

This matter is being dealt with by
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Tony Blackburn on behalf of Helen Hockenhill

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29th August 2025

Dear Helen Hockenhill (BA (Hons) B.PI MRTPI),

Examination of the Hyndburn 2040: Local Plan (Strategic Policies and Site Allocations)

Hearing Statements - Prepared by Caddick Land

Matter 7: Hearing Statement

Introduction

Marrons is instructed by Caddick Land (“Caddick”) to prepare evidence in respect of Land South of Altham Business Park. Caddick controls part of the proposed allocation, including all the land west of Altham Lane. We respond to relevant questions below.

Matter 7 Employment Allocations Policies EP1,2,3,4

Issue 7: Has the Plan been positively prepared and is it justified, effective and consistent with national policy in respect of the employment allocations for Hyndburn?

Question 1: Are the site allocations for employment soundly based? Are they developable and likely to be delivered as anticipated during the plan period? Could competition from other sites in the Borough or in the East Lancashire area have a negative impact on delivery?

Our client’s land holdings form the western part of site allocation EMP3. Caddick developments has been promoting this land for several years and undertaken several meetings with the Council regarding delivery. They have prepared a suite of supporting documents, including market analysis, and are confident that the site will be delivered in the early part of the plan period.

As noted in the Council’s background paper (HBC8.002), there has been a lack of employment land supply in recent years, with no interim solutions. This issue has been exacerbated in the

absence of a review of Green Belt land which has compounded the supply problems and further constrained economic growth. There is a real demand now for new employment development and there is a lack of competition. Caddick do not anticipate that the site allocations will be negatively impacted by proposed development elsewhere in the Borough or in East Lancashire.

Question 2: Sites EMP1 and EMP2 do not have a specific policy setting out development requirements? What is the justification for this? Do either of these allocations have particular constraints or matters which would be appropriate to be addressed in a policy?

No comment.

Question 3: What is the justification for amalgamating sites EMP4 and EMP5 into one larger site?

No comment.

Question 4: Policies EP1, EP2, EP3 and EP4 refer to the preparation of masterplans for these sites. Who is preparing these, what process will they go through, what are the timescales? Will the preparation of the masterplans lead to a delay in the delivery of the sites? Should the policies address the scenario that applications could be submitted before the masterplans are agreed?

The Council's response to the Inspectors Initial Questions in May 2025 (document H002) confirms that the Council intends to produce detailed masterplans for the strategic employment sites and instructed Nexus Planning Ltd back in October 2023 to commence this work. Our client is committed to working with the Council to prepare a comprehensive masterplan and has previously been contacted by Nexus Planning for their input. However, the progress of producing the masterplan (for Altham at least) appears to have stalled.

The Altham Business Park site is not complicated. Our client controls the western parcel of land at this site. Caddick do not anticipate that the preparation of required masterplans will cause a delay in the delivery of site EMP3 (Policy EP1) as there is no reason a developer-led masterplan cannot fulfil that policy requirement.

Our Regulation 19 representations (see paragraph 4.1.10) re-iterated that a masterplan could be prepared by the developer and gifted to the Council for their use and guidance. The Council could become a custodian of any masterplan to ensure it is formerly approved for development control purposes, a process which is not uncommon.

Given that it is now 2 years since the masterplan work was instructed and no masterplan has been prepared, Caddick consider that the policy wording needs to be flexible to allow development to occur prior to a masterplan being produced.

Question 5: As these documents will not be Development Plan Documents, and in the interest of flexibility through the design stage, should the developments be required to 'have regard' to these rather than to adhere to them.

As per our response above, any masterplan would need to be flexible. It would be for guidance only. Our Regulation 19 representation sought changes to the policy, and we concur that development should have regard to masterplans, rather than adhere to them.

Question 6: What is the justification for the policies allowing B2 and B8 uses only on sites EP1, EP2, EP3 and EP4?

As an established industrial estate, Altham Business Park (EMP3) is suitable for use classes B2 (General industrial) (B2) and B8 (Storage and Distribution). The council's background paper for Employment Land (HBC8.002) and the HENA update (2021) identified the need for 59 hectares of additional employment land between 2021 and 2027, most of this is categorised as Industrial and Warehousing (57ha) which fall under uses B2 and B8. There is minimal need for office uses with the identified need only 2 hectares.

In reference to our Matter 4 Hearing Statement, there is justification for B2 and B8 uses only, and appropriate supply and demand needs. Most modern B2 and B8 occupiers provide for a full range of job opportunities, many of which are highly skilled. We do not believe that the policy wording for EP1 – EP4 is designed to limit the types of employment opportunities coming forward on the allocated site, and these matters can be discussed in detail at the development management stage.

Policy EP1 Land to the S of Altham Business Park (EMP3)

Question 7: What exceptional circumstances are there to justify the release of land in the Green Belt? Have all other reasonable options for alternative sites been examined fully? What compensatory work is proposed and how would it improve environmental quality and accessibility?

To suit the requirements of modern occupiers, buildings for employment uses B2 and B8 need to be a of certain scale and specification which means they require significant land for delivery. The need for this type of employment space therefore cannot be accommodated through the infill on existing employment sites, particularly in the context of the tight Green Belt boundary. Therefore, additional release of Green Belt land is the only viable option to meet the much-needed growth.

The Council's background paper on Green Belt release (HBC8.004) considers exceptional circumstances and is cross referenced with the Council's needs and supply assessments for both housing and employment land (HBC8.001, HBC8.002 and HBC8.003). Our Matter 3 Hearing Statement covers questions regarding the principle of Green Belt release, drawing on the Council's submitted evidence which clearly recognises that this is both justified and essential for delivering meaningful growth in Hyndburn.

EMP3 has been assessed to have a 'moderate' contribution to Green Belt purposes. In reference to Appendix C of Caddick's Reg 19 representation, a Landscape and Visual Appraisal with Green Belt Review has been undertaken for this site. This report has identified several opportunities and constraints to the development, and proposed suitable considerations and work which would mitigate potential impacts from the site's development on the surrounding landscape. This includes several enhancements to the existing natural environment which would help to compensate for the release of Green Belt land, as well as contribute to biodiversity net gain

targets and the Council's ambitions for improved green infrastructure and accessibility along the Leeds and Liverpool Canal towpath. This matter is further discussed in response to questions 13 and 15 below.

Further, we note that the existing Altham Business Park is an established strategic location, benefitting from existing access and connectivity. In itself, this is the logical location for employment growth that can capitalise on the existing attributes and market attractiveness.

Question 8: Should the environmental requirements for the site recognise the location of ancient woodland to the east and west and ensure an appropriate buffer is maintained for their protection?

In reference to Caddick's Regulation 19 representation, a plan was submitted showing a landscape buffering approach, illustrating how the ancient woodland has been factored into the site assessment (see Appendix F). The approach to development includes substantial landscape areas to the west of the site and along the canal corridor. These areas create a buffer which also enables the development to provide environmental enhancements. The creation of new footpaths is also included.

There are several existing and proposed policies that will ensure that the ancient woodland is protected from any impacts of the proposed development at this site. Policy SP16 (Natural Environment Enhancement) requires all development affecting ecological resources, including woodlands, to be protected, enhanced and managed, including BNG and LNRS. The policy also states that 'the level of protection afforded to the ecological and geological resources will be commensurate with their level of importance and sensitivity'. As an 'irreplaceable habitat', ancient woodland has sufficient provisions in policy for its protection. Additionally, adopted DM DPD policy DM17 (Trees, Woodland Hedgerows) sets out the approach that is expected with when development proposals are in proximity to woodland, and development at site EMP3 would need to be in accordance with this. DM18 of the DM DPD sets out the detailed approach for proposals affecting the natural environment. DM DPD policy DM19 covers development affecting protected species or their habitat, which includes ancient woodland which is classified as an 'irreplaceable habitat' and should be protected as stipulated by paragraph 193 of the NPPF.

Amendments could be made to the supporting text at 11.3. to specify proximity to 'ancient woodland', with reference to adhering to relevant policies. Caddick have no objection to a requirement being added under the Environmental considerations in Policy EP1, referring to the protection of ancient woodland. However given the protections provided in the policies outline above, we feel this is now a matter to be discussed in detail at the development management stage.

Question 9: To be effective, should the policy identify the primary access point to the site?

None of the site allocations within the draft Local Plan having supporting drawings or conceptual diagrams indicating the proposed location or site design. Nor is site access indicated on any other site. As such, we do not believe the policy should be required to identify the primary access point to the site as this would be inconsistent with the approach taken elsewhere in the plan.

For clarity, access will be from Altham Lane and vehicle routing will go through the existing business park. Caddick is aware of the constraints of the Grade II listed Canal Bridge (Altham Bridge) over the Leeds and Liverpool Canal and are not proposing access from the south to service the site.

Altham Lane (south) does however provide an opportunity for local traffic and cycle / pedestrian improvements, linking the strategic employment site with the Huncoat residential area.

Question 10: The allocation is likely to have an impact on the strategic road network, namely J8 of the M65. Should a requirement for a Transport Assessment be added to the Policy in the interest of clarity?

Policy SP23 (Sustainable and safe transport) sets the requirement that ‘2) Development which will generate a significant amount of movement should be accompanied by a Transport Assessment and a Travel Plan’. Transport considerations are already set out in Policy EP1 under criteria xv. – xx, with the need of a Travel Plan specified under criterion xix. While Caddick has no objection to the requirement for a Transport Assessment, it is stipulated by Policy SP23. If this additional clarity is deemed a necessary requirement in policy EP1, then this should be a requirement for every site allocation to ensure consistency.

Question 11: The development of the site requires contributions to significant highway infrastructure improvements. What consideration has been given to viability?

The Council’s response to the Inspector’s initial questions from April 2025 (document H002), confirms that HBC and NH continue to collaboratively discuss contributions to the J8 improvements. Paragraph 5.18 of the HBC and National Highways SoCG (July 2025) (document H017) confirms that NH will have sufficient funding and prioritise these improvements. Additionally, paragraph 5.20 states ‘HBC is committed to continue working with National Highways and LCC in the meantime to ensure that the appropriate mitigation solution is identified.’

The Infrastructure Delivery Schedule within the Local Plan’s IDP (HBC2.011) indicates the estimated cost of improvement works to J8 of the M65, as well as proposed works at the Shuttleworth Mead Crossroads Junction.

Our client will make appropriate and proportionate contributions to any off-site works to delivery sufficient mitigation of the impacts of the proposed development on the highway network and highways safety, in line with Policy SP3 (Planning Obligations) and national planning policy (NPPF para 35, and 115-116). Nonetheless, it is important to ensure that sites are not overburdened by disproportionate contribution requirements, in a way that would undermine the deliverability of the scheme, particularly for a site that will generate strong economic growth in the borough. Since the viability of the scheme is sensitive to the level of contributions, they therefore need to be proportionate to the site-specific impacts of the development on the local highway network, e.g. improvements to Shuttleworth Mead.

Question 12: The Policy in requirement iii) seeks the preservation of the character and setting of the Grade II listed Canal Bridge. Should other nearby listed buildings such as Shuttleworth Hall be added to this to ensure its significance is not undermined?

Shuttleworth Hall (Grade I listed building) and the associated Arched Gateway and Garden Wall (Grade II listed) are located approximately 845m to the east of the site boundary. Shuttleworth Hall operates as a Dog Day Care Centre, and the setting of the hall is marked by a range of farm buildings and outbuildings, open storage for caravans, and a timberyard. For the most part the site (EMP3) is both visually and physically separated from these designated heritage assets by Shorten Brook and the associated tree belt to the east.

A previous site visit, detailed in Appendix F (Preliminary Baseline Appraisal) of Caddick's Regulation 19 Representation, confirmed that due to the intervening distances, topography and landscape features, the proposed development would not result in any impact to Shuttleworth Hall, and its heritage significance will not be undermined.

Shuttleworth Hall is also adjacent to the A6068, which is a far more predominant feature than the built form associated with the existing Altham Business Park and its proposed expansion. It is for these reasons we do not think Shuttleworth Hall should be added under criterion III and instead suggest that that this is a matter to be picked up by the Development Control process.

Question 13: Criterion vii) requires large scale buffer planting throughout to break up the mass of new buildings and connect into existing green infrastructure. What is the justification for this? Is the policy effective in defining what large scale means in this context?

In the context of landscaping, 'large scale' is not clearly defined in Policy EP1, or elsewhere in the draft Local Plan. This is a question for the Council to answer as they are best placed to provide a definition.

The southern part of the site is situated within the Canal and River Trusts Buffer Zone (covered by Policy DM33 in the DPD) and as such the development will be expected to protect and enhance the walking and cycling network and contribute to the canal path. The proposed buffer planting is illustrated in Appendix B of Caddick's Regulation 19 representation, and includes reference to the enhanced towpath, a wildlife area and a woodland walk.

The proposed buffer planting supports the ambition for thriving plants and wildlife in line with Strategic Objective 4 of the Local Plan. Policy SP14 (Green Infrastructure) requires environmental resources to be protected, enhanced and extended, and sets the expectation for development within or in close proximity to resources to contribute to their protection and enhancement. The proposed buffer planting will help to improve the landscape and positively link these resources to create a multifunctional green infrastructure network as intended by the policy. Nevertheless, it is important that 'large scale' is defined in the context of buffer planting as in the site's plateau constrains the feasibility of the planting in some locations, and a flexible approach will be needed to provide the required green infrastructure (e.g. street trees). Therefore, clarity on this point will help ensure that the policy is both effective and implemented as intended.

Question 14: The site has the potential for archaeological remains. Would a criterion be justified to require an Archaeological Impact Assessment at planning application stage and any necessary mitigation measures?

We suggest an amendment is made to Policy EP1 to add the requirement that ‘possible archaeology should be investigated’. This is the same policy wording used in the other site allocation related policies which potential archaeological constraints.

Question 15: What is the justification for criterion v) of the Policy? Has the landscape and visual impact been assessed to inform the policy requirement?

‘v. The southern section of the site, where the land rises and is adjacent to the Leeds & Liverpool canal towpath, should be kept free of development to reduce landscape and visual impact. This should include high quality landscaping alongside the canal which integrates with the development.’

The Leeds and Liverpool Canal is a key resource for the network of Green Infrastructure within the Council’s administrative boundary (Policy SP14). Policy SP21 (The Leeds and Liverpool Canal) also sets these requirements which outlined in criterion v. and therefore it is in line with other strategic policies within the plan. This policy states that ‘development that would have an adverse impact in the amenity of the canal by virtue of noise, odour or visual impact will not be supported’. Paragraph 7.67 elaborates that the canal is an under-utilised resource, and it needs to be better connected and related to new and existing development in order to ensure its potential is realised. This has been factored into the proposed enhancements to the canal towpath.

In reference to Appendix C of the Reg 19 representation, a Landscape and Visual Appraisal with Green Belt Review has been undertaken for this site. It identified that managing land adjacent to the Leeds and Liverpool Canal to ensure habitat is protected, expanded, buffered and linked to increase connectivity, as a key opportunity. A planting buffer on the southern boundary was also identified as an opportunity to mitigate any potential visual impacts of the proposed development within views from the canal towpath. Furthermore, creating an attractive environment along the canal and within the site will contribute to the improvement of environmental quality and accessibility at the site, which is raised at question 7 above. Therefore, our assessments highlight how the canal is a valuable asset, and it is the intention for the proposed development to enhance it.

Question 16: Criterion xiii requires existing trees and hedgerows to be retained, protected and reinforced throughout the site. Should the Policy recognise that this may not be achievable and permit mitigation and replacement planting where appropriate?

Yes, agree. We suggest an amendment is made to add ‘where appropriate’ to criterion xiii of Policy EP1.

Question 17: In the interest of clarity and effectiveness, should an additional environmental criterion be added which ensures a holistic and co-ordinated approach to foul and surface water drainage and incorporate multifunctional SuDS (sustainable drainage) that are

designed in accordance with the 4 pillars of SuDS and integrated with the landscaped environment?

In Policy EP1, specific reference to surface water drainage is made at criterion xii, which mentions the use of new SuDs in the context of enhancing wetland areas. Additionally, policy SP13 (Climate Change and Sustainable Development) requires the incorporation of SuDs and the creation natural blue-green infrastructure corridors (criterion f). Criterion j of this policy also requires surface water drainage option to be considered and discounted against the hierarchy set out in j. i-iv. Therefore, we do not agree that further clarity on surface water drainage / SuDs is required as this is already covered in policy.

Question 18: Is criterion xx) effectively worded? Should it say that the development should demonstrate that any significant impacts etc can be cost effectively mitigated?

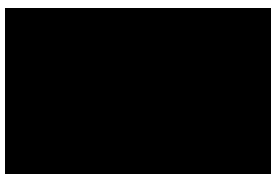
Paragraph 115d of the NPPF states ‘d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.’ Criterion xx of Policy EP1 is effectively worded as it is in accordance with the national policy wording.

If amendments are needed to clarify the policy’s interpretation, the following wording could be used: ‘Any significant impacts from the development on the transport network or on highway safety should be mitigated to an acceptable standard and in a cost-effective manner.’

Question 19: Are there any other constraints to the development that need to be overcome? Should they be addressed in the policy? Do they have any impact on viability?

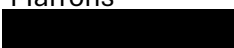
No further comments.

Yours sincerely,



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