1. The statements below are made as representation to the Hyndburn Core Strategy Examination on behalf of Coast and Capital and relate to the Schedule of Matters & Issues for Examination provided by the Planning Inspector. The representations relate specifically to Matter 4 – Economy and Employment, which deals with issues on which our client’s previous submissions were made. The representations also refer to the recently published Draft National Planning Policy Framework (NPPF), as requested by the letter from Hyndburn Borough Council on 27th July 2011.

2. Matter 4: Economy & Employment, proposes the key question as follows:

   Are the strategies and policies for the economy and provision of employment land soundly based, effective, deliverable and appropriate for Hyndburn, supported by a robust, credible and up-to-date evidence base, and consistent with national policy?

3. Within this, are a number of specific questions that will be dealt with separately in this representation.

   Question 4.1 (e) – What are the implications of the recent Government statement on ‘Planning for Growth’ for the Core Strategy, and how will it help to implement this policy?
4. The Ministerial Statement ‘Planning for Growth’, published 23 March 2011, has been followed by the publication of the National Planning Policy Framework, which is discussed below. However, the Planning for Growth Statement sets out the Government’s position that in considering planning applications, Local Planning Authorities should support enterprise and facilitate housing, economic and other forms of sustainable development and specifically that they should, inter alia:

- take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing; and
- ensure that they do not impose unnecessary burdens on development.

5. In formulating policies in the Core Strategy, the Council must be mindful of how these policies will influence future development management decisions on planning applications. The Ministerial Statement and subsequent National Planning Policy Framework therefore need to be taken into full consideration at this stage of the LDF. The Core Strategy at present does not fully address these matters, and as will be outlined below, should be amended to reflect the new direction of Government policy.

**Question 4.2 (a) – What is the basis and criteria for considering alternative uses of existing employment sites, and is it supported by evidence and consistent with national policy, particularly in terms of the requirement for marketing?**

6. Our client’s previous submissions to the Core Strategy have related to Policy E2 and the need to provide flexibility in considering future uses for existing employment sites within the Borough, particularly those not designated or protected as quality employment sites. The Council’s Economy Topic Paper for the Core Strategy, dated April 2011, includes at Section 5 a brief discussion on the protection and development of existing employment sites. Paragraph 5.3 states that “In light of the recommendations of the Employment Land Study, the Council has proposed Policy EC2 of the Core Strategy. Good and adequate sites will be identified in the Site Allocations DPD whilst poor quality sites will be identified for alternative uses, most
of which are likely to be housing. Policy E2 seeks to retain good quality sites for employment uses whilst retain [sic] an element of employment development on adequate sites.”

7. The approach to the future use of existing employment sites through Policy E2 has developed as the Core Strategy has progressed, and it is positive to see this spelt out in the above paragraph. However, this approach is not reflected in the actually text of the Core Strategy policy and it should be spelt out more clearly that where considered relevant, existing sites will be released for alternate developments.

8. However, it has always been our client’s submission that requiring evidence of marketing for a period of at least 18 months before employment sites can be considered to be released for alternate development is too prescriptive and too onerous an approach. Recent changes to national policy, along with a continuing period of uncertainty for the economy means that the Core Strategy risks being ineffective in terms of delivering housing development and providing sufficient flexibility in terms of land use supply.

9. The recently published National Planning Policy Framework (NPPF) sets out the Government’s economic, environmental and social planning policies for England and applies to the preparation of local and neighbourhood plans. It sets out a presumption in favour of sustainable development and that plans should provide a practical framework within which decisions on planning applications can be made with a degree of certainty and efficiency.

10. The NPPF sets out a core planning principle that planning should proactively drive and support the development that this country needs and respond positively to wider opportunities for growth. A further core principle is that in considering the future use of land, planning policies and decisions should take account of its environmental quality or potential quality regardless of its previous or existing use.
11. The NPPF provides the framework for ‘Planning for Prosperity’ which relates to supporting economic growth, including housing. Within this section paragraph 75 of the document states that:

“Planning policies should avoid the long term protection of employment land or floorspace, and applications for alternative uses of designated land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses.”

12. Hyndburn Borough Council sits within East Lancashire and to varying degrees must both compete and compliment neighbouring towns and local authorities to attract development at all levels. It is therefore important to the delivery of the Core Strategy and future development that the policies, and supporting text to the policies, do not impose unnecessary burdens on development that would limit the chances of delivering vacant and derelict sites within the Borough back into productive use. The requirement for 18 months marketing evidence before sites will be considered for an alternative use is not an approach followed by other local authorities within East Lancashire and is not consistent with the NPPF, in particular paragraph 75 outlined above.

13. The neighbouring planning authorities of Burnley, Ribble Valley, Blackburn with Darwen and Rossendale, all have planning policies that deal with the redevelopment of existing employment sites for non-employment uses. The majority of these policies specifically recognise sites that are not directly protected from development as ones that could potentially be redeveloped for non-employment uses, and in doing so provide criteria or the requirement of justification for the release of these sites for alternative uses, including housing. However, none of these authorities have a prescriptive requirement for a period of marketing evidence to be demonstrated, and on that basis the requirement in particular for 18 months would have the potential to significantly affect deliverability of schemes within Hyndburn and could result in investment being directed to other neighbouring Boroughs as a result.
14. In addition, where sites are vacant or derelict, this need for a specific and justified period of marketing could result in the further deterioration and dilapidation of buildings through sites lying vacant for even longer periods, causing significant problems for neighbouring residents, especially as the majority of these employment sites across East Lancashire tend to be located within predominantly residential areas. Given the clear indication in the NPPF that the long term protection of employment land should be avoided and development should be treated on its merits, it would further seem unlikely that this approach can be considered sound.

15. On the basis of the arguments above our client considers that this requirement should be removed from Paragraph 4.12 of the Core Strategy.