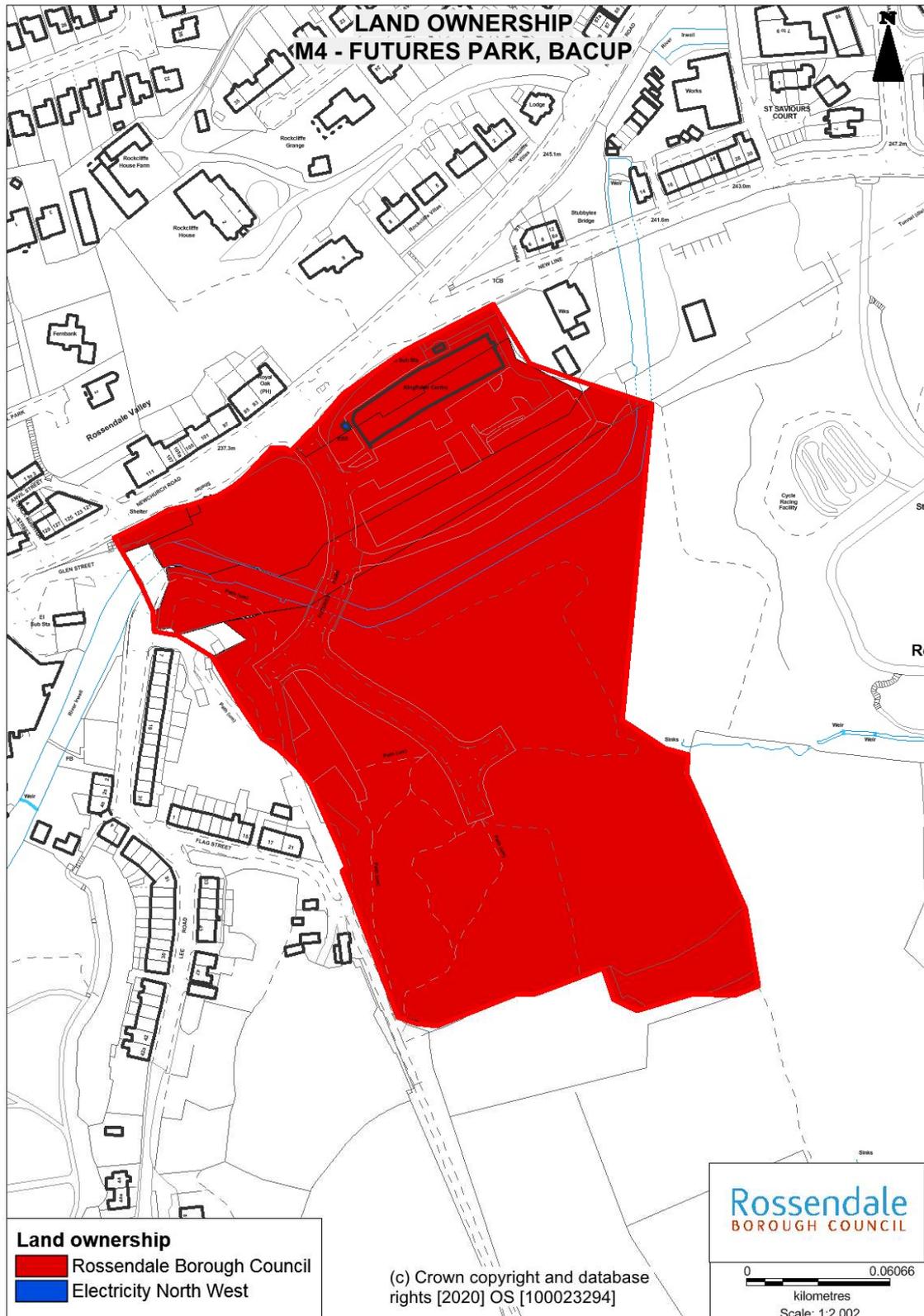
All landowners have confirmed the availability of the site for development as shown in Appendix A, document reference EL2.033 and the comment no. 5151 received during the Regulation 19 consultation. It is considered that there is a reasonable prospect that 16 dwellings can be delivered on site within years 6 to 10 of the Local Plan.

M4 – Futures Park, Bacup

Delivery of the site (Action 15.1)

i. Map showing land ownership

Map 5 indicates land ownership obtained via the Land Registry (only freehold interest in the land is represented on the map).



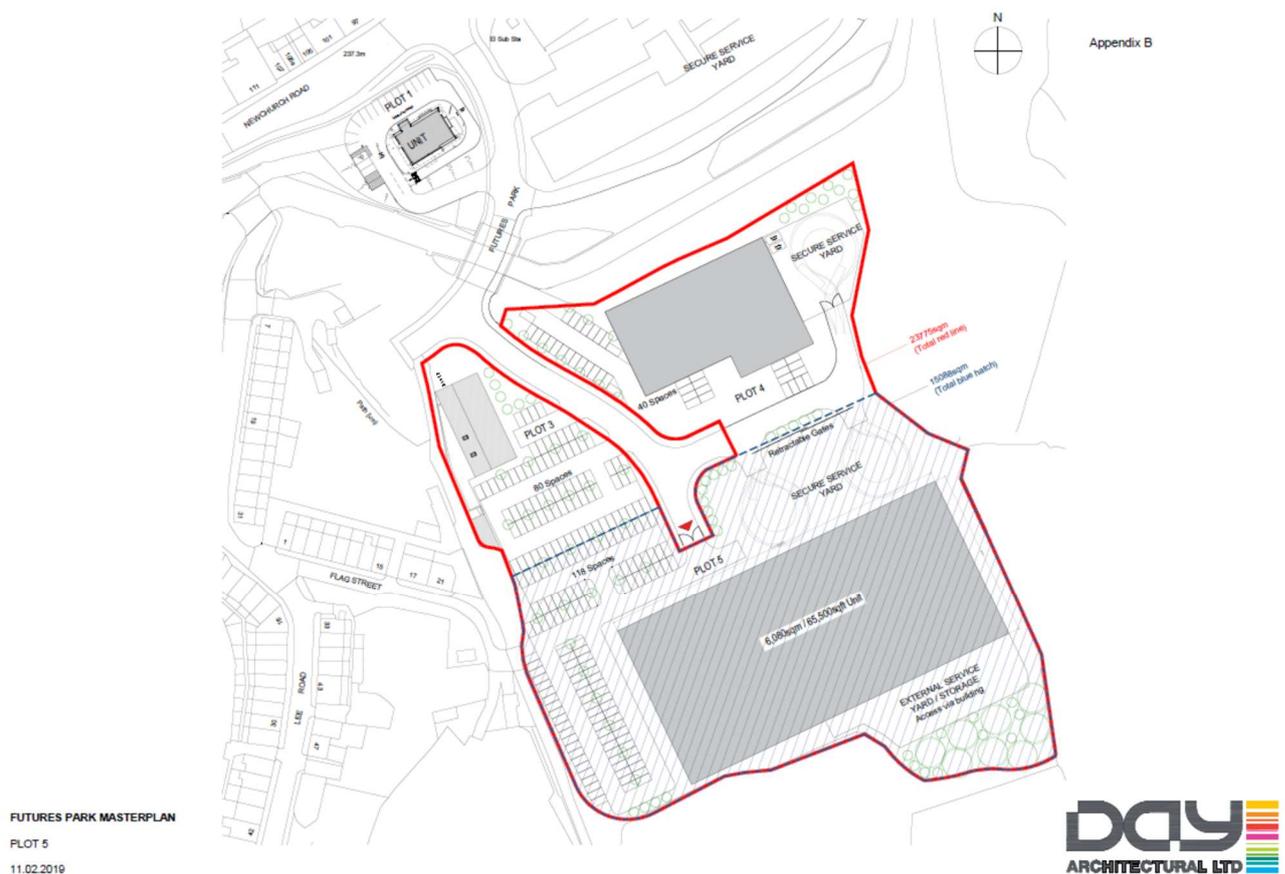
Map 5 – Land ownership information for M4 – Futures Park, Bacup

ii. Statement from landowner

The site allocation comprises the Council's offices and vacant land. One industrial/manufacturing building (Use Class B2) is currently under-construction following the grant of a planning permission in April 2019 (planning reference 2019/0102) in the southern section of the allocation (Plot 5). This planning application site of approximately 1.35 ha will provide a new manufacturing / industrial building of a total floor area of 5,485m² to help the expansion of an existing company.

Another planning application has been approved and is under construction for a children's day nursery building on plot 1 of Futures Park (planning reference 2020/0137). Plot 1 is approximately 0.29 ha and the total floor space of the nursery (Use Class D1) would be 630m².

The masterplan for the site showing the location of Plots 1, 3, 4 and 5 is shown below.



The remaining part of the site available for development (Plots 3 and 4) is of approximately 0.84 ha. Overall, the net developable area for the site is estimated at 2.48 ha, with 1.35 ha under construction. This includes a cycle and visitor hub for Outdoor Rossendale at Plot 3. Plot 4 is being marketed for 20,000 sq ft (5,000m² approx) industrial/leisure use. Please see in Appendix A, a statement from the

Economic Development Team providing further information on the status of each plot.

iii. Overview of key constraints

Key constraints for the site allocation include flood risk, land contamination and ecology. The central part of the site allocation bounded by the River Irwell to the north and the planning application 2019/0102 to the south remains available for development.

- Flood risk

The site is largely within Flood Zone 1 but comprises Flood Zone 2 and Flood Zone 3 along the River Irwell and the eastern boundary of the site. Approximately a third of the site is also at low risk of surface water flooding. The central part of the site allocation which remains available for development is considered to be suitable for development as long as it avoids any Flood Zone 2 and Flood Zone 3 areas, and subject to a Flood Risk Assessment at the planning application stage (please see Map 6).

- Land contamination

Part of the site allocation could be at risk of land contamination as a result of previous uses of the site. Land contamination surveys would be beneficial to assess this risk further.

- Ecology

Part of the site is within a Woodland Stepping Stone Habitat, therefore the retention of existing trees and the planting of additional trees will be expected as part of a new development.

iv. Specific development requirements

Specific development requirements are set out in Policy EMP6 as follows:

- Comprehensive development of the site is demonstrated through a masterplan;
- Environmental constraints are reflected in the design;
- A phasing and infrastructure delivery schedule for the area; and
- An agreed programme of implementation in accordance with the masterplan.
- The following uses are considered acceptable:
 - Employment uses comprising E(g) (Business), B2 (General Industrial) and B8 (Storage and Distribution);
 - Hotel (Use Class C1), Restaurants and cafes (Use Class E(b)) and drinking establishments (Sui generis);
 - Leisure uses (Use Class F2 and Sui generis);
 - Retail (Use Class E(a));
 - Pedestrian and cycle route – “Valley of Stone” Greenway and link to Lee Quarry

v. Details of access

The site is accessible via Futures Park and its priority junction with the A681 Newchurch Road. The Employment Site Access Study undertaken by Mott McDonald recommends to upgrade the existing priority junction to a signalised junction.

The Local Highways Authority also provided the following comments:

“Futures Park is an existing industrial site with a number of extant planning permissions for employment and educational establishment (nursery) and a leisure activity (mountain bike adrenaline centre). There are also a number of existing employment uses – namely council offices and council depot. There is land available to extend the range of employment opportunities on the site.

Studies undertaken by a Transport Consultant on behalf of the Borough Council has identified the need to consider the signalisation of the site access at some future date however due to the existing site constraints whilst the installation can be accommodated it will impact on the parking options for local businesses and residents.

Funding for any junction improvements would be sought from the developer(s) of the site but the piecemeal nature of the development as it comes forward will inevitably focus funding responsibilities on the latter developers as opposed to the site as a whole. If traffic signals are ultimately required then an alternative funding source would need to be secured.

Site accessibility, the site is adjacent to a number of bus routes and access in this respect is good, however pedestrian crossing points across Newchurch Road and New Line are limited. The introduction of a signalised junction would be beneficial in this respect.”

vi. High-level viability

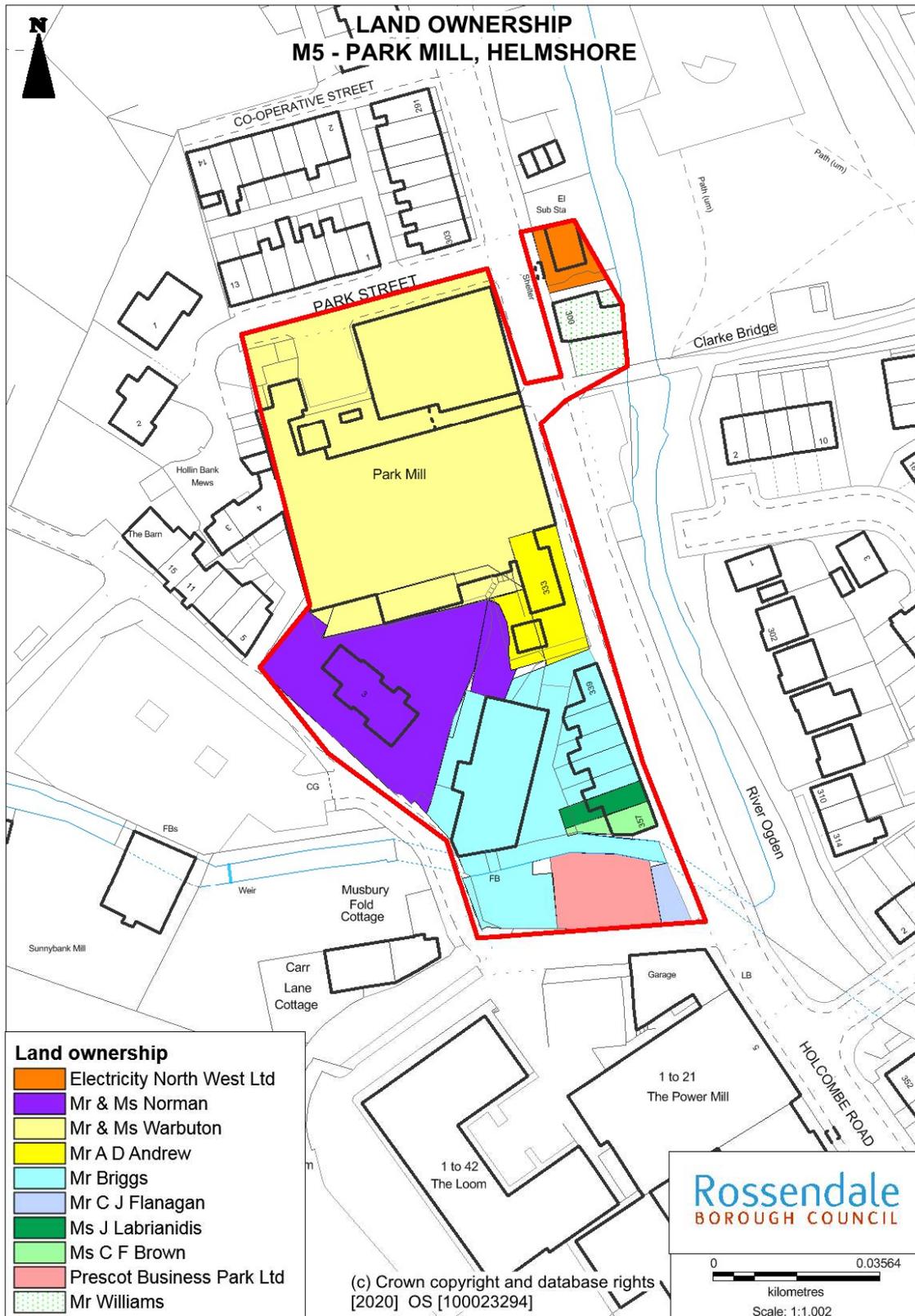
The site is in an attractive location with good access to the local road network. Part of the site is in existing use and occupied by the Council’s offices whilst a manufacturing/industrial building is currently being constructed on plot 5. Plot 1 has been granted permission for a nursery and plots 3 and 4 remain available for development. Rossendale Borough Council is actively promoting the site for development, with plans being discussed for a cycle hub and visitor centre on plot 3. Plot 4 is being actively marketed for approximately 20,000ft of industrial/leisure development.

M5 – Park Mill, Helmshore

Delivery of the site (Action 15.1)

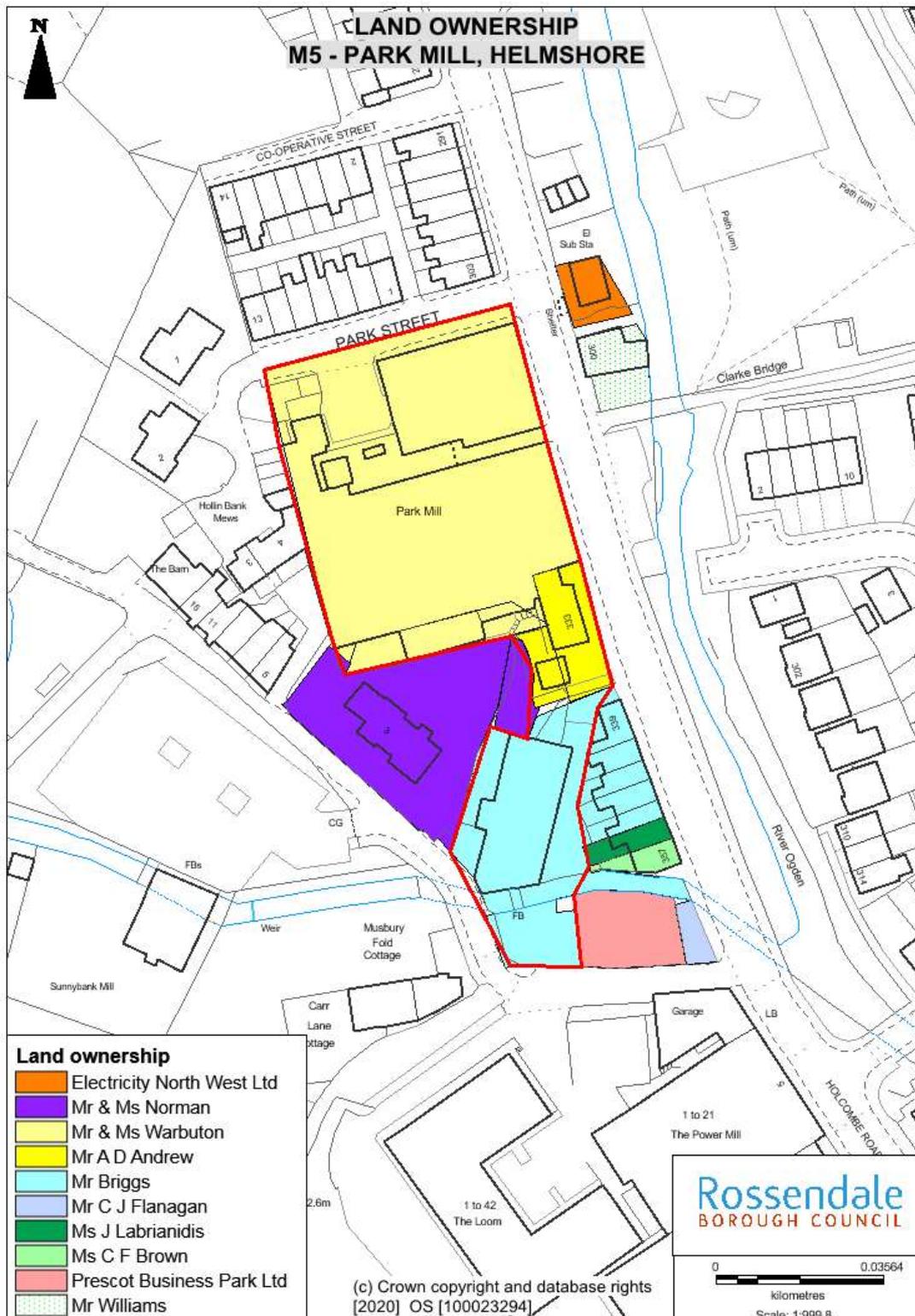
i. Map showing land ownership

The map below provides an approximate representation of land ownership based on Land Registry information. All landowners have a freehold interest with the exception of Mr Williams who has a leasehold interest in the property.



Map 7 – Land ownership for M5 – Park Mill, Helmsshore

Since the proposed site allocation includes existing residential properties and an electricity sub-station, it is proposed to amend the site boundary to include Park Mill, the existing business directly adjoining Park Mill to the south and Albion Mill.



Map 8 – Proposed changes to the site allocation boundary

ii. Statement from landowner

The Council has been unable to receive any confirmation from landowners that A1, A3 and B1/E(g) uses would be promoted. As a result, it is the Council's suggestion that the allocation M5 be removed from the Policies Map and omitted from Table 2. This would reduce the gross area by 0.86 ha and the net developable area by 0.4 ha.

iii. Overview of key constraints

A possible constraint is the lack of car parking spaces although some are available off Holcombe Road opposite Park Mill.

iv. Specific development requirements

- Making best use of vacant floor space at Park Mill
- Provision of additional parking facilities where practicable

v. Details of access

The site is bounded by Park Street, Holcombe Road and Park Road. There are some car parking spaces available off Holcombe Road on the opposite side to Park Mill. There is a bus stop adjoining Park Mill with the service no. 11 which links Haslingden to Rawtenstall five times a day (every two hours).

vi. High-level viability

As there is no scheme being progressed it is difficult to estimate viability, although at this location serviced office accommodation (B1/E(g)) together with retail and café/restaurant may be attractive.

Appendix A – Statement from landowners or the Council

M1 – Waterside Mill, Bacup

From: Cath Burns <CathBurns@rossendalebc.gov.uk>

Sent: 26 January 2021 18:09

To: Anne Storah <AnneStorah@rossendalebc.gov.uk>; Guy Darragh <GuyDarragh@rossendalebc.gov.uk>

Cc: Michael Atherton <MichaelAtherton@rossendalebc.gov.uk>; Nathaele Davies <NathaeleDavies@rossendalebc.gov.uk>

Subject: RE: Waterside Mill Bacup

Waterside Mill continues to be a key regeneration site in Bacup; ideal for A1 B1 B2 and C3 uses. The council has made significant progress in developing a vision and masterplan for Bacup. Part demolition of the building has been required in recent months in order to respond to health and safety concerns in connection with structural movement. With a net developable area of 0.9 ha, approximately 39 units can be accommodated. The council is investigating legal proceedings in order to bring the site into council ownership, as well as actively exploring external funding opportunities to bring development forward.

Cath Burns

Director of Economic Development

Rossendale Borough Council

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Twitter: [@RossendaleBC](https://twitter.com/RossendaleBC)

Facebook: [Rossendale Borough Council](https://www.facebook.com/RossendaleBoroughCouncil)

M3 – Isle of Man Mill, Water

From: [REDACTED]
Sent: 06 November 2020 21:12
To: Storm Grimshaw <StormGrimshaw@rossendalebc.gov.uk>
Cc: [REDACTED]
Subject: Re: Rossendale Local Plan2019 Housing Site Allocation: M3 - Isle of Man Will, Water.

Dear Storm,

Lumb Baptist Church Land.

Further to our recent telephone conversation, I confirm that at a recent meeting of the church deacons and finance committee it was passed that our land section site be included in the Rossendale Local Plan and is available for development.

Graham Barnes
Trustee
Lumb Baptist Church

[REDACTED]

M3 – Isle of Man Mill, Water

RTS Richard Turner & Son
AUCTIONEERS, VALUERS & ESTATE AGENTS Est 1803

Mr S Grimshaw
Rossendale Borough Council
The Business Centre
Futures Park
Newchurch Road
Bacup
OL13 0BB

Your ref:
Our ref: RT/3310/JT/LH
Date: 17 November 2020
Reply to: **Sawley Office**

Dear Mr Grimshaw

Re: Mixed-Use, Site Allocation M3 – Isle of Man Mill, Water
Our Client: Mrs Mitchell, Lane Side Farm

Thank you for your letter 13th November 2020 passed to me by my client Mrs Mitchell. I have been asked to confirm that the allocation is within the control of Mrs Mitchell as personal representative of Mr David Mitchell deceased and probate is in the process of being granted. My client has no objections to the allocation for employment and residential use.

If you require any further information then please do not hesitate to contact me.

Yours sincerely

[Redacted Signature]

Jonathan Turner BSc (Hons)
For RICHARD TURNER AND SON
Enc

Email: [Redacted]

cc. Mrs [Redacted] Mitchell, [Redacted]

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P: RTS Sawley Letters JT 2020 Grimshaw S_17.11.20.docx

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M4 – Futures Park, Bacup



Nathaele Davies
Senior Planning Officer
Forward Planning
Rossendale Borough Council
The Business Centre
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Bacup
OL13 0BB

NathaeleDavies@rossendalebc.gov.uk

Economic Development
Room 114
The Business Centre
Futures Park
Bacup
OL13 0BB

This matter is being dealt with by:
Guy Darragh
Telephone: 01706 252568
Email: guydarragh@rossendalebc.gov.uk

Our reference: GD/FP
Date: 6 November 2020

Dear Nathaele,

RE: Futures Park Employment Site

Rossendale Borough Council are in full ownership of the allocated Futures Park site that splits into 5 plots.

We are actively seeking development opportunities over the local plan period to bring the whole site into use, bringing employability outcomes; these include:

1. Plot 1 – advanced plans for a private children's centre.
2. Plot 2 – Already fully developed.
3. Plot 3 – Plans for a cycle and visitor hub are being developed linked to Outdoor Rossendale in the new 10 year visitor economy strategy.
4. Plot 4 – Site being marketed, potential for a circa 20,000 sqft industrial/leisure development.
5. Plot 5 – Developed fully in 2020 – new 50,000 sqft industrial unit.

Yours sincerely,

Guy Darragh

Economic Development & Property Manager

*"Rossendale will have strong communities with an enhanced environment and heritage.
It will be an attractive place to live where tourists visit and employers invest."*

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