

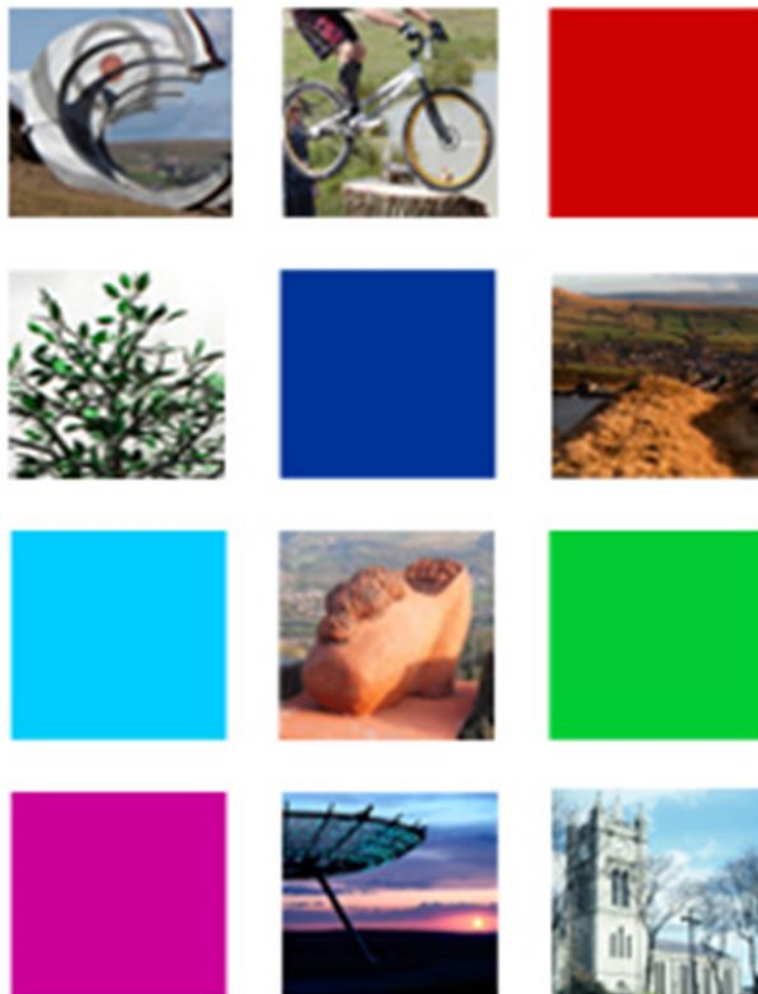
# Rossendale

BOROUGH COUNCIL

## Statement of Community Involvement 2019

### Forward Planning Team

February 2019



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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).

A revised National Planning Policy Framework (NPPF) was published in July 2018. Planning Practice Guidance (PPG) notes have also been added and updated, in particular the Plan-making PPG, published in September 2018. The NPPF encourages consultation at key stages as we prepare planning policy documents and before decisions are made on planning applications.

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 Regulation<sup>1</sup> (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 Community Partnerships across the Borough covering the areas of Whitworth, Bacup, Rawtenstall and Haslingden. Membership of the partnerships 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 Community Partnerships 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.

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<sup>1</sup> General Data Protection Regulation (2016/679)

## 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>2</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.

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<sup>2</sup> The Neighbourhood Planning (General) Regulations 2012 (2012 No. 637) and The Neighbourhood Planning (General) (Amendment) Regulations 2015 (2015 No. 20)



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

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
- Community Partnerships
- 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> (Regulation 18) <sup>3</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> (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> (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 PINS at the time of submission for examination. 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> (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 consultation 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>3</sup> The 'Regulations' refer to the Town and Country Planning (Local Planning) (England) Regulations 2012. (2012 No. 767)

**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/ 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>Community Partnerships</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 Neighbourhood 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 We will consult on the proposed Area boundary and the make-up and Constitution of the Forum	Website Emails Letters Social media Press releases
Submission	A minimum of 6 weeks consultation is required. We will consult on the draft Neighbourhood Plan	Website Emails Letters Social media Press releases
Independent Examination	Appointment of the Independent Examiner and publication of their report	Website Emails Letters Social media Press releases
Referendum	The Council will organise a public ballot on the Plan and publish the result of the ballot	Ballot Website
Plan comes into force	Following formal adoption at Council the Plan will be made available	Website Emails 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>4</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>4</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
- Whitworth Town Council
- Designated Neighbourhood Forums
- 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.

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

**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 the body that lead on the production of a neighbourhood plan in neighbourhood areas that are not covered (either in part or in whole) by a town or parish council.

**Neighbourhood Plans:** introduced under the Localism Action 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.

**Produced by**

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Rossendale  
BOROUGH COUNCIL

