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|---------------------------------------|---|--------------------------|--|
| <b>Subject:</b>                       | Formal Local Plan consultation and updated Statement of Community Involvement (SCI) | <b>Status:</b>           | For Publication  |
| <b>Report to:</b>                     | Council   | <b>Date:</b>             | 11 <sup>th</sup> July 2018   |
| <b>Report of:</b>                     | Planning Manager  | <b>Portfolio Holder:</b> | Regulatory Services  |
| <b>Key Decision:</b>                  | <input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>           | <b>General Exception</b> | <input type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/> |
| <b>Equality Impact Assessment:</b>    | Required:   | No                       | Attached: No   |
| <b>Biodiversity Impact Assessment</b> | Required:   | No                       | Attached: No   |
| <b>Contact Officer:</b>               | Adrian Smith  | <b>Telephone:</b>        | 01706 252419   |
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|           |   |
|-----------|---|
| <b>1.</b> | <b>RECOMMENDATION(S)</b>  |
| 1.1       | To undertake formal consultation in accordance with Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012 with all stakeholders on the Pre-Submission Publication version of the Local Plan for Rossendale (Written Statement and Policies Map) and the associated documents for six weeks starting w/b 20 <sup>th</sup> August 2018. |
| 1.2       | Authority is delegated to the Planning Manager/Director of Economic Development to make any changes as required to rectify errors and improve the Draft Local Plan (Written Statement and Policies Map) prior to publication in August 2018.  |
| 1.3       | That the Planning Manager/Director of Economic Development in consultation with the Portfolio Holder for Regulatory Services be given delegated authority following the six week consultation period to submit the Submission Draft of the Rossendale Local Plan to the Planning Inspectorate for examination.  |
| 1.4       | That Council approve consultation on an updated Statement of Community Involvement (SCI) to act as the basis for undertaking consultation on planning applications; Local Plan consultation and liaison with Neighbourhood Forums/consultation on Neighbourhood Plans..   |

## 2. PURPOSE OF REPORT

- 2.1 It is an imperative of National Government for there to be full up-to-date Local Plan coverage across the country that will identify the current and future development needs of communities. The Ministry of Communities, Housing and Local Government (MHCLG) regularly contact the Planning Manager to ascertain if Local Plan progress is in line with the published Local Development Scheme (LDS) which indicates that the Regulation 19 Publication version of the Plan will go out to consultation in July/August 2018. It is important that the Authority hit this timetable in order to avoid the risk of intervention from National Government, given that the current Core Strategy pre-dates the publication of the current version of the National Planning Policy Framework. This Report sets out key features of the Publication Plan and the changes made to the Plan since the last consultation.
- 2.2 This new Local Plan will replace the Adopted Core Strategy for the Borough and was subject to an informal consultation over the summer of 2017. The Plan identifies sites to meet the Borough's development needs over the period 2019 to 2034.

Since the consultation officers have considered the comments that were submitted and these have informed the production of the latest Pre-Submission Publication version of the Local Plan.

Following the 6 week consultation period it is intended to submit the Local Plan for examination to the Planning Inspectorate, together with all other required documents, including the comments received and the Sustainability Appraisal and Habitat Regulations Assessment. This submission is timetabled to occur in January/February 2019.

- 2.3 The Council is required to maintain a Statement of Community Involvement (SCI). This sets out how the Council will approach consulting statutory consultees, the public and interested parties. The current SCI was prepared at the end of 2014 with an update on 25<sup>th</sup> January 2016. With the designation of Edenfield Community Neighbourhood Forum in April this year, together with a number of national changes to the planning system over the last three years it is important that the current SCI be refreshed and revised. It is proposed to go out to public consultation on a revised draft of this document at the same time as the Local Plan consultation; i.e., during August and September.

### 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:

**A clean and green Rossendale:** This priority is about place. Our priority is to keep Rossendale clean and green, for all Rossendale's residents and visitors to enjoy. We will use our resources wisely and reduce our environmental impact where possible.

**A connected and successful Rossendale that welcomes sustainable growth:** This priority is about prosperity; Our priority is to realise the growth potential of the Rossendale economy, create jobs locally and improve economic opportunity for all. We will ensure that we are well connected to our residents, to our key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.

**A proud, healthy and vibrant Rossendale:** This priority is about people. Our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

### 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

#### *Local Plan*

- The infrastructure issues identified in the responses will need to be addressed
- Some sites have generated a large amount of public opposition
- There are some locations where the public and developers are in direct opposition
- The perceived inadequacy of the previous consultation process
- Not meeting the timetable set out in the Local Development Scheme may mean that the Minister for Housing, Communities and Local Government (MHCLG) will intervene and direct others to prepare a new Local Plan for Rossendale
- Staffing issues to prepare the Local Plan for submission and examination
- Expected changes to the Framework – final version due to be published end of July 2018.
- Fulfilling the Duty to Co-operate requirements effectively and to the Inspector's satisfaction.
- Submitted version not found to be sound
- Failure to secure agreement of the Council

- Insufficient budget, should costs be higher than expected (e.g. additional Evidence Base studies or updates needed, longer Examination in Public process than anticipated)

SCI

- The use of electronic media for consultation needs to reflect GDPR requirements
- Meeting public expectations on the level of consultation appropriate
- Resource implications

## 5. BACKGROUND AND OPTIONS

### 5.1 Consultation Responses

The informal Regulation 18 consultation raised a number of issues of concern. In particular members of the public were concerned about the proposed development of a number of greenfield sites across the Borough. All of these comments were carefully considered along with the views of statutory consultees such as Lancashire County Council as Highway Authority. As a result a number of sites have been removed and are not included in the revised Publication version. These include:

- Land between Newchurch and Bacup Road, Cloughfold (HS2:54)
- Sites alongside Bankside Lane, Bacup (HS2:11,12,13, 32)
- Land at Park Road, Waterfoot (HS2:91)
- Sites at Snig Hole (HS2:76) and Curven Edge (HS2:77), Helmshore

5.2 The greatest amount of objections (808) to the draft Plan were received from residents of Edenfield objecting to a large allocation of houses on Green Belt land to the west of Market Street. Subsequent to the last consultation a Neighbourhood Forum covering the Edenfield Area has been established. They are at the initial stages of preparing a Neighbourhood Plan for the village which will need to align with the Local Plan. A number of meetings have been held with representatives of the group. It is clear there is a fundamental difference on whether the Green Belt land at Edenfield should be developed. This is likely to be a major item of debate at the Examination in Public given the support of landowners for developing the land. It is considered that, on balance, the majority of the Green Belt land at Edenfield should continue to be allocated because:

- The LUC Study advises that in Green Belt terms the release would not have a significant detrimental impact
- It is relatively self-contained by Market Street and the A56
- The existing School would be enhanced or a new school be provided

A detailed Topic Paper will be produced setting out why “Exceptional circumstances” are considered to exist to justify Green Belt release.

5.3 Potential Green Belt land allocations have been carefully assessed both against the draft Framework and the recommendations of the Green Belt Review undertaken by consultants LUC. As a result a number of proposed allocations have been taken out of the Plan. This includes the following:

- Land north of Blackburn Road/west of Moorfield View, Edenfield (part of HS2:71)
- Green Lane/Rosendale Golf Club (HS2:79)
- Land to east of Tonacliffe School (HS2:106)
- Horsefield Avenue, Tonacliffe (HS2:109)
- Land at Hollingate Farm (EMP2:38)

- Haslam Farm (HS2:60)

The withdrawal of the land at Tonacliffe leaves a relatively low amount of new housing land to be allocated in Whitworth. However the area has seen substantial development in recent years. The two Green Belt sites proposed for development in Tonacliffe attracted over 100 objections from local residents. The Tonacliffe sites also have an impact on Moorland Habitat which was identified in the Habitat Regulations Assessment.

5.4 Two Green Belt employment sites (south of New Hall Hey, Rawtenstall and Land north of Hud Hey near Acre) have been allocated contrary to the findings of the LUC Study. The acute shortage of suitable employment land close to the A56, where there is greatest demand by existing companies to expand, is considered to represent “exceptional circumstances” to justify release of these sites. There are significant infrastructure issues that remain to be addressed in each location and a transport study is underway looking at how the sites can be accessed. Similar to Edenfield, a Topic Paper will be produced setting out the “Exceptional Circumstances” which are considered to exist.

5.5 A range of other changes have been made to the Plan since the last consultation. These include:

- Identification of Strategic policies in line with the draft Framework
- A reduction of the Housing target to 3,180 based upon the proposed standard method of calculating housing need which equates to 212 dwellings per year.
- An increase in the brownfield target to 30%
- A reduction in the Wind Turbine Areas of Search
- Gypsy and Traveller Transit site relocated to Barlow Bottoms, Whitworth

## 5.6 Draft Framework

The Government published a revised draft National Planning Policy Framework in March 2018. An amended version of this is expected to be published towards the end of July but much of the main thrust of the document is expected to be retained. Among the main points to come from the document are:

- A standardised methodology for calculating housing need. Using this approach the housing figures for Rossendale would see a fall from 265 houses pa to 212pa (3,180 over the Plan period)
- A more rigorous approach to ensuring that housing is delivered
- Ensuring effective use of land through looking at higher housing densities, especially around transport hubs, and effective use of brownfield land
- A “sequential approach” to releasing Green Belt land
- A greater emphasis on good quality design
- Strengthened arrangements on “Duty to Co-operate” with neighbouring authority

5.7 As a result of the publication of draft Framework it has been decided to adopt the standardised housing methodology figure of 212 p.a. for the Publication document. However, even with a reduced housing figure it is still challenging to deliver the housing requirement. A review has been undertaken of over 150 potential brownfield sites as well as examining the ability for sites near transport hubs to accommodate higher densities.

## 5.8 Working with others and evidence base

The Forward Planning Team has had an “Advisory Visit” from a Planning Inspector to review

the draft Plan and its contents. This has been very useful in identifying key issues from the perspective of the Planning Inspectorate and how these may be approached at the Examination in Public. A “Duty to Co-operate” meeting has also been held with neighbouring authorities and key infrastructure providers to discuss matters of mutual concern. A written “Memorandum of Understanding/Statement of Common Ground” will be produced to ensure that all relevant issues are agreed.

- 5.9 An independent Sustainability Appraisal of the Plan has concluded that the draft Plan is acceptable. The Habitat Regulations Assessment indicates that the authority will need to formally co-operate with neighbouring South Pennine Authorities to ensure that the recreational impacts of residents on protected species are fully addressed.
- 5.10 Since the Regulation 18 consultation further work has been undertaken on the Evidence base. Consultants Mott McDonald are close to finalising work on the Highways Capacity Study, looking at key junctions and have been commissioned to undertake further work on access to employment sites. The Strategic Housing Land Area Assessment has been updated and additional work is being commissioned on viability. These will all be published as they become available. Work on viability may also be required in the light of the emerging revisions to the Framework.

5.11 **Next steps**

The upcoming Regulation 19 consultation is more formal than that consultation taken place previously. As this represents the Council’s “Preferred Plan” there will not be any “roadshow” events. The relevant documentation will be placed on the Council’s website and made available in public libraries. All statutory consultees, and individuals and organisations on the Local Plan database will be contacted directly. The time period for the consultation is stipulated in the Regulations as 6 weeks and comments received can only deal with three topics. These are:

- **Soundness**-is the proposed allocation or policy based on sound evidence?
- **Positively prepared, justified, effective, consistent with national policy**
- **Legal**- has the preparation of the Plan met all the regulatory requirements?
- **Duty to Co-operate** – have neighbouring local authorities and statutory bodies such as Natural England been adequately involved and engaged?

- 5.12 Comments received are collated by the Local Planning Authority following the consultation and sent on directly to the Planning Inspectorate, together with other documentation required by the Regulations, as part of Submission of the Plan which is timetabled to occur in January/February 2018/19. The Local Planning Authority will not respond directly to the submissions but it is from these that the Examination in Public Inspector will identify many of the key issues for discussion. The Inspector may request the attendance of consultees to provide further information at the Examination in Public.

5.13 **SCI**

The SCI underpins how the Council undertakes consultation on planning issues. With the range of changes the government has introduced to “simplify” the planning system it is important these are reflected in the document. The new GDPR Regulations also need to be reflected as does the approach that the Council will take to Neighbourhood Planning. A consultation document will be produced and will go out for consultation at the same time as the Local Plan. A revised document reflecting as appropriate any comments made will be brought back to Council for final approval.

## COMMENTS FROM STATUTORY OFFICERS:

### 6. SECTION 151 OFFICER

6.1 The Local Plan and its implementation will have a direct impact on Council resources, from amongst other things: Council Tax, Business Rates, fees/charges and the extended provision of Council services.

### 7. MONITORING OFFICER

7.1 Production of a Local Plan provides an important framework for managing future development in Rossendale.

### 8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 There has been extensive previous public consultation on the Plan through meetings and a variety of other media. This has involved the public and also a wide range of infrastructure bodies, neighbouring local authorities, government agencies and the development sector. There has also been internal consultation on the proposals, in particular with Economic Development colleagues. The member Local Plan Steering Group has been regularly informed of progress on the Plan.

8.2 The Local Plan will perform an essential role in guiding future development within Rossendale. Failure to adopt a Plan in alignment with the Local Development Scheme makes it much more difficult to manage where new development will be located and risks Government intervention.

8.3 A Full Equality Impact Assessment has been undertaken and it has been identified there are no disproportional impacts.

8.4 The draft SCI will be subject to a 6 week public consultation and will also be subject to internal consultation.

### 9. CONCLUSION

9.1 The Publication version (Regulation 19) of the Local Plan is a key stage in the development of this document. It effectively represents the Council's "Preferred Plan" and is the document that will go forward for Examination by an independent Inspector, which is expected to occur in Spring/Summer in 2019. The Publication Version Plan also represents a final opportunity for the public and other interested parties to comment on the Plan and forms the basis of which issues the Inspector will identify to examine.

9.2 The preparation of the Local Plan has been informed by both the evidence base and the comments of interested parties. It represents, in the view of Officers, an appropriate and balanced Strategy for meeting the development needs of the Borough for the next 15 years.

9.3 An up to date SCI is important to how the authority undertakes consultation and seeking public comments on this is essential to ensure that it meets statutory requirements as well as the views of interested parties.

#### Background Papers

| Document         | Place of Inspection                |
|------------------|------------------------------------|
| Draft Local Plan | One Stop Shop, Futures Park, Bacup |



Date of Review<sup>2</sup>:

[To be completed by Lead Officer]

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

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## 2. 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. If you have identified any negative impact and mitigating actions are not sufficient, you will need to complete a Full Equality Impact Assessment.**

| 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"/>                | The Local Plan contains a policy (HS8) supporting housing for older people and encourages at least 20% to be specifically tailored to meet the needs of elderly or disabled residents or be easily adaptable in line with the Optional Standards.  | <input type="checkbox"/>            |
|                                 | Younger people and children     | <input checked="" type="checkbox"/> | <input type="checkbox"/>                | The Local Plan supports additional new housing to meet future needs over the period 2019-2034, which includes housing for families (HS1). Policy HS10 sets out Open Space requirements in new developments. This policy benefits not just children but this group will benefit the most. | <input type="checkbox"/>            |
| Disability                      | Physical/learning/mental health | <input checked="" type="checkbox"/> | <input type="checkbox"/>                | The Local Plan contains a policy supporting housing for older people and encourages at least 20% to be specifically tailored to meet the needs of elderly or disabled residents or be easily adaptable in line with the Optional Standards.  | <input type="checkbox"/>            |
| Gender Reassignment             | Transsexual people              | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
| Pregnancy and Maternity         |                                 | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
| Race (Ethnicity or Nationality) | Asian or Asian British people   | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
|                                 | Black or black British people   | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
|                                 | Irish people                    | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
|                                 | White British                   | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
|                                 | Chinese people                  | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
|                                 | Gypsies & Travellers            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                | The Gypsy and Traveller Assessment (GTAA) (2016) identified a need to provide  | <input 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 or reasons why it will be of positive benefit or contribution)   | No Impact                           |
|---------------------------|--|------------------------------------|---|--|-------------------------------------|
|                           |  |                                    |   | a transit site for Gypsies and Travellers to legally stop over for a temporary period. Policy HS18 identifies the need to accommodate at least four pitches on a site at Barlow Bottoms in Facit, allocated as Employment Mixed Use site M6. Four additional pitches are also required which can be met through intensifying two existing sites in the Borough. Towards the end of the Plan period there may be a need for two additional pitches; this will be identified in an update of the GTAA and considered within a Local Plan review as necessary.  |                                     |
|                           | Other minority communities not listed above (please state) | <input type="checkbox"/>           | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
| <b>Belief or Religion</b> |  | <input type="checkbox"/>           | <input type="checkbox"/>                | No specific land use implications known  | <input checked="" type="checkbox"/> |
| <b>Sex</b>                | Women  | <input type="checkbox"/>           | <input type="checkbox"/>                | <p>Policies have been written taking account of crime and personal safety. Examples include:</p> <p>Policy ENV1 (j) expects new developments to take account of the local area's character and appearance including <i>minimising opportunity for crime and malicious threats, and maximising natural surveillance and personal and public safety.</i></p> <p>Policy TR2 expects new non-car routes to be located and designed to minimise the risk of crime.</p> <p>Policy TR4 notes <i>All car parking areas should however be open to natural surveillance and any landscaping should avoid compromising personal</i></p> | <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 or reasons why it will be of positive benefit or contribution)  | No Impact                           |
|--|---|-------------------------------------|---|---|-------------------------------------|
|  |   |                                     |   | <i>safety or facilitating car crime</i>   |                                     |
|  | Men   | <input type="checkbox"/>            | <input type="checkbox"/>                | Please see above as for women   | <input checked="" type="checkbox"/> |
| <b>Sexual Orientation</b>  | Gay men, gay women / lesbians and bisexual people | <input type="checkbox"/>            | <input type="checkbox"/>                | No specific land use implications known   | <input checked="" type="checkbox"/> |
| <b>Marriage and Civil Partnership</b> (employment only)  |   | <input type="checkbox"/>            | <input type="checkbox"/>                | N/A   | <input type="checkbox"/>            |
| <b>Contribution to equality of opportunity</b>   |   | <input checked="" type="checkbox"/> | <input type="checkbox"/>                | The Local Plan has identified the disparity in earnings between residents who work in and outside of the Borough, with those commuting away having higher wages. New additional employment land is being identified to provide suitable sites for businesses to expand and create employment opportunities for local residents. House price affordability is also an issue and a policy encourages 30% of affordable housing to be provided on sites.   | <input type="checkbox"/>            |
| <b>Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)</b>                |   | <input checked="" type="checkbox"/> | <input type="checkbox"/>                | The Local Plan has designated centres for retail and other town centres, providing opportunities for all groups and communities within Rossendale to interact, with Spinning Point – Rawtenstall Town Centre Extension, policy R2 providing an opportunity. Policy LT1 looks to protect playing pitches, existing open space and sport and recreation facilities. Policy LT2 refers to community facilities, specifying circumstances where a change of use would be permitted and the encouragement of new facilities. Policy LT4 notes that providing overnight accommodation can bring wider community benefits. | <input type="checkbox"/>            |
| <b>Human Rights</b><br><a href="http://intranet/site/scripts/documents_info.php?categoryID=86&amp;">http://intranet/site/scripts/documents_info.php?categoryID=86&amp;</a> |   | <input type="checkbox"/>            | <input type="checkbox"/>                |   | <input type="checkbox"/>            |

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| <b>Equality</b>                | <b>Positive Impact</b> (It could benefit) | <b>Negative Impact</b> (It could disadvantage) | <b>Reason</b> 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) | <b>No Impact</b> |
|--------------------------------|---|--|--|------------------|
| <a href="#">documentID=251</a> |   |  |  |                  |

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**An assessment must be completed for all key decisions included in the Forward Plan.**

**Stage 1** This stage determines whether a full assessment is required

**1.1 Description of the proposed decision**

To undertake formal consultation in accordance with Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012 with all stakeholders on the Pre-Submission Publication version of the Local Plan for Rossendale (Written Statement and Policies Map) and the associated documents for six weeks starting w/b 20th August 2018.

**1.2 Will the proposed decision have the effect of flora and fauna of either increasing or reducing the range of species and habitats within the Borough?**

Yes  No

**If no, proceed no further if yes continue to stage 2**

**Stage 2** This stage helps understand whether any impact on biodiversity is positive or negative.

**2.1 Will the proposed decision have a positive or negative impact on biodiversity? (A positive impact would increase the range of species or habitats or increase the protection of existing habitats, a negative impact would do the opposite.)**

Positive  Negative

**2.2 Describe the impact, in particular drawing attention to scale. For example removing the only habitat in the North West for a particular plant is clearly of great significance, whereas a negative impact on a very common plant is of less significance.**

A Sustainability Appraisal (SA) has been undertaken by Lepus to understand the impact of the Local Plan on environmental, social and economic objectives. The assessment includes an appraisal of the policies as well as site allocations impact on biodiversity, flora and fauna.

The draft SA report states that "the adverse impacts on the biodiversity and geodiversity objective vary in character and magnitude from site to site". Also, the "adverse impacts on biodiversity and geodiversity are predominantly related to the effects of construction, as well as the occupation of newly built homes, on previously undeveloped fields which are capable of supporting an array of Priority Habitats and Priority Species". Also, an increase in public access to the countryside is likely to lead to disturbances.

No single site was anticipated to have a major impact on biodiversity although the cumulative effect of several sites could impact the ecological network of the Borough. However, there is scope to mitigate the impacts of site allocations on Important Wildlife Sites, Biological Heritage Sites and previously undeveloped greenfield sites.

Moreover, the Local Plan has several policies designated to protect and enhance the Borough's biodiversity which "will provide effective and significant levels of protection for biodiversity assets".

The Council has also commissioned Lepus to undertake a Habitat Regulations Assessment (HRA) to appraise the impact of the Local Plan on European designated sites situated in the vicinity of the Borough. Lepus has worked in partnership with Natural England which is the Statutory Body responsible for protecting England's nature and landscapes.

The draft HRA report concludes that it is unlikely that the Local Plan will have a likely significant effect on the South Pennine Moors European sites. The report also proposes some recommendations to mitigate any future impacts.

If the impact is positive you need go no further.

**Stage 3** This stage allows any negative impact to be balanced against the other positive benefits of the proposed decision using the framework created by the wellbeing power set out in the Local Government Act 2000

3.1 **Indicate the benefits which will be delivered by this decision under the following headings. As far as possible quantify benefits (eg by jobs created).**

**Economic** The Local Plan seeks to provide sufficient employment land to meet the Borough's requirement of 27 hectares for business, general industrial or storage and distribution.

**Environmental** The Local Plan contains policies to avoid harm and where possible enhance biodiversity. The Policies Map also shows national and local biodiversity and geodiversity sites to be protected, and identifies a network of Green Infrastructure for protection, management and enhancement.

**Social** The Local Plan aims to provide at least 3180 additional dwellings over the plan period to meet the local housing need and to deliver 30% of all new dwellings on previously developed land.

**3.2 Are there steps which are planned or could be taken to mitigate the impact on biodiversity (eg relocating certain species during building work).**

The Local Plan contains several policies designated to protect and enhance the Borough's biodiversity which "will provide effective and significant levels of protection for biodiversity assets".

The HRA proposes mitigations including the provision of a Visitor Management Plan for the South Pennine Moors Sites in partnership with neighbouring authorities and to request a Habitat Regulation Assessment / ecological surveys for the bird assemblage, which qualifies the South Pennine Moors as a European site, for large residential scheme of a 100 homes or more.

**Stage 4** This stage sets out the balance between the negative impacts on biodiversity and the other positive impacts so that Councillors can make an informed decision.

**Positive impacts**  
(eg X jobs created)  
27 hectares of

employment land;  
3180 additional new dwellings;  
Green Infrastructure network designation

**Negative Impacts**  
(eg acres of habitat lost)

60% of housing sites and employment site  
on greenfield sites

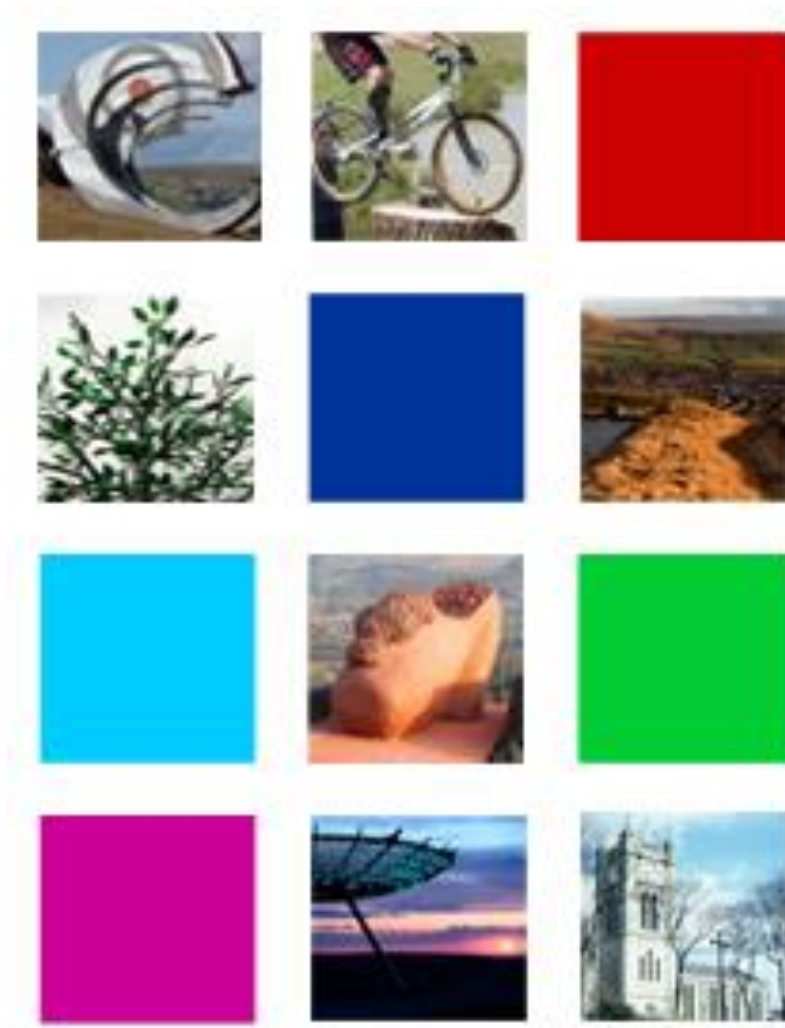
This assessment have been prepared by

|                         |                                    |
|-------------------------|------------------------------------|
| <b>Name</b>             | Nathaele Davies                    |
| <b>Service/Team</b>     | Forward Planning Team              |
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# Statement of Community Involvement 2018

Forward Planning Team

July 2018





Other formats are available.  
Please call 01706 217777 or  
visit our One Stop Shop at  
Futures Park, Bacup.

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# 1. Introduction

## 1.1 What is the Statement of Community Involvement?

This Statement of Community Involvement (SCI) sets out how you can get involved in the planning process including the preparation of local planning policies and decisions on planning applications.

The previous version of the SCI was adopted in 2014 and this review is necessary to reflect changes in planning legislation and guidance. This review also reassesses our consultation practices to ensure we continue to consult effectively.

## 1.2 Changes to the planning system

The Localism Act 2011 introduced the 'duty to co-operate' which requires planning authorities to work with neighbouring authorities and other public bodies on strategic issues and empowers communities to have greater influence on how plans for their area are drawn up. This requirement has been strengthened through successive changes to government guidance, most recently through the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

The National Planning Policy Framework (NPPF), published in March 2012 and the Planning Practice Guidance (PPG), published in March 2014 replaced previous Planning Policy Guidance and Planning Policy Statements. The NPPF encourages consultation at key stages as we prepare planning policy documents and before decisions are made on planning applications. A revised version of this document was published for consultation in March 2018.

The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out how the Local Plan and other supporting documents must be prepared.

The introduction of Neighbourhood Planning through the Localism Act places a number of requirements on the Local Planning Authority which are set out in a range of Regulations, notably The Neighbourhood Planning (General) Regulations 2012 and subsequent amendments.

The Government is committed to the simplification of the Planning system. Many changes have been introduced to the General Permitted Development Order to facilitate this. A number of types of properties are now able to change to an alternative use without first obtaining planning permission while in other cases, such as larger house extensions, a system of “prior notification” has been introduced.

The introduction of the General Data Protection Regulations (GDPR) in May 2018 means that the Council has to get your permission to store your data.

The update of the SCI reflects these legislative and policy changes.

### **1.3 The Council’s approach to community involvement**

The SCI sits within the Council’s existing approaches to community involvement. It sets out the Council’s position on consultation with respect to planning documents and this is only one element of the Council’s approach to consultation. Active partnership working exists on a range of related topics such as public health.

The Council works in partnership with Neighbourhood Forums across the Borough covering the areas of Whitworth, Bacup, Rawtenstall and Haslingden. Membership of the forums is made up of representatives of the local community, ward councillors and partners such as the police, health service and Lancashire County Council. The role of the Neighbourhood Forums is to work together to jointly address issues of concern to our communities and they are involved in the preparation of the Local Plan and other supporting documents.

## 2. The Local Plan and supporting documents

### 2.1 What are the Local Plan and supporting documents?

#### Local Plan documents

Rosendale's Local Plan sets out the spatial vision and planning policies for Rosendale. The Local Plan for Rosendale currently consists of the Adopted Core Strategy 2011. All Local Plan documents go through consultation and if found sound by an Independent Inspector after a public examination are adopted by the Council. Local Plan documents therefore have statutory weight and are the principal consideration against which planning applications will be determined.

The Council's **Core Strategy** was adopted on 8<sup>th</sup> November 2011 and sets out the strategic priorities and development strategy for Rosendale for the next 15 years, up to 2026. The Core Strategy identifies the general areas where development will take place, and how much there will be, as well as how Rosendale's built heritage and natural landscape will be protected and enhanced.

Work is currently well advanced on a new Local Plan. A consultation on a draft Plan was undertaken in summer 2017 under Regulation 18 of The Town and Country Planning (Local Planning) Regulations 2012. Comments from this consultation have been incorporated into the next draft of the Plan which is due to be published in August 2018 together with a revised Policies Map.

#### Supporting documents

A **Sustainability Appraisal** is being undertaken and is an integral part of preparing the Local Plan to assess the environmental, economic and social effects of proposals. Its preparation is intended to be iterative with the Local Plan and will inform the policies as they are being prepared.

As required by the Conservation of Habitats and Species Regulations (2010/2017) the Council has commissioned a **Habitats Regulation Assessment** (HRA) of the Plan. The Sustainability Appraisal and the HRA form part of the supporting evidence for the Plan and are examined as part of the Examination in Public.

Preparation of the Local Plan is supported by a range of supporting “Evidence base” documents covering issues such as flood risk, highways and viability. These are placed on the Council’s website when they are finalised and can be commented on as part of the consultation on the Local Plan.

Additional planning policy documents that we need to prepare, which are subject to public consultation but which are not publicly examined include this Statement of Community Involvement (SCI) and Supplementary Planning Documents (SPDs). As these documents are not tested by an Independent Inspector they do not have the same statutory weight as the Local Plan and essentially provide additional advice or guidance to support the Local Plan, and the plan-making process.

The **Authority Monitoring Report** (AMR), previously known as the Annual Monitoring Report, is produced annually and monitors progress in preparing the Local Plan. The AMR also monitors the implementation of the adopted policies, reporting on the targets set, for example, in the adopted Core Strategy.

The **Local Development Scheme** (LDS) sets out the timetable for preparing the Local Plan documents and identifying dates for key milestones. This is kept up-to-date and can be viewed at [https://www.rossendale.gov.uk/downloads/file/13582/local\\_development\\_scheme](https://www.rossendale.gov.uk/downloads/file/13582/local_development_scheme)

The **Statement of Community Involvement** (SCI) sets out how we involve the community in the planning process including the preparation of local planning policies and decisions on planning applications.

**Supplementary Planning Documents** (SPDs) provide more detail about policies in the Local Plan and may take the form of design guides, development briefs or a master plan. We have produced SPDs on a range of topics such as alterations and



extensions to residential properties, the conversion and re-use of buildings in the countryside and shop front design.

**Neighbourhood Plans** were introduced under the Localism Act of 2011 and are prepared by local communities for their neighbourhood area. The plans are taken forward by the neighbourhoods themselves although there are parts of the process where the Local Planning Authority provides assistance. Specific legislation<sup>1</sup> applies to the development of Neighbourhood Plans, including the composition and establishment of the Neighbourhood Forum (where there is no Parish) and designation of the area which the Plan will cover. Neighbourhood Plans are subject to an independent examination and referendum.

Under the Community Infrastructure Levy (Amendment) Regulations 2014, the Council may introduce a **Community Infrastructure Levy (CIL) Charging Schedule** which is a funding mechanism for Local Authorities to help deliver infrastructure to support the development of their area, however no final decision has yet been made on this.

Other documents may be brought forward in time and will be identified in the Local Development Scheme as appropriate.

Further information on the Local Plan and other supporting documents is available on the Planning Policy pages of the Council's website at [www.rossendale.gov.uk](http://www.rossendale.gov.uk).

## **2.2 When can I get involved in the Local Plan and supporting documents?**

You can get involved in the preparation and development of each of the planning policy documents we produce.

Table A (page 12) sets out the different stages in preparing our Local Plan documents and the opportunities to get involved.

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<sup>1</sup> The Neighbourhood Planning (General) Regulations 2012 and amending Regulations

Table B (page 13) sets out the stages in preparing the SCI and Supplementary Planning Documents.

The Authority Monitoring Report and the Local Development Scheme are not subject to formal consultation but are published and available for the public to view, they are also reported to Members.

## **2.3 Who will we consult?**

We are committed to involving all stakeholders in developing planning policies for Rossendale. These groups include:

- statutory consultees including neighbouring authorities
- residents
- businesses
- developers, agents and landowners
- Neighbourhood Forums
- Whitworth Town Council
- local interest groups
- local community and amenity groups
- 'hard-to-reach groups'
- central, and local government departments
- national and county bodies and organisations

Details of all the organisations and individuals that we consult are held in our consultation database which is kept up-to-date. Any individual or group can ask us to add their contact details to the database so they can be kept informed of progress and consulted on emerging documents. This is done through a form on the Council's website which requires anyone asking to be placed on the database to give their formal consent.

By law, we must consult certain organisations through the Local Plan process. Appendix 1 sets out the list of organisations we are required to consult.

Alternative methods of communication may be required to engage with 'hard-to-reach' groups including elderly and young people, people with disabilities, rural and travelling communities and ethnic minority groups.

**Table A: Stages in the preparation of Local Plan documents and opportunities to get involved**

| Stage   | What is it?  | Opportunities to get involved  |
|---|--|--|
| <b>1. Evidence Gathering</b><br>(Regulation 18) <sup>2</sup>          | This includes surveys, informal discussions with relevant bodies and researching Government policy and advice to ensure our evidence base is robust and up-to-date. This will enable issues and options to be identified to address needs.   | Not normally at this stage. Any consultation will be targeted to obtain factual and / or scientific data about certain topics and / or issues, or to test assumptions. Typical evidence base documents include the Strategic Housing Market Area Assessment (SHMAA), Local Plan Viability work etc.  |
| <b>2. Production</b><br>(Regulation 18)                               | This stage includes consultation on draft documents. We will invite comments during a specified time period. Once consultation is completed, responses will be analysed and amendments made as appropriate during this 'pre-submission' stage.   | Yes, consultations on draft documents are the main opportunities to comment on and influence the content of the plan.  |
| <b>3. Publication</b><br>(Regulation 19)                              | A 'pre-submission publication' version of the document will be prepared and this will be made available for public consultation for six weeks. Comments at this stage should relate to legal and procedural matters. All comments will be sent to the appointed Inspector during the Examination to inform the Examination in Public. Responses will be recorded. This is the start of the formal statutory consultation process, and the Publication version represents the document that the Council would wish to adopt.  | This stage is more concerned with how we have used the evidence to inform the options and conclusions made. It focusses on legal and procedural matters rather than the content of the document. General comments and representations should have been made during the production stage.   |
| <b>4. Submission &amp; Independent Examination</b><br>(Regulation 19) | The 'Submission' version of the document will be sent to be independently examined by an appointed Independent Planning Inspector. At the Examination the Inspector will consider all representations received during the Publication stage. The Inspector will recommend changes to the document in a non-binding report issued to the Council. Only minor amendments, such as correcting typographical errors, can be made by the Council. If the Council proposes to make substantial changes which aren't in line with the Inspector's recommendations, further consultation will be required. | Yes. You can watch the Examination in Public and might be contacted by the Inspector to give evidence if you have previously made comments or asked to attend certain sessions to discuss your representation. No new / further representations can be made at this stage and the decision to discuss particular topics and call certain people to speak is up to the Inspector. |
| <b>5. Adoption</b>  | We will take account of the recommendations in the Inspector's report, make the necessary amendments and adopt the document. The adopted document and the Inspector's report will be published and publicised.   | No. All comments and representations will have already been received and taken into consideration.   |

<sup>2</sup> The 'Regulations' refer to the Town and Country Planning (Local Planning) (England) Regulations 2012

**Table B: Stages in the preparation of the Statement of Community Involvement and Supplementary Planning Documents and opportunities to get involved**

| Stage                        | What is it?  | Opportunities to get involved  |
|------------------------------|--|--|
| <b>1. Evidence Gathering</b> | This includes surveys, informal discussions with relevant bodies and researching Government policy and advice to ensure our evidence base is robust and up-to-date. This will enable issues and options to be identified to address needs. | Not normally at this stage. Any consultation will be targeted to obtain factual and / or scientific data about certain topics and / or issues, or to test assumptions. |
| <b>2. Production</b>         | This stage includes consultation on draft documents. We will invite comments over a minimum period of four weeks, or as prescribed in the appropriate Regulations.   | Yes, consultations on draft documents are the main opportunities to comment on and influence the content of the plan.  |
| <b>3. Adoption</b>           | Responses will be analysed and amendments made. The final document will be published and publicised.   | No. All comments and representations will have already been received and taken into consideration.   |

**Table C: Examples of methods to be used to consult on Local Plan documents**

| Method   | Why Use it?   | Benefits  | Weaknesses  | Resource Implications                       | Documents that we expect to consult on using this technique  |
|--|---|---|---|---|--|
| <b>Formal newspaper advertisement</b>  | <ul style="list-style-type: none"> <li>• Good practice.</li> <li>• To publicise by formal notice that documents are available for inspection.</li> </ul>  | To provide the public with formal notice of commencement of public participation.         | May not be the most inclusive method for some hard to reach groups e.g. ethnic minorities. In addition a significant number of the population do not read papers. | Staff time and cost of placing the notices. | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Supplementary Planning Documents</li> </ul>   |
| <b>Letters or emails to statutory bodies and other general consultees</b>                        | <ul style="list-style-type: none"> <li>• Regulatory requirement.</li> <li>• Notify all relevant bodies and individuals on the consultation database.</li> </ul>   | Good for targeting specific groups directly.  | Implications on staff time.   | Staff time and cost of postage for letters. | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Statement of Community Involvement</li> <li>• Supplementary Planning Documents</li> <li>• Evidence base documents</li> </ul>  |
| <b>Consultation documents available for inspection at LPA offices and other public buildings</b> | <ul style="list-style-type: none"> <li>• Regulatory requirement.</li> <li>• Making documents available for inspection at the Council's One Stop Shop and other public buildings viewed as appropriate.</li> </ul> | To meet the minimum requirements by ensuring that documents are available for inspection. | This method does not actively reach out to certain sections of the community i.e. the housebound.   | Cost of printing documents for inspection.  | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Authority Monitoring Report</li> <li>• Local Development Scheme</li> <li>• Statement of Community Involvement</li> <li>• Supplementary Planning Documents</li> <li>• Evidence base documents</li> </ul> |

|  |  |   |  |  |  |
|--|--|---|--|--|--|
| <b>Web Site</b>  | <ul style="list-style-type: none"> <li>Regulatory requirement.</li> <li>The webpage will be used to advertise the consultation on the Local Plan, and the opportunity to comment online and download all documents relevant to the specific consultation and Local Plan in general.</li> </ul> | Meets regulatory requirements. An excellent source of information for access at home and other locations. It is the preferred media of younger people. Frees up staff time. | Not all stakeholders will have access to the internet.   | Staff time in training and then uploading document and keeping the webpage up-to-date. | <ul style="list-style-type: none"> <li>Local Plan</li> <li>Policies Map</li> <li>Sustainability Appraisal</li> <li>Authority Monitoring Report</li> <li>Local Development Scheme</li> <li>Statement of Community Involvement</li> <li>Supplementary Planning Documents</li> <li>Evidence base documents</li> </ul> |
| <b>Electronic survey forms on Website</b>                      | <ul style="list-style-type: none"> <li></li> </ul>   | Very efficient for translating comments into Analysis forms without having to re-type the data  | Not all stakeholders have access to the internet   | Staff time to set up the survey  | <ul style="list-style-type: none"> <li>Local Plan</li> <li>Policies Map</li> <li>Supplementary Planning Documents</li> </ul>   |
| <b>Emails (including formal notification of consultations)</b> | Provides opportunity for people to be informed and signposted to further information.  | Quick way of keeping people up-to-date. Reduces the cost of postage. Promotes a two way flow of information.  | Not all stakeholders have access to email.   | Staff time.  | <ul style="list-style-type: none"> <li>Local Plan</li> <li>Policies Map</li> <li>Sustainability Appraisal</li> <li>Local Development Scheme</li> <li>Supplementary Planning Documents</li> <li>Authority Monitoring Report</li> <li>Statement of Community Involvement</li> <li>Evidence Base documents</li> </ul> |
| <b>Other electronic media (e.g. twitter, facebook)</b>         | Especially effective for engaging younger sectors of the population and those who don't engage in  | Can provide useful feedback and result in the discussion being passed onto wider contacts.  | Can result in abusive tweets or comments and wider general criticisms of Council that are time | Needs staff time to post and monitor responses.  | <ul style="list-style-type: none"> <li>Local Plan</li> <li>Policies Map</li> <li>Sustainability Appraisal</li> <li>Supplementary Planning Documents</li> </ul>   |

|   |   |   |  |   |  |
|---|---|---|--|---|--|
|   | traditional consultations.  |   | consuming to answer. Potential for abusive / discriminatory language to be put in public domain, associated with the Council.              |   |  |
| <b>Interactive Mapping</b>  | It enables users to relate mapping to Policy content and is especially useful for younger sectors | When combined with an electronic survey in particular it effectively provides a “One Stop Shop” for people wanting to respond to the Plan | Potential for people who are not too expert with computers to struggle with technical elements of using a GIS based mapping system         | Staff time in setting up GIS and liaising with providers        | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Supplementary Planning Documents</li> </ul>   |
| <b>Local Media (i.e. newspaper articles, free papers and radio)</b> | Effective method of reaching a wider community audience.  | Could help to raise awareness of local events and opportunities to become involved.   | Again, local newspapers may not be accessed by many stakeholders, especially hard to reach groups. Local radio covers whole of Lancashire. | Staff time and cost of advertisement.                           | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Supplementary Planning Documents</li> </ul> |
| <b>Leaflets / Brochures</b>   | Useful for targeting specific areas and groups with summarised information and signposting.       | Effective way of summarising information in a concise ‘reader friendly’ manner.   | Can only provide a limited amount of information.  | Staff time in preparation and distribution plus printing costs. | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> </ul>   |
| <b>Notices of consultations on lamp-posts</b>                       | Useful for raising awareness in areas potentially impacted by development.                        | Is a useful supplementary method of raising awareness for interested members of the public.   | Provides limited information. Can be damaged on site and only a limited number of people read such notices.                                | Staff time in putting up notices.                               | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Supplementary Planning Documents</li> </ul>   |



|   |  |  |   |  |  |
|---|--|--|---|--|--|
| <p><b>Public Exhibitions</b></p>  | <p>Provides further opportunity for targeting audiences with summarised information and signposting people to further information.</p> | <p>Provides a method of effectively out reaching to stakeholders.</p>  | <p>Displays must be kept up to date in order to provide correct information. May be difficult to engage hard to reach groups. Staff time in preparing and presenting display. Need to identify appropriate space / location for exhibition.</p> | <p>Staff time and cost of exhibition material.</p>           | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Supplementary Planning Documents</li> <li>• Evidence Base documents</li> </ul>  |
| <p><b>Formal written consultation / community surveys</b></p>   | <p>Responses can help identify key interests and groups with consultation structured around key issues.</p>                            | <p>A good way to introduce the main issues. Surveys can be measured on a statistical basis to provide a more accurate summary of comments and feedback. Can be important for specific consultations on individual topics.</p>            | <p>Surveys can be time consuming and require proper planning and analysis in order to be effective. Some stakeholders can be 'put off' by these more formal processes.</p>  | <p>Staff time and cost of materials; computer resources.</p> | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Supplementary Planning Documents</li> </ul>   |
| <p><b>One-to-One meetings with individual stakeholders, statutory consultees, community group representatives, developers and consultants</b></p> | <p>Provides opportunity for detailed discussions to be undertaken on general or specific issues.</p>                                   | <p>Can help to clarify matters of concern or uncertainty and facilitate agreed consensus. More information can exchange between the Council and selected stakeholders and support obtained for delivery of key elements of the Plan.</p> | <p>Could be resource intensive in terms of staff time.</p>  | <p>Staff time.</p>   | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Authority Monitoring Report</li> <li>• Local Development Scheme</li> <li>• Statement of Community Involvement</li> <li>• Supplementary Planning Documents</li> <li>• Evidence base documents</li> </ul> |

|  |   |   |   |                                    |   |
|--|---|---|---|------------------------------------|---|
| <b>Public meetings</b>                               | Provides further opportunity for people to comment on issues that affect them.  | Can help to clarify matters of concern or uncertainty in a direct way. More information can exchange between the Council and selected stakeholders. | Not all stakeholders will raise issues in a public forum. Vocal individuals can adversely dominate meetings. Generally need to identify local venues. | Staff time and cost of venue hire. | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Supplementary Planning Documents</li> <li>• Evidence Base documents</li> </ul> |
| <b>Working groups/<br/>Focus groups and seminars</b> | Effective way to involve community groups and other sectors such as elected members to become involved in the preparation of the Local Plan.  | Can help to clarify matters of concern or uncertainty in a direct way. More information can exchange between the Council and selected stakeholders. | May need expert facilitation in order to obtain the best results. Can be difficult to recruit members as it requires time commitment.                 | Staff time and cost of venue hire. | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Supplementary Planning Documents</li> <li>• Evidence base documents</li> </ul> |
| <b>Area forums</b>                                   | Specific groups for presenting and receiving feedback on local issues.  | Allows more detailed discussion to take place with regard to specific local areas.  | Potential to address importance of strategic themes that affect local areas as well as local issues.  | Staff time and cost of venue hire. | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> </ul>  |
| <b>Planning Aid</b>                                  | Planning Aid provides free, independent and professional help, advice and support on planning issues to people and communities who cannot afford to hire a planning consultant. Planning Aid complements the work of local authorities but is wholly independent of them. | Will help provide access to planning advice which will assist vulnerable/ hard to reach groups.   | Could be resource-intensive for Planning Aid.   | None.                              | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Policies Map</li> <li>• Sustainability Appraisal</li> <li>• Supplementary Planning Documents</li> </ul>                                    |

## **2.4 How will we consult?**

A range of consultation methods will be used at different stages of the process. Some examples of how we will consult, the benefits and weaknesses of each method, the resource implications and the documents that we expect to consult on are set out in Table C (page 14). There may also be other methods that prove to be more appropriate over time for particular documents, or for particular sections of the community.

## **2.5 Feedback on your involvement**

For Local Plan documents including the Policies Map and the Sustainability Appraisal, after each stage of consultation, we will produce a report, summarising the comments made, the Council's response and whether this has led to changes in the document. These reports will be made available on the Planning Policy pages of the Council's website at [www.rossendale.gov.uk](http://www.rossendale.gov.uk), at the Council's One Stop Shop in Bacup and at the public libraries in Rawtenstall, Bacup, Haslingden and Whitworth.

For Supplementary Planning Documents, we will contact anyone who made a representation and copies of the document will be available on the Planning Policy pages of the Council's website [www.rossendale.gov.uk](http://www.rossendale.gov.uk), at the Council's One Stop Shop in Bacup and at the public libraries in Rawtenstall, Bacup, Haslingden and Whitworth.

## **2.6 Further information on Rossendale's Local Plan and supporting documents**

For further information on planning policy in Rossendale, including the Local Plan, please visit the Planning Policy pages of the Council's website at [www.rossendale.gov.uk](http://www.rossendale.gov.uk). Alternatively please contact the Council's One Stop Shop on 01706 217777 and ask to speak to a member of the Forward Planning Team or email us at [forwardplanning@rossendalebc.gov.uk](mailto:forwardplanning@rossendalebc.gov.uk).

## 2.7 Neighbourhood Plans

Neighbourhood Plans form part of the Development Plan for the area in question and are able to allocate land and set policies. They must be in general conformity with the adopted Local Plan for the area. Production of Neighbourhood plans is optional and can be undertaken by a Parish/Town Council or by a Community group which meets regulatory requirements to become a Neighbourhood Forum.

Neighbourhood Development Orders can also be proposed by Neighbourhood Forums/Town Councils. The same consultation process will be used for these as for Neighbourhood Plans.

The Council has a statutory responsibility to support Neighbourhood Planning. We will seek to do so in the following ways:

- Providing advice on the legal and administrative requirements of producing a Neighbourhood Plan
- Provide feedback on the appropriateness of proposed Neighbourhood Areas and the setting up of a Forum
- Highlight how the Neighbourhood Plan should relate to the Local Plan and national policy
- Directing groups to relevant sources of information; where to seek professional support and how to obtain Government funding
- Providing any clarifications needed on the Council's own evidence base
- Giving comments on draft Neighbourhood Plans
- Assessing submitted Plans for compliance with statutory requirements
- Consulting for a minimum of six weeks on the submitted neighbourhood Plan
- Arranging for the appointment of a Local Plan Examiner
- Making arrangements for the referendum and, if approved, subsequent approval of the Plan
- Developing appropriate internal procedures for processing Neighbourhood Plans

Much of the consultation on Neighbourhood Plans is undertaken by the Neighbourhood Forum themselves. However there are a number of key stages where we will be involved. The Council will liaise with the relevant Group prior to submission to advise on whether the documentation is likely to meet legal requirements. The following Table illustrates how we will seek to engage with communities at each stage.

| <b>Neighbourhood Planning Stage</b>                       | <b>What is involved</b>   | <b>Method of Consultation</b>                                  |
|---|---|--|
| Neighbourhood Area and/or Neighbourhood Forum designation | A minimum of a six week consultation is required<br>We will consult on the proposed Area boundary and the make-up and Constitution of the Forum | Website<br>Emails<br>Letters<br>Social media<br>Press releases |
| Submission  | A minimum of 6 weeks consultation is required.<br>We will consult on the draft Neighbourhood Plan   | Website<br>Emails<br>Letters<br>Social media<br>Press releases |
| Independent Examination                                   | Appointment of the Independent Examiner and publication of their report   | Website<br>Emails<br>Letters<br>Social media<br>Press releases |
| Referendum  | The Council will organise a public ballot on the Plan and publish the result of the ballot  | Ballot<br>Website  |
| Plan comes into force                                     | Following formal adoption at Council the Plan will be made available  | Website<br>Emails<br>Letters                                   |

## **2.8 Duty to co-operate**

The Council recognises the legal and practical importance of working together with partners to ensure effective delivery of housing and employment while addressing concerns about infrastructure and the natural environment. We will work with Statutory Consultees, neighbouring Local Authorities, and interested parties via a range of methods including emails; letters; phone calls; group discussions and individual meetings. The list of organisations that we will liaise with is listed in Appendix 1. The ultimate intention of the consultation will be to produce a Statement of Common Ground.

## **3. Consultations on Planning Applications**

As well as being involved in preparing the Local Plan, you can also get involved in the planning applications we receive. This section briefly explains the consultation procedures that we follow for planning applications.

### **3.1 Pre-Application Planning Advice**

If you're thinking about undertaking development and are unsure about whether you need planning permission and / or would like planning advice, information is available on the Planning pages of the Council's website at [www.rossendale.gov.uk](http://www.rossendale.gov.uk). It is possible to view and comment on planning applications, apply for pre-application advice and find out more about applying for planning permission on the Council's website.

We run a duty officer system for general planning queries. The duty officer will aim to answer general enquires relating to the planning process, although they are not able to offer advice on the acceptability of a proposed scheme, or to confirm whether or not planning permission is required. To contact the duty officer please ring 01706 252580, email us at [planning@rossendalebc.gov.uk](mailto:planning@rossendalebc.gov.uk) or call in to the Council's offices at The Business Centre, Futures Park, Bacup, OL13 0BB.

### Other sources of planning advice

The Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)), which is the Government's online planning and building regulations resource for England and Wales, provides an excellent starting point to understanding planning requirements. It provides information on the types of development that require planning permission and how to apply for planning permission. Planning applications can be submitted online via the planning portal.

Assistance with planning issues is also available from Planning Aid. It provides free, independent and professional help, advice and support on planning issues to people and communities who cannot afford to hire a planning consultant. Planning Aid complements the work of local authorities but is wholly independent of them. The website address is [www.rtpi.org.uk/planning-aid](http://www.rtpi.org.uk/planning-aid) or you can email the Planning Advisor for North West Planning Aid [northwest@rtpi.org.uk](mailto:northwest@rtpi.org.uk) or visit the RTPI North West website at <http://www.rtpi.org.uk/the-rtpi-near-you/rtpi-north-west/>.

## **3.2 Pre-application advice service and early community consultation**

### Pre-application Advice Service

To obtain formal planning advice on whether a development is likely to be acceptable in planning terms, we recommend that applicants take advantage of the Council's pre-application advice service. The aim of this process is to:

- identify key issues and planning policies that need to be taken into account;
- identify likely issues at an early stage, enabling amendments to be made to a scheme prior to submitting a planning application;
- enable us to process applications in a more timely way; and
- to help ensure that development is of a high quality.

Pre-application advice is issued on a confidential basis and any views or opinions given are informal and are not binding on any future decision we make. We would encourage you to prepare as much information as possible before applying for pre-application advice to allow officers to prepare appropriately and provide useful and relevant advice.

We have a schedule of charges for pre-application advice available on the Planning pages of the Council's website at [www.rossendale.gov.uk](http://www.rossendale.gov.uk), which also contains more details on the service.

### Early community consultations

In addition to applying for pre-application advice, developers are encouraged to contact the owners and occupiers of neighbouring land and properties with draft plans and invite comments within a specified time period, prior to submitting any formal applications to the Council. This is the best time to discuss potential development ideas, and for those who live nearby to consider whether they might be affected by a proposal and to make their views known.

There is a regulatory requirement for applicants for larger or potentially contentious developments such as major housing sites or wind turbines of a certain scale to carry out their own pre-application consultation. This consultation should bring draft proposals to the attention of the public, Town Council and other affected parties and provide an opportunity for them to make comments on the proposals. This consultation will allow information about the proposal to be presented to the community, enable potential issues to be addressed and amendments to be made before an application is submitted.

Depending on the scale and likely interest in the proposals, such consultation may take a number of forms including:

- Circulation of leaflets with draft proposals;
- On-line and / or on-site information on draft proposals;



- Arranging public meetings or exhibitions; and
- Requesting feedback within a specified time-scale to allow changes to be made.

Those submitting major applications<sup>3</sup> are expected to submit a Consultation Statement with their planning application, which describes the community consultation that has been undertaken, sets out the comments received and whether / how they have been taken on board.

Developers should also contact statutory undertakers and non-statutory bodies for technical advice where relevant.

### **3.3 Validation process**

Submitted planning applications will be issued with an acknowledgement receipt. Applications will be checked to ensure we have received the necessary information and fee and we will send an acknowledgement letter with details of the relevant Planning Officer and the time limit by which the Council will aim to determine the application. If the application is not considered valid, we will issue a letter to the applicant or agent with a request for further information / details required. Further information on the Council's validation checklist are available on the Planning pages of the Council's website ([www.rossendale.gov.uk](http://www.rossendale.gov.uk)).

### **3.4 Planning applications**

#### Publishing planning applications

Once a valid planning application is received, we follow statutory requirements to publish and consult as set out below:

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<sup>3</sup> Defined as schemes involving: residential development comprising the erection of 10 or more houses or development on a site of 0.5 hectares or more and non-residential development exceeding 1,000 square metres of floor space or on sites of 1 hectare or more or all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres ("the PAC threshold").

It is possible to view planning applications and decisions and comment on current planning applications on the Council's website ([www.rossendale.gov.uk](http://www.rossendale.gov.uk)). We also publish a weekly list of planning applications validated each week. The weekly list is published on the Council's website and distributed to Elected Members and local interest groups.

Computer terminals are available where members of the public can view planning application documents at the Council's One Stop Shop in Bacup during opening hours, Monday to Friday (excluding Bank Holidays), from 9am to 5pm.

We either write to all neighbours adjoining a proposal site (or who we consider may be materially affected by a development), and/ or post a notice in the vicinity of the site. The notice or letter contains a description of the development, where the plans can be viewed and how to make comments on the application.

Where statutory regulations require it, a newspaper notice will also appear in the local newspaper.

We consult with internal officers within the Council and various statutory and non-statutory bodies and interest groups for specialist advice.

### Commenting on applications

Anyone can comment on a planning application whether they have been notified directly or not. When determining planning applications, the Council can only have regard to planning matters (material planning considerations). Representations can be made by letter or e-mail. Alternatively, they may be sent electronically through the on-line comments form on the Council's website. All comments made will be public and the contents of representations are summarised in the Planning Officer's report. In respect of those applications to be reported to and determined by the Development Control Committee, both the applicant and the public have rights to speak before the Committee, as do Ward Councillors.

### Revised planning applications

Sometimes we need to recommend alterations to planning applications to make the proposal acceptable. Often, the amendments are minor and we do not need to re-consult people about them. For major amendments however, we normally consult all parties who were originally consulted and those that have commented with details of the amendments.

### **3.5 Prior notification and prior approval applications**

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) enables householders to be able to build larger single-storey rear extensions (for a limited time period); and to allow developers greater flexibility (under permitted development) for the change of use of certain buildings. Both are subject to a prior notification / prior approval procedure.

Under prior notification, applicants must provide the Council with advance notification of the proposals. The Council then has a statutory duty to notify adjoining neighbours or to post a site notice (depending on the type of prior notification). There are several possible outcomes of prior notifications:

- prior approval is not required (and the development can therefore go ahead in accordance with the legislative requirements);
- prior approval is required; an assessment then takes place as to whether the submitted details are acceptable, and the application is either approved or refused.
- In relation only to prior notifications under Class A, Part 1 of Schedule 2 (enlargement, improvement or other alteration of a dwelling house), where any owner or occupier of any adjoining premises objects to a proposed development, the prior approval of the Council is required as to the impact of the proposed development on the amenity of any adjoining premises. An assessment is made, and the application either approved or refused accordingly.

For prior approval applications, we will carry out notification/ consultation as required within legislation.

### **3.6 Permission in Principle**

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

Local planning authorities can grant permission in principle to a site upon receipt of a valid application or by entering a site in Part 2 of its brownfield land register which will trigger a grant of permission in principle for that land providing the statutory requirements set out in Town and Country Planning (Permission in Principle) Order 2017 (as amended) and the Town and Country Planning (Brownfield Land Register) Regulations 2017 are met.

Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings. Technical details consent can be obtained following submission of a valid application to the local planning authority. An application for technical details consent must be in accordance with the permission in principle that is specified by the applicant.

A decision on whether to grant permission in principle to a site following a valid application or by entering it on Part 2 of a brownfield land register must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise.

Regulation 6 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 and Article 5G of the Town and Country (Permission in Principle) Order 2017 (as amended) set out statutory requirements for publicising sites entered on brownfield land registers and where a valid application has been received. This requires a site notice and an online notice. The Council may also decide in some cases to take further steps to inform communities and other interested parties beyond the statutory requirements. This also applies to applications for Technical details consent.

### **3.7 Planning decisions**

Most planning applications are assessed by a designated Planning Officer and 'signed off' by a Principal Officer or the Planning Manager. When a decision has been made, we notify the applicant, or, if they have one, their Agent, in writing. The decision will also be posted on our website.

Where applications have a wider public interest and meet certain tests as set out in the Council's Constitution, for example, with respect to the number of objections received, applications will be decided at Development Control Committee meetings. The timetable for committee meetings is available on the Council's website at [www.rossendale.gov.uk](http://www.rossendale.gov.uk). Should an application need to go to committee, details of the procedure are set out in the initial neighbour notification letter.

The committee meetings are held in public at our offices at The Business Centre, Futures Park, Bacup, so that interested parties can hear the discussions on planning applications. It is also possible to register to speak at a meeting by contacting our Democratic Services team on 01706 252426.

Once the Development Control Committee has determined a planning application, a decision notice will be issued and the decision can be viewed on the Council's website.

### **3.8 Planning appeals**

Applicants have the right to appeal against the Council's refusal of planning permission. Appeals can be submitted via the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)). When an appeal is submitted, the Council will notify all those who were consulted originally or who made representations to the application. The Planning Inspectorate determines appeals and representations are normally sent to them directly. The decision will be published on the Council's website [www.rossendale.gov.uk](http://www.rossendale.gov.uk).

### **3.9 Enforcement**

Where alleged breaches of planning control have taken place, please contact the Planning Enforcement Officer for advice. Complaints must be made in writing. Further details can be found on the Planning Enforcement pages of the Council's website ([www.rossendale.gov.uk](http://www.rossendale.gov.uk)) and in the document 'Planning Enforcement Policy'.

## **4.0 Monitoring and reviewing the SCI**

Changing regulations, changing customer expectations and developments in technology mean that the effectiveness of consultation techniques need to be kept under review. Monitoring will help us to consider both the outcomes of consultation and the effectiveness of the process. A formal review of the SCI could be triggered if:

- Monitoring of consultation arrangements suggest the need for significant change;
- The number of responses to a consultation exercise is significantly below expectations, particularly from hard to reach groups; or if there are
- Significant relevant legislative changes.

A periodical review of the SCI will also be undertaken to ensure the document reacts to changing circumstances and is kept up-to-date.

# Appendix 1 – List of Local Plan Consultees

Government guidance sets out the consultees we must contact when preparing a Local Plan document. A full list of the consultees is held in the Council's Local Plan consultation database. Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.

## Statutory Consultees

- Government Departments
- Neighbouring Local Planning Authorities
- The Environment Agency
- Natural England
- Office of Road and Rail Regulation
- Network Rail
- East Lancashire Clinical Commissioning Group
- relevant Integrated Transport Authority (s)
- relevant Highway authority
- Highways England
- relevant telecommunications companies
- relevant electricity and gas companies
- relevant sewerage undertaker
- relevant water undertaker
- Neighbouring Parish Councils
- The Historic Buildings and Monuments Commission for England (known as English Heritage)
- Local Policing Body (Police and Crime Commissioner)
- The Coal Authority
- Civil Aviation Authority
- Homes England

## General Consultees

General consultation bodies include voluntary groups and those which represent the interest of different racial, ethnic or national groups; disabled persons; different religious groups; and persons carrying on business in the Rossendale area.



## Appendix 2: Glossary

**Adopted Policies Map:** sometimes referred to as the Proposals Map, this is a map of the Borough (on a registered scale) illustrating the policies and proposals in Local Plan Documents. The Adopted Policies Map must be revised as each new Local Plan Document is adopted.

**Authority Monitoring Report (AMR):** is produced annually and assesses progress in preparing the Local Plan.

**Community Infrastructure Levy (CIL):** is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area.

**Core Strategy:** sets out the strategic priorities and development strategy for the local authority area. This is a document that goes through consultation and if found sound by an Inspector through a public examination is adopted by the Council.

**Development Control Charter:** sets out a Local Authority's current practice on dealing with planning applications.

**Duty to Co-operate:** introduced under the Localism Act 2011 which requires planning authorities to work with neighbouring authorities and bodies on strategic issues and empowers communities to have greater influence on how plans for their area are drawn up

**Examination:** the independent examination conducted by a Planning Inspector to test the soundness of a Local Plan Document or Sustainability Appraisal.

**Local Development Scheme (LDS):** sets out the 3-year programme for preparing Local Development Documents.

**Localism Act 2011:** is legislation covering a range of matters intended to shift power from Government back into the hands of individuals, communities and councils. The planning provisions of the Act seek to make the planning system clearer, more democratic and more effective.

**Local Plans:** these are documents that set out the development requirements for the Borough for a 15 year period. This includes sites for housing and employment as well as policies setting out how planning applications will be considered.

**National Planning Policy Framework (NPPF):** was originally published in March 2012 and updated in 2018. It sets out the Government's priorities for planning in England.

**Neighbourhood Forum:** is made up of representatives of the local community who work together to jointly address issues of concern.

**Neighbourhood Plans:** introduced under the Localism Act 2011 and prepared by local communities for a particular neighbourhood area. The plans are taken forward by neighbourhoods themselves although there are parts of the process where the local authority provides assistance.

**Planning Aid:** provides a free, independent and professional planning advice service to individuals and groups who cannot afford professional fees.

**Planning Committee:** a committee (full title 'Development Control Committee') composed of ward councillors which is responsible for planning applications, Tree Preservation Orders and enforcement action for the whole Borough.

**Planning Inspectorate (PINS):** the body which provides an Inspector (appointed by the Secretary of State) to carry out an independent assessment of the soundness of a Local Plan Document or Sustainability Appraisal. The Inspectorate also processes planning, listed building consent, advertisement and enforcement appeals.

**Planning Portal:** is the Government's online planning and building regulations resource for England and Wales.

**Planning Practice Guidance:** this complements the NPPF and is electronic Government guidance that sets out in more technical detail how particular planning issues should be addressed.

**Prior approval application:** an application notifying the Council that an applicant intends to carry out development that does not require planning permission.

**Soundness:** a Local Plan Document will be sound if it meets certain tests at the Examination stage. These tests require that a document is prepared according to the correct procedures, that it conforms to other policies, and that its proposals are coherent, consistent and effective.

**Submission:** the stage in producing a Local Plan Document when it is given to the Secretary of State for independent examination.

**Supplementary Planning Document (SPD):** a Local Development Document which provides supplementary information to support the Local Plan. An SPD may be related to a topic or to a specific area.

**Sustainability appraisal:** a tool for appraising policies to ensure they reflect sustainable development objectives (that is social, environmental and economic factors) and required in the Act to be undertaken for all Local Plan Documents.

**Validation:** On receipt of a planning application, the Local Planning Authority will check the application to determine whether it's complete and verify that all the necessary information, including the planning fee, has been received. Once an application has been deemed valid, the determination process starts and notification is given to the applicant in writing.

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