

Hyndburn Local Plan 2040

Council response to Action Point 5 – Amendments to Policy SP6

Contents

Council response.....	2
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Council response

Following the examination in public, the Inspector requested that Hyndburn Borough Council (HBC, *the Council*) consider further amendments to policy SP6 and specifically whether The Peel Centre should form part of the centre hierarchy rather than as a complimentary location as currently defined in Policy SP6 part 3.

The Council has proposed some main modifications to Policy SP6 and also Policy SP31 to amend the reference to bulky goods in the purpose/strategy for the site and amended this to state large retail and leisure uses to provide a more accurate reflection on the uses of the site. These are set out in Appendix 1.

The Council do not consider that there should be a change in the Peel Centres position within the retail hierarchy and have therefore not proposed any further amendments around this. The Councils rationale for this is set out in the remainder of the document.

The Council do not believe that the evidence presented during the examination demonstrated that the Council's strategy is either inconsistent with or unsound when assessed against the National Planning Policy Framework (NPPF). The Council considers that the approach taken remains in conformity with national policy objectives relating to sustainable development and protection of existing centres as set out in paragraph 86 of the NPPF.

During the examination, when asked to provide examples of out of centre retail that is part of the hierarchy the only examples referred to were Salford Quays in Manchester and Edinburgh. The Council contends that these examples do not provide suitable comparators for the circumstances of the Peel Centre and Hyndburn. The Salford Quays example differs substantially in both scale and character, operating within a different urban and market context that is not similar to the Hyndburn, while Edinburgh, while also at a significantly different size and scale, also does not sit within the same planning system as Hyndburn as a Scottish city and falls under a separate policy framework.

Furthermore, as shown in the cited examples, these large developments entail a significant residential component to these developments, which are not present within the Peel Centre. The nearest residential centres to the Peel Centre are served by their own local centres. The Council would contend that the centres incorporated into the hierarchy shown in policy SP6 as written all include providing services for a specific defined catchment based on their size, scale and catchment populations and include a range of services including smaller scale and community uses such as banks as examples. It is therefore unclear where the Peel Centre would sit within the hierarchy as it does not perform the same function as those identified centres within the hierarchy.

The Council recognises that the Peel Centre performs a complimentary role within the boroughs established network of centres, as identified in Policy SP6 part 3. The site provides a different scale and type of retail offer that supports rather than competes with the functions of nearby town, district and local centres. This complementary relationship helps broaden consumer choice and contributes to overall resilience of the local retail economy. The Council are keen for this complimentary function to continue and are therefore concerned that by defining the Peel Centre within the town, district and local centres this would limit the councils ability to ensure the site retains its complimentary role as a large retail and leisure destination and, as discussed at the hearings, could lead to future subdivision of units at the site potentially providing a competing role to other town, district and local centres. The Council therefore wishes to avoid an outcome that would undermine the established role and vitality of nearby town, local and district centres including those located within Blackburn and Darwen.

Finally, the Council do not believe that any evidence has been presented which indicates that the site is underperforming in its current role within the retail hierarchy. The existing function of the site appears to be operating effectively within its defined status, and no compelling justification has been provided to suggest that a reclassification or a change in role is necessary.

In summary, the Council considers that the Peel Centre continues to operate effectively in its current role within the retail hierarchy. The site provides a complimentary function to nearby town, district

and local centres, offering a different scale and type of retail and leisure provision that supports rather than undermines the wider network of centres. The Councils strategy, as set out in Policy SP6, is consistent with the NPPF including the requirements to protect the vitality and viability of existing centres and to direct main town centre uses to appropriate locations. On the basis of the evidence presented, the Council believe there is no justification to reclassify the role of the Peel Centre and that the proposed Policy is appropriate and sound.

Policy SP6: Centre, Hierarchy, Strategy and Retail Provision

Policy SP6: Centre Hierarchy, Strategy and Retail Provision

1) The vitality and viability of Hyndburn’s retail centres will be maintained and enhanced by directing investment, retail, leisure and other main town centre uses¹ towards the centres in line with the hierarchy identified below, and criteria set out in Development Management Policy DM3:

Tier/Centre	Purpose/Strategy
<u>Tier 1: Strategic Town Centre</u> Accrington	The principal centre providing for the Borough’s key retail, services, leisure and town centre needs. Accrington Town Centre will consolidate over the plan period and be the main focus for investment for town centres uses.
<u>Tier 2: Town Centres</u> Great Harwood, Oswaldtwistle	Important service centres for their own urban and rural catchment areas, and the secondary focus in the Borough for new investment.
<u>Tier 3: Local Centres</u> Clayton-le-Moors, Rishton, Huncoat	Smaller centres providing appropriate convenience facilities to enable a weekly shop, supported by a smaller range of other shops and services, leisure and cultural facilities serving their local communities and rural catchments.
<u>Tier 4: Neighbourhood Centres / Local Parades</u> Baxenden, Church (Blackburn Road), West End, Woodnook, Whalley Road (Laneside), Whalley Road (Enfield)	Localised facilities to meet basic, essential needs only, to a predominantly walk-in catchment. May comprise only a very small number/mix of units in a single parade.

2) New Neighbourhood Centres / Local Parades or facilities will be considered where this will improve access to services without impacting significantly on other nearby centres. A new Neighbourhood/Local Centre will be created as part of the Huncoat Garden Village scheme to address existing poor/under provision and to serve new development in the area.

3) The Council recognises the complementary role that other commercial locations can play in the local retail hierarchy. The Council will support their future development in line with the strategy set out below, subject to development taking place in a manner that supports the future vitality and viability of the formal town and local centres.

¹ As defined in Annex 2: Glossary of the NPPF

Other Commercial Location	Purpose/Strategy
The Peel Centre (Whitebirk)	Predominantly bulky goods Large scale retail and leisure destination with ancillary uses to support retailing on the site and the strategic employment hub at Whitebirk/Frontier Park
Oswaldtwistle Mills	Major tourist attraction, shopping village and garden centre on the edge of Oswaldtwistle Town Centre

4) All planning applications for new developments should seek to improve accessibility to, and the general quality of the environment, within the centres in which they invest.

Policy Context and Relationships

Core Strategy Policies replaced	A2: Accrington Town Centre A3: Development of Local Centres in Accrington GH2: Great Harwood Town Centre R2: Rishton Local Centre
Key NPPF para. links	86
Key Policy links	SP2: Huncoat Garden Village DM3: Development of main town centre uses DM4: Retail Frontages
Evidence for Policy	Hyndburn Retail Study (2016)

Policy SP31: Rishton and Whitebirk (Proposed modification relating to the Peel Centre)

Policy SP31: Rishton and Whitebirk
<p>1) Land is identified for delivery of 382 homes in Rishton over the plan period 2021-2040. This will be delivered through existing commitments and by the development of the following site allocations:</p> <ol style="list-style-type: none"> H20 Land to the north east of Cut Lane H21 York Mill, Livesey Street H22 Land off Fielding Street and Barn Meadow Crescent <p>2) Regeneration of the Leeds and Liverpool Canal corridor in Rishton will be a priority to provide for a range of housing. All new housing developments should seek to enhance the environment and amenity of the Leeds and Liverpool Canal corridor through Rishton, to maximise its use as a key historic and leisure asset.</p> <p>3) Rishton Local Centre will be supported to continue its function for local residents over the plan period.</p> <p>4) The Council support the development of Whitebirk (Frontier Park) as a strategic employment hub and have identified additional employment land</p>

allocations to the north east of this to meet the need for new employment land identified in Error! Reference source not found. and Strategic Sites.

- 5) The Council will support the Peel Centre (Whitebirk) as a **Large scale retail and leisure** ~~predominantly bulky goods retailing~~ destination in the Borough, to complement the role of Town Centres and Local Centres in Hyndburn and Blackburn with Darwen. Non-bulky retailing and/or supporting ancillary uses to the retail park and strategic employment hub will be permitted ~~though these should not exceed 40% of the overall floorspace on the site~~ **subject to compliance with the requirements of Policy DM3 of the DM DPD in the determination of planning applications in accordance with sequential and impact test principles.**

Policy Context:

Core Strategy Policies replaced

R1: Housing in Rishton
R2: Rishton Local Centre
R3: Leeds and Liverpool Canal in Rishton

Key Policy links

SP1: The Spatial Development Strategy
SP4: Employment Provision and Strategic Sites
SP6: Centre Hierarchy, Strategy and Retail Provision
SP10: Housing Provision

Proposed amendment to Policy SP31 supporting text:

10.71 The Peel Centre will be supported to retain its status as **a large scale retail and leisure** ~~a predominantly bulky goods retailing~~ destination in the Borough. Whilst the Council will support some non-bulky goods retailing on the site (evidenced by the granting of various planning permissions in recent years) shoppers should be drawn to the site for different reasons than they would be drawn to town centres. Out of centre retail destinations should complement the Town Centres and Local Centres in both Boroughs of Hyndburn and Blackburn. ~~To this end, no more than 40% of the total floorspace on the site should be for the sale of non-bulky retailing goods, or alternative non-retail ancillary supporting uses. This will ensure that the site complements (not competes with) the higher order centres of Accrington and Blackburn in particular.~~