

REPORT TO:		Cabinet	
DATE:		29 July 2015	
PORTFOLIO:		Cllr Miles Parkinson, Leader	
REPORT AUTHOR:		Chief Planning and Transportation Officer	
TITLE OF REPORT:		Rishton Canalside Supplementary Planning Document (SPD)	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	No

1. **Purpose of Report**

- 1.1 To update and present Cabinet with the work that has been undertaken on preparing a draft Supplementary Planning Document (SPD) for the Rishton Canalside area, and to seek Cabinet approval for a 4 week consultation period on the draft report.

2. **Recommendations**

- 2.1 That Cabinet:

1. approve the content of the draft Rishton Canalside SPD; and
2. delegate authority to the Council's Executive Director (Legal & Democratic Services) and the Chief Planning and Transportation Officer for the purposes of carrying out suitable public consultation over a 4-week period;

3. **Reasons for Recommendations and Background**

- 3.1 In December 2014 the Council commissioned consultants Barton Willmore to prepare an SPD to guide the development and design of a number of sites in proximity to the Leeds and Liverpool Canal in Rishton, referred to as the Rishton Canalside area. This work has been prompted by concerns over a number of underused, vacant and derelict sites located along the canal corridor.
- 3.2 The SPD is intended to be used for a variety of purposes, including:

- to advise developers on the types of development that would be most desirable on sites identified in the SPD;
- to assist developers by identifying development constraints and opportunities and to provide a higher degree of certainty for development proposals that are consistent with design principles set out within the SPD;
- to provide developers with a greater degree of certainty by seeking to ensure that the principles and guidance within the SPD has support from the local community; and
- to help promote the development of sites within the canalside area and to add greater value than the sum of their parts by seeking to develop common design principles and themes.

3.3 SPDs are intended to add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in the determination of planning applications, however they do not form part of the statutory development plan.

3.4 SPDs have been used to good effect elsewhere in Hyndburn to help facilitate and enable high quality developments, for example the former Peel Fold Mill site on Stanhill Road (now built out by Morris Homes) and Hilltop, Baxenden. The Rishton Canalside SPD is more complex in nature as it deals with a much wider area, and multiple sites, however it is anticipated that adoption of an SPD by the Council setting out clear design principles and land use guidance will assist in these sites coming forward. It should also help ensure that they do so in an appropriate manner.

3.5 A considerable amount of work and consultation (summarised below) has been undertaken to date; as such the draft SPD is a very thorough document. It includes the following key sections:

- Introduction;
- Location and Heritage;
- Local Context;
- Community Involvement;
- Illustrative Masterplan and Design Guidance; and
- Site Specific Development Guidance.

3.6 The next stage for the Rishton Canalside SPD is to undertake a statutory consultation period on the draft report in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Following this any comments received will be considered, relevant modifications made, and the SPD will be recommended for adoption by Officers. Once adopted it can be a material planning consideration in the determination of any planning applications in the canalside area.

3.7 It is hoped that adoption of the SPD will encourage landowners and developers to bring their sites forward for development in line with the design principles set out in the document, and ensure that the canalside area develops into a high quality, sustainable community, securing a vibrant, healthy future for the town.

4. Alternative Options considered and Reasons for Rejection

4.1 None

5. Consultations

5.1 A wide range of people and organisations have been involved in the evolution of the SPD to this point. Two main consultation events have been undertaken which have involved the following; landowners and their agents; statutory consultees (such as the Environment Agency and the Canal & Rivers Trust); local businesses; and the general public. Events were widely publicised in the local area via a combination of letters, leaflet drops, posters and press releases. All three Rishton Ward Members have also been involved in promoting the SPD throughout.

5.2 The first consultation event was held on the 25th February 2015, between 11am and 7pm and was designed to seek the initial views of the community and landowners on the issues and options facing the canalside area, before any drafting of the SPD took place. Different consultation formats were used throughout the day, and in total around 40 people attended and contributed to this event.

5.3 The second event was held on the 25th March 2015, between 2pm and 8pm. This event presented a series of display boards with key ideas presented on how to move sites forward, and most effectively guide the future development of the canalside area. Around 75 people attended this second event.

5.4 Following the feedback received at both of these events Barton Willmore has prepared the draft SPD attached to this report. More details on the consultation events are included in Section 4 'Community Involvement' of the SPD.

5.5 In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council is now required to undertake one round of formal statutory consultation on the draft SPD. After the consultation period has ended any comments that have been received will be collated, and the document revised if necessary having regard to the comments received , before the SPD is presented back to Cabinet for final adoption (anticipated October 2015). From that point on the SPD would be an important material consideration in any planning decisions in the area.

6. Implications

Financial implications (including any future financial commitments for the Council)	The Rishton Canalside SPD has no direct financial implications or commitments for the Council beyond the consultancy fee of £20,000 already committed for its preparation. The SPD does however recommend that the Council develop a specific regeneration strategy for land
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	<p>around the Canalside sites with costed proposals for improvement. This is something that the Council will have to consider further should the SPD be adopted.</p>
<p>Legal and human rights implications</p>	<p>An SPD is a non-statutory document and therefore does not form part of the development plan. It is however (once adopted) a key material consideration in planning applications and should therefore be given considerable weight in decision making.</p> <p>Consultation on the draft SPD must be in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.</p>
<p>Assessment of risk</p>	<p>There is a risk that a planning application may come forward on any of the identified sites that may conflict with the aspirations set out in the SPD, prior to its adoption. Limited weight may be given to the SPD whilst it is still undergoing consultation.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who don't; and • foster good relations between those who share a relevant protected characteristic and those who don't. <p>For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. When making a decision in respect of the proposals in this report members should have regard to the</p>

	Customer First Analysis annexed to this report.
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**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

7.1 Rishton Canalside Supplementary Planning Document (June 2015) (attached to report)

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.