

Subject:	Local Plan Part 2-“Lives and Landscapes” Site Allocations and Development Management Policies DPD – Consultation on the Draft Plan	Status:	For Publication
Report to:	Council	Date:	15 th July 2015
Report of:	Planning Manager	Portfolio Holder:	Operational Services and Development Control
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	Yes- full Accompanying Sustainability Appraisal	Attached: To be published at the start of consultation
Biodiversity Impact Assessment	Required:	Yes - full Accompanying Sustainability Appraisal	Attached: To be published at the start of consultation
Contact Officer:	Adrian Smith / Anne Storah	Telephone:	01706 252419 / 252418
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1.	RECOMMENDATION(S)
1.1	That members agree to the Draft Local Plan Part 2 – “Lives and Landscapes” – the Site Allocations and Development Management Policies DPD – and the associated Policies Map being consulted on for a period of 7 weeks.
1.2	Any minor amendments to the Sites or to the Policies or other wording included in the Draft Local Plan Part 2 prior to the consultation commencing to be delegated to the Planning Manager in consultation with the Portfolio Holder.

2. PURPOSE OF REPORT

2.1 To request permission to undertake a 7 week consultation on the Local Plan Part 2, which will propose to allocate identified sites for development uses, designate land for protection, and set out Draft Development Management Policies to guide development and will be used to determine future planning applications. The consultation will include a Policies Map to show the allocations and other designations as well as various supporting documents including a full Sustainability Assessment.

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 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- 4.2 The document will attract a high level of response:
- From residents, particularly those most affected. Public petitions and press articles about specific sites are likely.
 - From developers/consultants aggrieved by non or partial inclusion- submissions questioning why their site has not been included and whether the overall approach in Local Plan 2 is sound
- 4.3 Failure to progress the document would mean delay in the Council meeting its duty in legislation and subsequent higher costs in updating the evidence base. It would also mean higher risks of developments being determined by appeal with associated higher costs.

5. BACKGROUND AND OPTIONS

- 5.1 The Borough Council has a legal duty to produce a Local Plan. Local Plan Part 1-the Core Strategy-was adopted in November 2011. Preparation of Local Part 2 is the next phase of meeting this legal duty and is fundamental to the delivery of the Core Strategy. The “Lives and Landscapes” Local Plan Part 2 document will identify a number of housing and employment sites as well as key environmental designations. A small number of sites will be allocated for ‘mixed uses’ including leisure and retail. These designations are essential to ensure that Rossendale’s future development needs are met (for the period to 2026), in locations preferred by the Council. The Plan must align with national guidance set out in the National Planning Framework and the adopted Core Strategy (Local Plan Part 1).
- 5.2 The Core Strategy requires that at least 3,700 homes be provided up until 2026 and 20.84 ha of employment land. Housing sites should broadly meet the distribution set out in Policy 3 of the Core Strategy: 30% in Rawtenstall; 50% in Bacup, Haslingden and Whitworth combined; and 20% in 9 other named settlements (Helmshore, Edenfield, Goodshaw, Loveclough, Waterfoot, Stacksteads, Britannia, Facit and Shawforth). The allocations should also be in general alignment with other Core Strategy policies.
- 5.3 Considerable work has been undertaken as part of the Strategic Housing Land Availability Assessment (SHLAA) to identify and assess individual sites, especially for housing. Only sites able to accommodate at least 10 dwellings have been allocated. This work was undertaken internally.
- 5.4 The draft Local Plan Part 2 is complemented by data provided by other bodies such as Lancashire County Council on ecology and transport. Additionally, relevant evidence base documentation will be provided alongside the consultation on Local Plan part 2. This is to demonstrate the most appropriate strategy has been prepared for Rossendale, as is required by national guidance. Links to the policies map and the local plan document (written Statement) can be viewed alongside this report. A further update regarding development guidelines will be circulated in time for this report’s consideration at the meeting on the 15th July 2015. The relevant evidence base documentation to be provided alongside the documents being consulted upon will be publically available at the commencement of the consultation period.
- 5.5 Because of the nature of the area it is challenging to find suitable sites that do not have a

physical or policy constraint. Factors such as: topography; access; flood risk and landscape impact have all been taken into account. In addition substantial parts of the Borough are designated as Green Belt where the “openness” of the area should be retained. Brownfield or “previously developed” sites are often both costly and challenging for the development industry to deliver, e.g. former mill sites having ground contamination issues. In line with the Core Strategy a review of Green Belt has been undertaken to identify “small scale, exceptional changes” and this has previously been consulted on, most recently in November/December 2014. The proposed changes to the Green Belt and Countryside boundaries have been considered in the allocation of sites. Given the geography of Rossendale and the level of past development there are relatively few “ideal” sites and trade-offs have had to be made in a number of cases. If sites are lost as a result of the consultation process it will remain necessary to identify at least as much alternative land to meet housing and employment requirements.

- 5.6 Another key component of the Local Plan (Part 2) is Development Management Policies, which will set out what the Council expects in respect of new developments (e.g. materials to be used etc) and will guide decisions on planning applications. They will provide a “hook” for preparing detailed Supplementary Planning Documents (SPD’s). These policies have been developed with the help of consultants.
- 5.7 It was originally intended to produce an Initial and a Final Draft Plan for consultation purposes before moving to a Publication version. However because of the need to re-consult on Green Belt boundaries it was agreed in late 2014 that one large consultation would be undertaken instead and the Local Development Scheme was amended accordingly. This will help to ensure the timetable set out in the Local Development Scheme is met and the Plan is as up to date as possible. This approach remains in accordance with the prescribed consultation Regulations.
- 5.8 “The Lives and Landscapes” Draft Plan consultation scheduled for 7 weeks between July and early September is a very important stage in the preparation of this document. The boundaries of individual housing and employment sites will be shown and individuals will be able to identify the implications for themselves. This consultation will effectively be the primary opportunity that respondents have to influence the preparation of the Plan. While there will be a formal consultation on the Council’s preferred Plan during the statutory “Pre-Submission Publication” consultation, planned for December Council, this will focus on issues of soundness and the legality of the plan making process.
- 5.9 Given that this is non-statutory consultation, undertaken in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 there is no prescribed length of time for consultation. Typically consultation would take place for 6 weeks. However, given that this consultation coincides with the summer holidays and includes the August Bank Holiday an extra week has been added. Assuming consultation starts on the week commencing Monday 20th July it will then finish at 5pm on the relevant date seven weeks later.
- 5.10 In order to ensure that consultation is as comprehensive as possible a number of mechanisms will be used. All households in the Borough will receive a leaflet around the end of July informing them of the consultation and the dates of public events. These public meetings will be held across the Borough. It has been possible to deliver the leaflets cost effectively by linking it into the delivery of Electoral registration forms. We are also examining the options for making people aware of the consultation through the use of social media. Notices will also be placed near key sites to inform the public that the land is proposed for

development.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 Members should be aware that as a land owner itself a number of sites are in the ownership of Council. A list of Council sites is available from Property Services.

7. MONITORING OFFICER

7.1 All legal implications are commented upon in the body of the report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 The Site Allocations and Development Management DPD (Local Plan Part 2) forms part of Rossendale's Development Plan and seeks to show the development needs set out in the adopted Core Strategy will be met. A Policies Map has been produced to show where the land is to be allocated for development and also shows other designations which are relevant to planning decisions such as land to be protected for green infrastructure requirements and neighbourhood centres.

8.2 This consultation marks the last of the informal plan preparation consultation stages and the primary opportunity to influence this phase of the production of the Plan. The comments received will be used to inform the production's preferred version of Local Plan Part 2. The consultation on this document, expected to be at the end of this year, and known as the "Publication stage" can by law only consider procedural, legal and "soundness" issues. Subject to minor tweaks this will be the version submitted for examination to an independent Planning Inspector with submission currently timetables for next March.

8.3 It is vital that the Council has a fit for purpose and sound Site Allocations and Development Management DPD to support the realisation of the Core Strategy vision, and to enable effective decision making in relation to planning. Consultation, which will be ongoing, is a key required element of the development of these documents, and is noted in the body of the report.

8.4 Continued member involvement / awareness is crucial, especially as the Proposals involve the local community. Work with the member led Local Development Framework steering group has been used to date and will form part of the approach going forward.

9. CONCLUSION

9.1 The ultimate intention is to take forward a Draft Plan that allocates sufficient land to meet the housing and other development needs of the Borough in accordance with the requirements of the Core Strategy. It will also set out development management policies that will be used to guide future development in Rossendale and ultimately be used to assess the detailed elements of planning applications. The upcoming consultation will be important in identifying both the technical soundness of the work already undertaken as well as the key concerns of interested parties. We also expect additional sites to come forward through the process, which will need to be subsequently assessed to see if they are suitable to be allocated.

9.2 The Policies Map will clearly identify the sites for allocation for development and land to be designated (and will be an update of the current Proposals Map of 1995, updated in 2011) The Policies Map will be supported by a document (or written statement) which sets out

policies to guide development, both in general and on a site specific basis.

9.3 This consultation will guide the preparation of a final preferred version of the document which is timetabled to go out to consultation following the Council meeting in December (i.e. the statutory “Publication” version). It is however possible that the consultation will raise significant issues that will require a decision to be made on how best to progress a Local Plan for the Borough.

Background Papers	
Document	Place of Inspection
<ul style="list-style-type: none"> • Draft Policies Map (2015) • Draft Local Plan Part 2 – Site Allocations and Development Management DPD (the written statement). • Supporting Evidence Base documents will be made available at the start of the public consultation 	<p>One Stop Shop, Bacup, OL13 0BB</p> <p>www.rossendale.gov.uk/land</p>

FULL EQUALITY IMPACT ASSESSMENT

Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)	Site Allocations and Development Management DPD-Local Plan Part 2	
Lead Officer Name(s) & Job Title(s) :	Adrian Smith -Principal Planner-Forward Planning	
Department/Service Area:	Planning	
Telephone & E-mail Contact:	01706 252419 adriansmith@rossendalebc.gov.uk	
Date Assessment:	Commenced: 03/07/2015	Completed: 03/07/2015

We carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices. The EIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.

1. OVERVIEW

The main aims/objectives of this policy¹ are:
To allocate land in order to provide sufficient land for housing and employment requirements; to identify and protect important natural and physical infrastructure and to provide planning policies which will provide a framework for analysing planning applications

(Refer to "[EIA Guidance](#)" for details)

Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing

The main intended people or groups that will be most affected by this policy are:
The proposals would affect all individuals of whatever background making planning applications, The development of individual sites would bring benefits to those living or employed there but would have some adverse impact on nearby residents

¹ Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

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(Refer to "**EIA Guidance**" for details)

2. FINDINGS / EVIDENCE

FINDINGS/EVIDENCE: The following information/data has been considered in developing this policy/decision (including any consultation or engagement):	
Information/data obtained and/or Consultation/engagement carried out (please state who with)	What does this tell us? / What does it say?
Previous consultation on Urban and Green Belt boundaries	Many residents oppose development close to their houses for a number of technical reasons and effects on "Quality of Life". Landowners and developers point to the benefits of new housing construction and employment.
Advice from specialist consultants	Identifies areas where development would be affected by physical issues, such as flooding

Add more/delete rows as required - See EIA Guidance

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3. EQUALITY IMPACT

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact from an equalities perspective on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified.** See EIA Guidance

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
Age	Older people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	More specialist housing will be provided for older people though some could be affected by new building near existing residences	<input type="checkbox"/>
	Younger people and children	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protection of play areas and pitches plus Strategic Cycle route	<input type="checkbox"/>
Disability	Physical/learning/mental health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protection of play areas and pitches plus Strategic Cycle route which will be accessible could improve opportunities	<input type="checkbox"/>
Gender Reassignment	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Gypsies & Travellers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allocation of Gypsy sites will provide opportunities for new accommodation	<input type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Belief or Religion		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sex	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sexual Orientation	gay men, gay women / lesbians, and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Marriage and Civil Partnership (employment only)		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Contribution to equality of opportunity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to fostering good relations between different groups (people getting on well together – valuing one another,		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

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Equality	Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts <u>or</u> reasons why it will be of positive benefit or contribution)	No Impact
respect and understanding)				
Human Rights http://intranet/site/scripts/documents_info.php?categoryID=86&documentID=251	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

If a negative impact as been identified and there are no sufficient mitigating actions in place or planned. Please see the guidance and you must speak to/ see advice from your Head of Service or the People and Policy Team.

4. OUTCOME OF EIA – COURSE OF ACTION TO BE TAKEN

The Plan will largely have positive impacts. Individual Site Guidelines indicate main issues on specific sites and what actions should be taken to mitigate.

What course of action does this EIA suggest you take? More than one of the following may apply	Please indicate
Outcome 1: No major change required. The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.	<input checked="" type="checkbox"/>
Outcome 2: Adjust the policy to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? If there is a negative impact identified, you must consider (and evidence/record) what mitigating actions you have or will put in place to reduce the negative impact where/if possible, and to enhance the positive impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
Outcome 3: Continue the policy despite potential for negative impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
Outcome 4: Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination or significant negative impact that can not be justified or mitigated against. <u>You must speak to the People and Policy Team immediately.</u>	<input type="checkbox"/>

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5 . EIA ACTION PLAN & REVIEW

Based on the impact assessment, findings/evidence and outcomes identified above, please complete the Action Plan below – these should be actions arising as a result of undertaking the EIA.

The Action Plan should address (not exhaustively):-

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential affects.
- How you will address any gaps.
- What practical changes/action will help reduce any negative impacts that you have identified.
- What practical changes/action will help enhance any positive contributions to equality.

Further Actions Required: Yes No

EIA Action Plan

Issue	Action required	Lead officer	Timescale

Please add more rows if required.

Actions arising from the Impact assessment should form part of the business planning process for service areas.

Monitoring & Reviewing the Effect of the Policy

Please state how you will monitor the impact and effect of this policy and where this will be reported:

The impacts of the Plan will be reflected in Public comments as well as the SA and will be reviewed at the Publication Stage of Plan preparation.

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INTERNAL ONLY

MANAGEMENT ACTION REQUIRED (to be completed by the relevant Head of Service following Management Team / Programme Board review)

- Outcome of EIA agreed/approved by Management Team / Programme Board :
Yes No
- Referred back to Assessor/Author for amendment : (date)
- Published/made publicly available on: (date)

Signed:..... (Head of Service / Director) Date:

Date of Review²:

[To be completed by the lead officer]

² This date will be set on an annual basis as default for review unless otherwise specified by you.

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