

Subject:	Update on Local Plan (Reg 19 version) Consultation and Approval of Revised Local Development Scheme (2018 to 2021)	Status:	For Publication
Report to:	Council	Date:	12 th December 2018
Report of:	Planning Manager	Portfolio Holder:	Deputy Leader of the Council
Key Decision:	<input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	To note the responses received in respect of the consultation undertaken on the Local Plan Proposed Pre-Submission version.
1.2	To approve the Local Development Scheme 2018 to 2021, to be effective from 13 th December 2018.

2. PURPOSE OF REPORT

- 2.1 This Report seeks to inform members of the responses received to the consultation undertaken on the Local Plan Proposed Pre-Submission version.
- 2.2 It also seeks approval for a revised Local Development Scheme (LDS) to cover the period 2018 to 2021, which will replace the current LDS 2016-2019.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale:** our priority is to keep Rossendale clean and green for all of Rossendale's residents and visitors, and to take available opportunities to recycle and use energy from renewable sources more efficiently.
 - **A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, 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:** 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 The Forward Planning team is continuing to consider in detail the responses received, particularly those that relate to legal compliance, soundness or the Duty to Co-operate, prior to submission of the Local Plan for independent examination.
- 4.2 There is a statutory duty placed on Local Planning Authorities to publish and keep up-to-date a Local Development Scheme that sets out the timetable for the preparation of the Local Plan. Progress against the milestones set out in the LDS is monitored by the Ministry of Housing, Communities and Local Government (MHCLG).

5. BACKGROUND AND OPTIONS

- 5.1 As members will recall, at its meeting on Wednesday 11th July 2018, Council approved the Proposed Pre-Submission version of the Rossendale Local Plan for a formal 6-week consultation, in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This Report provides a general overview of the comments that were received during the period 23rd August to 5th October 2018.
- 5.2 All Local Planning Authorities are obliged under the Planning and Compulsory Purchase Act of 2004, reiterated in the 2011 Localism Act, to prepare and publish a Local Development Scheme. The current Local Development Scheme was published in February 2016, agreed by Council on 24.02.16, which updated the timetable in response to the decision taken at the same meeting to withdraw the Local Plan Part 2 and embark on a new Local Plan for Rossendale.
- Rossendale Local Plan Consultation**
- 5.3 At the meeting on 11th July 2018 authority was 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”. A number of changes were made to the Written Statement and associated Policies Map prior to the consultation commencing. In line with the Council resolution, the proposed transit site for Gypsies and Travellers at Barlow Bottoms was removed and “relocated to a small discreet piece of land owned by the Borough Council at the far corner of Futures Park.” Other changes were made as scheduled in *Errata to the Publication (Pre-Submission) version of the Local Plan (3rd September 2018)*, which was published on the Council’s website at the start of the consultation and updated on 3rd September to correct a further error.
- 5.4 The consultation began on Thursday 23rd August and ended at midnight Friday 5th October. An overview of the responses received has been published on the Council’s website. In total 817 individual comments were made by 556 respondents. A further 12 representations were received after the deadline, these have not been published but will be submitted to the Planning Inspectorate, marked as Late Responses Received.
- 5.5 Unfortunately not many of the respondents used the online comments form (also available as a paper copy too) so, although comments were made, other questions were not well answered, as shown below:

Percentage of responses based on 817 comments	Yes	No	Did not answer
Is the Local Plan legally compliant?	9%	6%	85%
Is the Local Plan sound?	4%	23%	73%
Does the Local Plan comply with the duty to co-operate?	8%	7%	85%
Do you want to participate at the Examination in Public?	8%	13%	79%

The vast majority of respondents were from residents in the Borough (88%), with 6% from agents, developers and landowners and 5% from consultation bodies (specific and general).

5.6 The Council encouraged respondents to complete the online comments form, as this is the most efficient for the Council to process and also ensures comments are recorded accurately. Almost one fifth of respondents used this form. However, most came via a letter (46%), including two residents groups who had devised a template for their members to complete. One third of the comments came via emails to the Forward Planning inbox.

5.7 **Specific Policies**

Policies that attracted more than 10 comments are listed below:

Policy Ref	Policy Title	No. of responses
Policy HS2	Housing Site Allocations	500
Policy EMP2	Employment Site Allocations	34
General comments on the Local Plan	N/A	28
SD2	Urban Boundary and Green Belt policy	25
HS18	Gypsies Travellers and Showpeople policy	21
HS1	Meeting Rosendale's Housing Requirement	12
ENV07	Wind Turbines policy	11

5.8 **Proposed Housing Sites**

The comments received on the Housing Site Allocations Policy (HS2) can be analysed further.

The largest number received (310 responses) relate to four proposed allocations in Loveclough, namely: Turton Hollow (H4); Swinshaw Hall (H5); Loveclough Working Men's Club and Land to the Rear (H13); and Land south of Goodshawfold Road (H17). The proposed allocation at Grane Village (H74) attracted 71 comments. The representation about the proposed Green Belt release (Site Ref H72) from Edenfield Community Neighbourhood Forum was supported by 1,213 people. The Willow Avenue proposed allocation (H15) received an objection supported by 12 households.

5.9 **Proposed Employment Sites**

Policy EMP2, which identifies a number of proposed employment sites for allocation, received 34 comments. The two sites that attracted the most number of comments were Carrs Industrial Estate North Extension (NE3), which received 8 comments, and Land North of Hud Hey (NE2), which received four comments.

5.10 **Other Policies**

The non site-specific policy attracting the most attention is ENV7 on wind turbines, with an objection attracting 16 community groups. A proposed boundary change at Higher Clougfold, near Marl Pitts, received a 18-strong objection.

Rossendale Local Development Scheme

- 5.11 In accordance with section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) Local Planning Authorities must prepare a Local Development Scheme (LDS). As explained in the Government's National Planning Practice Guidance this must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. The LDS must be kept up-to-date, made available publically, and published on the Council's website, as it is important that local communities and interested parties can keep track of progress.
- 5.12 The last Local Development Scheme was agreed at the Council meeting held Wednesday 24th February 2016. Progress on the Local Plan has been made in general conformity with the LDS, albeit publication was delayed by a month, starting in August 2018 rather than July as set out in the LDS. By delaying publication a month, consultation avoided much of the summer holiday period.
- 5.13 For all avoidance of doubt this version of the LDS will take effect as of 13th December 2018, with minimal changes proposed.
- 5.14 The latest LDS (2018-2021) seeks to take forward the Local Plan through submission and examination to adoption. Submission is now expected to take place in February 2019 with the Examination in Public expected to commence fourteen weeks later, in line with the Planning Inspectorate's general practice and the expected Service Level Agreement, so still likely to commence in June 2019. All other dates remain the same, with the Inspector's Report expected November 2019 and adoption in March 2020. This is of course subject to the Planning Inspectorate's (PINS) agreement with no special issues or further key guidance or legislation being introduced which will require additional consultation.

Preparation of the Preliminary Draft Charging Schedule is now recommended to begin after receipt of the Inspector's Report on the emerging Local Plan, subject to approval by the Council.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

- 6.1 The Local Plan, its implementation, and other associated documents, as referred to in the Local Development Scheme, 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. If the Plan is not prepared in accordance with legal requirements it is likely to be found unsound at examination and would not be able to proceed to adoption.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

- 8.1 The Local Plan is a key document in delivering the Council's Corporate priorities. 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.

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.

A Full Equality Impact Assessment has been undertaken and it has been identified there are no disproportional impacts. Any impacts identified on people with protected characteristics will need to be considered.

9. CONCLUSION

9.1 A significant number of responses were received on the Local Plan. These are currently being considered in detail by the Forward Planning team and preparation is underway for submitting these comments, the Local Plan itself and the Policies Map as well as the other required documents for independent examination in February next year (including the Consultation document, Statement of Community Ground etc).

Background Papers	
Document	Place of Inspection
Errata to the Publication (Pre-Submission) version of the Local Plan (3rd September 2018)	https://www.rossendale.gov.uk/downloads/file/14508/errata_to_the_publication_pre-submission_version_of_the_local_plan_3rd_september_2018
Overview of the comments received	https://www.rossendale.gov.uk/downloads/file/14576/overview_of_the_comments_received
Comments Received on the Local Plan (Reg 19) consultation	https://www.rossendale.gov.uk/downloads/download/1127/responses_received_on_the_publication_pre-submission_version_of_the_local_plan
Local Development Scheme 2016-2019 (adopted 2016)	https://www.rossendale.gov.uk/downloads/file/13582/local_development_scheme
	Paper copies are also available to view at the One Stop Shop, during normal opening hours

Local Development Scheme and Proposals Map Timetable 2018 to 2021

Effective from 14th December 2018

Local Plan

Draft Plan	Publication	Submission to Planning Inspectorate	Examination in Public	Inspector's Report	Adoption by Council	Draft Plan
July 2017	July 2018	February 2019	June 2019	Nov 2019	March 2020	July 2021

CIL*

Consultation on Preliminary Draft Charging Schedule & other documentation	Consultation on draft Charging Schedule & other documentation	Submission to Planning Inspectorate	Examination in Public	Inspector's Report	Adoption by Council
July 2020	July 2021	Feb 2022	June 2022	Nov 2022	March 2023

DPD Preparation Stages and alignment with Town and Country Planning (Local Planning) (England) Regulations 2012			
Public Participation (Regulation 18)		Examination in Public (Regulations 23 & 24)	
Publication of the DPD and Representations (Regulations 19 & 20)		Inspectors Report (Regulation 25)	
Submission of the DPD (Regulation 22)		Adoption (Regulation 26)	

The table above shows the timetable for the preparation of the Local Plan and the Proposals Map, through to adoption in 2020.

* A decision has not yet been taken by the Council in respect to the Community Infrastructure Levy. If it is decided to proceed, documentation will include information on Infrastructure requirements, viability and other funding sources for infrastructure as well as the Charging Schedule. It is intended, where possible, to align the consultation with that of the Local Plan in order to enable both documents to be examined as part of one large inquiry but this is dependent .

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