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| Subject: | Rossendale Local Plan | Status: | For Publication |
| Report to: | Council | Date: | 24 th February 2016 |
| 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: | No | Attached: No |
| Biodiversity Impact Assessment | Required: | No | Attached: No |
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| 1. | RECOMMENDATIONS |
| 1.1 | <p>That Council:</p> <ul style="list-style-type: none"> • Authorise the publication of the formal Notice of Withdrawal of draft Local Plan Part 2 “Lives and Landscapes” • Agree the Local Development Scheme (LDS) as the timetable for the production of the new Local Plan • Note the implications of the preparation of Full Objectively Assessed Need (FOAN) Housing figures for Rossendale • Notes the intention to issue a “Call for Development Sites” |

2. PURPOSE OF REPORT

2.1 At its meeting on 9th December, Council supported the recommendation to cease work on the Local Plan Part 2 “Lives and Landscapes” and commence preparation of a new Local Plan for the Borough. This Report sets out a number of the practical implications of that decision

3. CORPORATE PRIORITIES

3.1 The matters discussed in this report impact directly on the following of the Council’s 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 in this report involve risk considerations as set out below:

- Failure to effectively project manage the preparation of the Local Plan; staff shortages; public opposition and changing Government guidance are all factors that could delay production of the Local Plan and adversely affect delivery within the LDS timetable
- The range of Housing Land Requirements set out in the Full Objectively Assessed

Need (FOAN) document are all expected to be higher than those set out in the current Core Strategy. This will necessitate the allocation of more land for housing which may result in local opposition. Adopting a low figure from within the range could conversely result in challenges from the development industry.

5. BACKGROUND AND OPTIONS

Formal Withdrawal of “Lives and Landscapes” Local Plan Part 2

5.1 A Report was brought to Council on 9th December 2015 with respect to Local Plan Part 2 “Lives and Landscapes” – the Site Allocations and Development Management DPD. At that meeting Council agreed the recommendation that the draft Plan should be withdrawn and no further work undertaken on it. In order to bring that decision into effect a formal Withdrawal Notice has to be published under Regulation 27 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A copy of the proposed notice is attached. In order to put this into practice all the relevant consultation bodies must be informed (Regulation 22 (3) (b)). It is the intention of the Council to notify everyone who commented on the Plan of the decision to withdraw as well as putting the notice on the Council’s website and placing it in Libraries. The letter will set out that a new Local Plan is to be prepared. It will not however respond to any comments made on previous consultations.

5.2 It will also be necessary under Regulations 27 and 35 to cease making any documentation relating to the Local Plan publically available. It will therefore be necessary to ensure the previous documentation and consultation comments are clearly flagged on the Council website as “archive material”. A separate new Local Plan webpage will be created, on which all new documentation will be placed. It should be noted that a significant proportion of the Evidence Base documents prepared for the “Lives and Landscapes” document are still relevant and will be retained.

Local Development Scheme (LDS)

5.4 As the “Lives and Landscape” draft Plan is being withdrawn and a new Local Plan is being produced it will be necessary to produce a revised Local Development Scheme (LDS). The LDS ought to be revised annually anyway. The intention to introduce a Community Infrastructure Levy (CIL) within the Borough will need to be addressed within this document. The production of an LDS is required by Section 15 of the Planning and Compulsory Purchase Act 2004. The LDS essentially sets out the timetable for the production of the Local Plan and CIL and establishes the milestones for different stages.

5.5 The timetable for the Plan is strongly influenced by the production of the evidence base and the Plan documentation and by the importance of fitting in any consultation with the Council’s Committee cycle. The Local Plan Steering Group considered a range of possible options and has supported the attached timetable as being the most realistic in terms of delivery.

5.6 It is intended that a robust monitoring system will be put into place to ensure that progress on the Plan fits with the timetable. This will also be used to flag any potential problems in delivery of the Plan.

Full Objectively Assessed Need

5.8 The Full Objectively Assessed Need (FOAN) is being prepared for the Council as part of the Strategic Housing Market Assessment. Identifying the Full Objectively Assessed Need for housing is a requirement of the National Planning Policy Framework (NPPF) and this will be used to inform the Local Plan housing requirement in order to be found sound.

Initial findings are suggesting a higher housing need than the figure set out in the adopted Core Strategy of 2011. This figure though is based on the district's need, rather than the needs of a defined housing market area. In doing the work it has become apparent that whereas Rossendale's HMA was largely self-contained previously (as set out in the earlier SHMAA of 2008), this is no longer the case and the level of self-containment has in fact fallen from 71% to 63%. As a result it is imperative that we can justify the definition of the HMA boundary, and this will require the involvement and co-operation of the adjoining authorities under the Duty to Co-operate. Contact will be made formally setting out how we propose to test the HMA, and disseminate this information.

Call for Sites Consultation

- 5.9 Immediately following Council's agreement to this Report a further Call For Sites consultation will be undertaken to identify additional development opportunities within the Borough. Correspondence will be sent to respondents on the Council's Local Plan Consultation database and to other appropriate bodies. The consultation will also be placed on the Council's website and will be publicised.
- 5.10 The consultation will run to Thursday 24th March 2016.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

- 6.1 The financial implications of preparing the new Local Plan and CIL were set out in the Council report of 9th December 2015.

"The report notes that £205k of additional budget resources are required over the medium term to complete the Local Plan putting further pressure on the Council's medium term financial strategy. Alternatively, Members may wish to review resources currently allocated to earmarked reserves".

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 Consultation has been undertaken with the Local Plan Steering Group on the LDS and the implications of the FOAN and "Call for Sites."
- 8.2 The formal Withdrawal Notice formally brings to an end work on "Lives and Landscapes" DPD and will allow the Council to notify all relevant parties of how the Council intends to proceed. Production of the Local Development Scheme sets out a timetable for key stages in future Plan production including those where public participation will be sought.
- 8.3 The publication of the range of Housing Numbers in the FOAN will require the Council to identify more housing land and is a fundamental reason why the "Lives and Landscapes" document has to be withdrawn. The "Call for Sites" will be another opportunity for the public and other consultees to contribute to the production of a Plan for the Borough and to meet the housing need that has been identified within the FOAN.

9. CONCLUSION

- 9.1 The production of a new Local Plan and CIL requires that the necessary legal and procedural requirements are put in place. The preparation of a formal Withdrawal Notice and Local Development Scheme will enable this. Preparation of a FOAN for the Borough

enables the Council to quantify and plan for new housing and the “Call for Sites” will provide a further opportunity to identify additional suitable sites for new dwellings and other uses.

| Background Papers | |
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| Document | Place of Inspection |
| Local Development Scheme | <i>Council offices</i> |
| Withdrawal Notice for “Lives and Landscapes” | <i>Council offices</i> |

Draft Rossendale Local Plan Part 2, Lives & Landscapes - Site Allocations and Development Management Policies Development Plan Document 2015

Notice of Withdrawal

The Town and Country Planning (Local Planning) (England) Regulations 2012

In accordance with the requirements of Regulation 27 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Rossendale Borough Council hereby gives formal notice of the withdrawal of the Draft Local Plan Part 2 – Site Allocations and Development Management Policies DPD 2015.

The decision to withdraw the Draft Local Plan Part 2 – Site Allocations and Development Management Policies DPD 2015 was taken on 9th December 2015. The withdrawal was made under the provisions of Section 22(1) of the Planning and Compulsory Purchase Act 2004 (as amended) which provides for a local planning authority to withdraw a local development document at any time up to its adoption.

Following withdrawal of the Draft Local Plan Part 2 – Site Allocations and Development Management Policies DPD 2015, the Council will commence work on a new Rossendale Local Plan.

Further information can be found on the Council's website at <http://www.rossendale.gov.uk/land>. Any queries regarding the withdrawal of the Draft Local Plan Part 2 – Site Allocations and Development Management Policies DPD 2015 should be directed to:

Forward Planning Team
Rossendale Borough Council
The Business Centre
Futures Park
Bacup
OL13 0BB

Tel: 01706 252418/252419

Email: forwardplanning@rossendalebc.gov.uk

Local Development Scheme and Proposals Map Timetable (January 2016)

Local Plan

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|---------------|--------------------|--|------------------------------|---------------------------|----------------------------|
| Draft Plan | <i>Publication</i> | <i>Submission to Planning Inspectorate</i> | <i>Examination in Public</i> | <i>Inspector's Report</i> | <i>Adoption by Council</i> |
| Sept/Oct 2016 | Jun/July 2017 | Jan 2018 | June 2018 | Nov 2018 | March 2019 |

CIL

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|---|--|--|------------------------------|---------------------------|----------------------------|
| Consultation on Preliminary Draft Charging Schedule & other documentation | <i>Consultation on draft Charging Schedule & other documentation</i> | <i>Submission to Planning Inspectorate</i> | <i>Examination in Public</i> | <i>Inspector's Report</i> | <i>Adoption by Council</i> |
| Sept/Oct 2016 | Jun/July 2017 | Jan 2018 | June 2018 | Nov 2018 | March 2019 |

| DPD Preparation Stages and alignment with Town and Country Planning (Local Planning) (England) Regulations 2013 | | | |
|--|--|---|--|
| Public Participation (Regulation 18) | | Examination in Public (Regulations 23 & 24) | |
| Publication of the DPD and Representations (Regulations 19 & 20) | | Inspectors Report (Regulation 25) | |
| Submission of the DPD (Regulation 22) | | Adoption (Regulation 26) | |

The table above shows the timetable for the preparation of the Local Plan and the Proposals Map, through to adoption in 2019.

The consultation of the Community Infrastructure Levy documentation will include information on Infrastructure requirements, viability and other funding sources for infrastructure as well as the Charging Schedule. It is intended to align the consultation with that of the Local Plan in order to enable both documents to be examined as part of one large inquiry.

| CIL Preparation Stages and alignment with the Community Infrastructure Regulations 2010 | | | |
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| Preliminary Draft Charging Schedule consultation (Regulation 15) | | Examination in Public (Regulation 20) | |
| Draft Charging Schedule Consultation (Regulations 16) | | Inspectors Report Publication (Regulation 23) | |
| Submission of the Charging Schedule (Regulation 19) | | Adoption (Regulation 25) | |