

<b>Subject:</b>	Approval to re-consult on proposed changes to the Green Belt boundary	<b>Status:</b>	For Publication
<b>Report to:</b>	Cabinet	<b>Date:</b>	22 <sup>nd</sup> October 2014
<b>Report of:</b>	Planning Manager	<b>Portfolio Holder:</b>	Operations and Development Control
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	<b>General Exception</b>	<input checked="" type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required	Yes/No	Attached: Yes/No
<b>Biodiversity Impact Assessment</b>	Required:	Yes/No	Attached: Yes/No
<b>Contact Officer:</b>	Anne Storah-Forward Planning	<b>Telephone:</b>	<b>01706 252418</b>
<b>Email:</b>	<a href="mailto:annestorah@rossendalebc.gov.uk">annestorah@rossendalebc.gov.uk</a>		

<b>1.</b>	<b>RECOMMENDATION(S)</b>
1.1	That members take note of the contents of this Report and approve the re-consultation on proposed changes to the Green /Belt boundary, to commence mid November 2014.

## 2. PURPOSE OF REPORT

- 2.1 To update members on the previous consultation undertaken on proposed amendments to the Green Belt and explain the purpose of this re-consultation.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
  - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
  - **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 Not undertaking this re-consultation may put the Council at risk of legal challenge, which would create further delays in adopting the Local Plan Part 2, and incur considerable additional costs for the Council, as well as put extra pressure on existing staff resources.
- 4.2 This re-consultation on the proposed Green Belt amendments will incorporate evidence on landscape impacts, which has been undertaken by landscape consultants. Urban Boundary changes will not be subject to additional consultation

4.3 The re-consultation will delay the proposed allocations, intended for November/December this year (Council Report, September 2014). As a result a report will be taken to Council in December setting out an amended timetable in a revised Local Development Scheme.

## 5. BACKGROUND AND OPTIONS

- 5.1 Members will recall the Forward Planning team undertook a staged consultation in late 2012/early 2013 consulting on a number of proposed changes to the existing Green Belt and Urban Boundary, as one of the first stages in preparing the Local Plan Part 2 – Site Allocations and Development Management DPD (also known as *Lives and Landscapes*). This was undertaken as a Regulation 18 (informal) consultation.
- 5.2 Reports have since been brought back to Members, noting the comments received, and in July 2014 the Council's response to the representations received was published.
- 5.3 Following publication of the Council's response, it has become clear reference should not have been made to wider concerns which had not been identified in the published criteria for assessing the proposed changes to the Green Belt. For example, although flooding and access are planning considerations they do not concern whether land should be included or excluded from the Green Belt.
- 5.4 Criteria to assess potential Green Belt changes was consulted upon in 2012 and agreed with stakeholders before assessing the proposed changes. The Criteria relates to the purposes of the Green Belt, such as not significantly reducing the distance between settlements, nor impacting adversely on views etc.
- 5.5 Since the last consultation on Green Belt changes, landscape assessments have been undertaken of major sites. This has been considered in the re-assessment of the proposed changes and informed the conclusions.
- 5.6 This re-consultation is intended to start in mid-November, ending 22<sup>nd</sup> December 2014, for approximately six weeks, in accordance with previous consultations undertaken. Similarly to previous consultations we will be advertising this re-consultation on the Council's website, in the Free Press, put up site notices, and will e-mail / write to stakeholders and consultees on the Local Plan Consultation database. In addition we shall leaflet properties adjoining significant proposals, taking on board comments that have been received.
- 5.7 Copies of the consultation documents, including the Landscape Appraisals, will be available for viewing on the Council's website, in the One Stop Shop and in the Borough's libraries. The Forward Planning team will also attend a number of late afternoon/early evening events, where members of the public can see the proposed changes to the Green Belt. These will be held where major changes have been proposed – Edenfield, Haslingden, Rawtenstall and Whitworth.
- 5.8 The re-consultation will only look at changes that have been considered that affect the Green Belt. Changes to the Urban Boundary were considered against different criteria that correctly included factors that could affect a site's development potential (e.g. access, flooding etc.) and so it would not be appropriate to re-consult again on these changes.

## **COMMENTS FROM STATUTORY OFFICERS:**

### **6. SECTION 151 OFFICER**

6.1 Any financial matters arising will be contained within existing budget resources.

### **7. MONITORING OFFICER**

7.1 The re consultation is necessary to mitigate the risk of a judicial review.

### **8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

8.1 Although this re-consultation may affect the timetable for the Local Plan Part 2, it is imperative that the Council undertakes appropriate action to ensure full and proper consultation in preparing a sound Plan.

8.2 The duty to inform, consult or involve requires that the Council must involve communities and those directly affected at the most appropriate and proportionate level in 'routine functions, in addition to one-off decisions.' Further, under the duty of Best Value the Council is required to consult representatives of a wide range of local people; this should include local voluntary and community organisations and small businesses as appropriate in such consultation

8.3 This report has been written in consultation with the Portfolio Holder for Operations and Development Control.

### **9. CONCLUSION**

9.1 Having considered the options of (i) proceeding with the intended consultation on the proposed site allocations (time-tabled for November this year) or (ii) undertaking a re-consultation on the proposed changes to the Green Belt, it is recommended that the latter option is pursued in order to reduce the risk of legal challenge.

9.2 It is, therefore, proposed that the re-consultation commences as soon as possible to ensure it is completed by Christmas. A Report will be brought to Council in February outlining the responses received.

9.3 In addition a Report on an updated Local Development Scheme will be taken to Council in December to show the changes to the Local Plan timetable, as a result of this re-consultation. We will also be reviewing the Statement of Community Involvement.

Background Papers	
Document	Place of Inspection
Adopted Core Strategy (2011)  Proposed Green Belt Changes: <ul style="list-style-type: none"><li>• Criteria to assess Green Belt Changes</li><li>• Representations Received (published February 2013)</li><li>• the Council's Responses (published July 2014)</li></ul>	Forward Planning, Business Centre, Futures Park  <a href="http://www.rossendalebc.gov.uk">www.rossendalebc.gov.uk</a>