

ROSSENDALE DRAFT LOCAL PLAN

DUTY TO CO-OPERATE STATEMENT INCORPORATING STATEMENT OF COMMON GROUND



August 2018

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1. Introduction

- 1.1 This document is prepared to accompany the Pre-Submission Publication (Reg. 19) version of the Rossendale Local Plan.
- 1.2 It is produced in accordance with s.110 of the Localism Act of 2011, which places a duty on Local Planning Authorities, County Councils and other public bodies to engage constructively, actively and on an on-going basis to ensure the effectiveness of Local Plans in respect of strategic cross-boundary matters. The purpose of the legislation is to ensure that these matters of co-operation are taken into account in the decision-making process. The Duty to Cooperate does not require a duty to agree yet nevertheless it is expected that all necessary cooperation on strategic cross-boundary matters will have been achieved prior to submission of Local Plans.
- 1.3 This paper reflects the work done up to Publication stage of the Rossendale Local Plan. As joint working continues to develop and new guidance published then this document will be updated as necessary.

2. Background

- 2.1 The former National Planning Policy Framework (NPPF, known also as the Framework) was published in 2012) explained the Duty and further details were set out in the accompanying National Planning Practice Guidance (NPPG). The Government published a revised version of the NPPF on 24th July 2018 which has updated the Duty to Co-operate and introduced a requirement for Statements of Common Ground to be prepared to document any cross boundary matters and provide progress on how these matters are being dealt with. As part of the consultation on the Draft NPPF review (issued in March 2018) draft updates to the NPPG were also released, however, these have still not been formally incorporated into the Planning Practice Guidance (known as the PPG).
- 2.2 This is the first Statement of Common Ground produced by Rossendale Borough Council in respect of the Local Plan and also documents activity in respect of the Duty to Cooperate. The document will be updated as necessary in the light of further work undertaken and future updates to the PPG.
- 2.3 The Duty to Co-operate applies not just to local authorities but to other public bodies as prescribed in the Town and Country Planning (Local Planning) (England) Regulations of 2012 as amended by the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013. These bodies are listed in the current PPG (Paragraph: 005 Reference ID: 9-005-20150402, Revised: 02 04 2015) as follows:

Prescribed Bodies

- the Environment Agency
- the Historic Buildings and Monuments Commission for England (known as Historic England)
- Natural England
- the Mayor of London
- the Civil Aviation Authority
- the Homes and Communities Agency
- each clinical commissioning group established under section 14D of the National Health Service Act 2006
- the National Health Service Commissioning Board
- the Office of Rail Regulation
- Transport for London
- each Integrated Transport Authority
- each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
- the Marine Management Organisation.

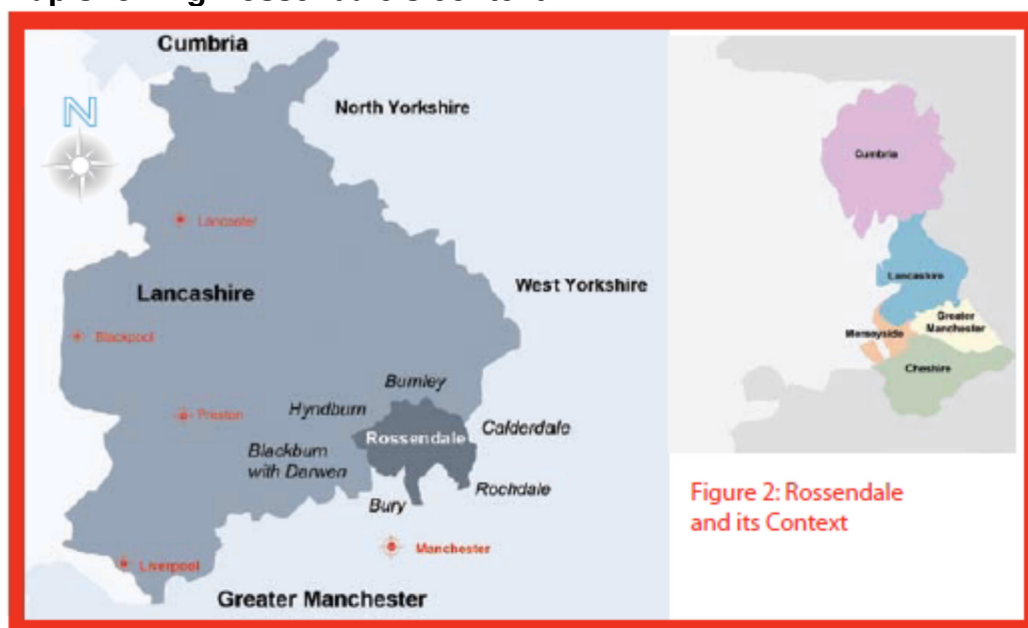
- 2.4 These bodies listed above are considered to play a key role in delivering local aspirations so cooperation between them and the Local Planning Authorities (LPAs) is necessary to ensure Local Plans are as effective as possible on strategic cross-boundary matters. This cooperation needs to be proportionate to ensure maximum effectiveness.
- 2.5 Local Enterprise Partnerships and Local Nature Partnerships are not themselves subject to the requirements of the Duty to Cooperate but the current NPPG notes that LPAs must cooperate with them and have regard to their activities in preparing their Local Plans, where those activities are relevant to local plan making. Local Enterprise Partnerships have a key role to play in delivering local growth by directing strategic regeneration funds and in providing economic leadership through their Strategic Economic Plans. Local Nature Partnerships work strategically to help their local areas manage the natural environment and they are encouraged to work at a broader 'landscape scale'. Local planning authorities should seek opportunities to work collaboratively with Local Nature Partnerships to deliver a strategic approach to encouraging biodiversity.
- 2.6 Cooperation must take place through Local Plan preparation, from the initial scoping and evidence gathering stages. This cooperation should continue until plans are submitted for examination and beyond into delivery and review. Compliance with the Duty cannot be corrected after submission for examination. Failure to demonstrate compliance can lead to the Plan needing to be withdrawn.

3. Rossendale Context and Approach to Cooperation

3.1 Rossendale lies on the border of three conurbations, Lancashire, Greater Manchester and West Yorkshire. It is a borough within Lancashire, located in the south east of the county, in an area known historically as East Lancashire. Rossendale is part of the Pennine Lancashire group of districts, together with the other Lancashire boroughs of Burnley, Pendle, Hyndburn and Blackburn with Darwen. Immediately to the south of Rossendale sit the metropolitan boroughs of Bury and Rochdale, which are within the Greater Manchester Combined Authority. To the east of the Borough lies Calderdale, a metropolitan borough within the West Yorkshire Combined Authority.

3.2 The map below shows the area covered by this Duty to Cooperate Statement.

Map showing Rossendale's context



3.3 Discussions with relevant local planning authorities have taken place throughout the preparation of the Local Plan with many of these arrangements already in place. These discussions have included formal meetings of official local authority groupings as well as meetings with individual local authorities and other public bodies, and attendance at events such as Workshops in connection with key pieces of Evidence Base, such as the Strategic Housing Market Area Assessment etc. Officers regularly attend quarterly meetings of the Lancashire Development Plan Officers Group (DPOG) which comprises all the districts in Lancashire as well as the two unitary authorities (Blackpool and Blackburn) and Lancashire County Council. A representative from the Lancashire Local Economic Partnership (LEP) often attends and colleagues in Public Health (a county function) have recently requested to attend this group too. Progress on Local Plans is a standing agenda item and specific pertinent items can be added to the agenda, with presentations invited from other key organisations.

- 3.4 The table below shows the status of Development Plan Documents (DPDs), excluding Area Action Plans and Neighbourhood Plans within neighbouring authorities as of July 2018.
- 3.5 This shows the different approaches undertaken in the preparation of Development Plan Documents.

Table showing the stages of plan-making for adjoining authorities.

AUTHORITY	TYPE OF DEVELOPMENT PLAN		
	Core Strategy	Allocations and Other DPDs	Single Local Plan
Burnley			Adopted August 2018
Hyndburn	Adopted 2012	Development Management DPD adopted 2018	Core Strategy Review and Site Allocations DPD Publication (Reg19) expected Spring 2020
Pendle	Adopted 2015	Site Allocations Reg. 18 consultation expected 2018	
Blackburn with Darwen	Adopted Jan 2011	Site Allocations and DM Policies (Local Plan Pt 2) adopted Dec 2015	Publication (Reg. 19) expected June 2020. Currently compiling Evidence Base.
Bury			Reg. 18 consultation due to be published winter 2018/spring 2019, dependent on GMSF
Rochdale	Adopted Oct 2016	Reg. 19 consultation – Sept 2018	
Greater Manchester Combined Authority			Greater Manchester Spatial Framework (GMSF) 2 nd draft consultation due Oct 2018
Association of Greater Manchester Authorities (AGMA)			GM Joint Waste Plan – adopted April 2012 GM Joint Minerals Plan – adopted April 2013
Calderdale			Reg. 18 consultation (including minerals and waste) Aug 2018
Lancashire County Council and Blackburn with Darwen BC and Blackpool BC	Joint Lancashire Minerals and Waste Core Strategy adopted 2009.	Joint Lancashire Site Allocations and Development Control Policies (adopted 2013).	
Key	Stage completed	Next stage	

4. Joint Working

4.1 There are a number of policy areas where there are cross boundary implications and evidence gathering has been undertaken on behalf of a number of districts. Some of this was begun before work started on the emerging Local Plan. The findings of this work have formed part of the Evidence Base for the authorities involved. In the main this relates to transport matters as well as landscape, renewable energy and bio-diversity matters affecting the defined South Pennines Special Protection Area.

4.2 *South Pennines SPA - Wind Energy and Renewable Energy*

4.3 The South Pennines Wind Energy Group was established as a response to the pressure for this type of development with its cross border implications for the South Pennine Landscape area. A Memorandum of Understanding was agreed by a number of the South Pennine Authorities and can be found at Appendix 1. The Group is currently considering broader landscape issues, including the proposed Regional Park and a Visitor Management Plan to address concerns relating to impacts on the South Pennines SPA/SAC/SSSI.

4.4 Several studies have been undertaken on behalf of South Pennine Authorities to address the cumulative impact of wind turbines on the landscape and cross boundary impacts. An initial study was undertaken in 2010 and extended in a further study in 2014. A separate study undertaken in 2013 addressed the impact of wind turbines up to 60m in height. Whilst the local authorities involved in individual studies varied, overall the authorities of Barnsley, Blackburn, Burnley, Bury, Calderdale, Hyndburn, Kirklees, Pendle, Rochdale and Rossendale jointly commissioned the studies. A common database and associated mapping of wind turbines is kept up-to-date.

4.5 Rossendale was one of a number of South Pennine authorities who commissioned the Renewable and Low Carbon Energy Study undertaken by Maslen Environmental to assess the potential for Renewable and Low Carbon Energy in the constituent local authorities.

4.6 Although not within the designated Special Projection Area (SPA) itself it is recognised that Rossendale's upland areas, which have extensive areas of deep peat, have an important role to play in relation to the SPA, including the breeding ground for important species of birds. This is considered in more land in the Habitats Regulations Assessment but nevertheless this is an important area for co-operation with adjoining districts, Pennine Prospects and Natural England. A need has been identified across the South Pennines for a Visitor Management Plan in order to avoid damaging this habitat and the species within it and work will be commencing on this shortly with other parties including other local authorities.

4.6 **Transport**

- 4.7 At the local level the Highways Authority, which is Lancashire County Council, has engaged with the Council to discuss high-level local access requirements, particularly in respect of housing developments. A Highways Capacity Study has been undertaken to identify the impacts on the road infrastructure of the proposed allocations. The work was undertaken by Mott Macdonald and the study was overseen by a Steering Group comprising RBC as well as LCC and Highways England, given their responsibility for the A56 which runs north to south in the west of the Borough. Taking forward the recommendations may require working with partners such as the Fire Service, as one solution, albeit costly, is to relocate the Fire Station from the Gyrotory to improve traffic flows at this pinch point in Rawtenstall.
- 4.8 The East Lancashire Highways and Transport Masterplan was published in February 2014 prepared by Lancashire County Council and Blackburn with Darwen, which as a unitary authority is itself responsible for highways and transport within the Borough. One key aspect of this study was the potential commuter railway link into Rossendale, a key aspiration of Rossendale Borough Council. The Study highlights the challenge of running a regular main line and heritage services to operate on the same infrastructure and that such an initiative could be very poor value for money.
- 4.9 This Study identified the need for further work to look at the A56/M66 Rawtenstall to Manchester Gateway to consider how links to Greater Manchester and the wider motorway network can be facilitated. As well as looking at roads in Rossendale and Greater Manchester this will also consider how a rail link could provide benefits to Rossendale and to the wider East Lancashire area and will also consider what form such a link could take, as there are a number of potential solutions to rail provision in that corridor. The A56/M66 Gateway Study reported in 2016 that that attention should be focused on measures that will underpin and support the operations of the existing X41/X43 express bus services within the corridor. Potential options range from upgrading the M66 to a 'Smart' motorway to the introduction of bus priority measures between the M60 and Manchester city centre or diverting the X43 on to another route to improve both journey times and journey time reliability.
- 4.10 Work is continuing on providing a business case for the Rail link which is seen as a long term project and discussions are on-going with the adjoining authorities in Greater Manchester, Lancashire County Council and other interested parties including Network Rail, Transport for the North etc.
- 4.11 The Valley of Stone Cycleway is progressing well, led by Lancashire County Council, and is linking up with routes outside of the Borough.

4.12 Heritage Assessment

Undertaken in-house by the Borough's Conservation Officer, a heritage impact assessment of all proposed allocations has been undertaken. The methodology for the study was agreed with Historic England.

4.13 Playing Pitch Strategy

A playing pitch strategy (PPS) was jointly commissioned by Rossendale, Burnley and Pendle Borough Councils. This provides a strategic framework for the maintenance and improvement of existing outdoor sports pitches and ancillary facilities between 2016 and 2026. The PPS covers the following playing pitches and outdoor sports: football pitches cricket pitches; rugby union and league pitches; artificial grass pitches (AGPs); hockey; bowling greens and tennis courts. The local authority boundaries of Rossendale, Pendle & Burnley provided the geographic scope of the PPS, with sub areas, created to allow a more localised assessment of provision and examination of playing pitch surpluses and deficiencies at a local level. Generally it was found that although provision could be shared between Pendle and Burnley, this was not the case for Rossendale, where provision needs to be within the Borough.

4.14 Work is also on-going with Sport England to look at built sports facilities in Rossendale and it is expected that joint position paper will be undertaken in liaison with Rossendale Leisure Services and Sport England. This will consider what facilities Rossendale has and where they are located, addressing supply and demand, to provide an understanding of if or how housing growth may affect facilities.

4.15 Minerals and Waste

This is a county planning matter in Lancashire and discussions are taking place with the County council as they commence their review. Meetings have taken place to discuss issues in Rossendale and a joint meeting with the Coal Authority has taken place

4.16 Flood Risk

Rossendale falls within two river catchments – the Irwell and the Spodden. The Irwell flows from the north east of Rossendale, almost on the boundary with Burnley above Bacup, through Rossendale and Bury to Manchester and Salford. The River Spodden also flows through Rossendale, rising in the hills at Shawforth, above Whitworth and south through Rossendale to Rochdale where it merges with the River Roche. Lancashire County Council performs the role of Lead Local Flood Authority, whilst the district falls within two Environment Agency areas, given that the river catchments align with Greater Manchester whilst the district and responsibility as Lead Local Flood Authority falls within Lancashire. Rossendale is involved in several related groups/initiatives including the Irwell Catchment Partnership and Making Space for Water and Slow the Flow, which looks to address flood risk issues. Discussions regularly take place with United Utilities regarding development sites and potential issues and constraints on sites.

5. Cross boundary working on Strategic Policy Areas

5.1 This section addresses joint working under the relevant policy areas of the Local Plan with all relevant organisations including local authorities within and beyond Rossendale and other prescribed bodies.

5.2 Meetings have regularly taken place throughout the plan preparation process and adjoining authorities have routinely been approached to consider cross-boundary issues in appropriate studies which contribute to the Evidence Base.

5.3 Housing Market Areas and Objectively Assessed Housing Need

To a large extent the Housing Market Area for Rossendale can be described as being self-contained, albeit that the level of containment at 61% falls below the recognised threshold that 70% of local moves are contained, as advocated in Government guidance, and which is commonly accepted. Despite a number of alternative scenarios being devised, none of the alternative HMA areas produced a self-containment level that was significantly higher than using the Borough boundary alone. The results of the SHMA analysis were shared with adjoining authorities and they have agreed that for the purposes of meeting housing requirement the best geography to use for the Rossendale HMA coincided with the Borough boundary.

5.4 Nevertheless Rossendale has strong links and high inter-dependency with the adjoining Boroughs. These are particularly apparent with Rochdale and Bury, reducing in order of magnitude with Hyndburn, Burnley and to a lesser extent Manchester city.

5.5 All the adjoining districts were happy to support using the Borough boundary for the definition of the Housing Market Area, and for which the Objectively Assessed Need (OAN) for housing would be assessed.

5.6 Local Authority Responses to meeting Rossendale's development land requirements

5.7 Given the constraints facing Rossendale in respect of topography, flooding, proximity to the South Pennines SPA, Green Belt making up almost 25% of the Borough's land area, viability concerns in parts of the Borough, limited transport infrastructure and other infrastructure deficiencies in health and education provision, it is not considered feasible for Rossendale to be able to meet any other district's requirements for development, on top of its own needs. An email to all adjoining authorities (July 2018) confirmed this.

5.8 All adjoining authorities have been asked if they could consider taking any of Rossendale's housing requirement, or if they were expecting Rossendale to meet their housing needs. No authority came back to Rossendale specifically asking this Council to meet their development requirements, neither have they offered to meet any of Rossendale's needs. This applies to housing and employment land.

- 5.9 The Greater Manchester Combined Authority** has contacted all authorities that adjoin the conurbation asking if any other districts consider themselves to be in a position to be able to accommodate any of Greater Manchester's requirements for additional development up to 3036 (email of 03.07.18). The intention of their email was to identify how GM's strategy in terms of housing, employment and potential Green Belt requirements would be affected. A later email (25.07.18) responded to specific points and confirmed that GM's Economic Strategy was founded on the Functional Economic Market Area (FEMA) coinciding with the administrative boundary for GM and as such did not accommodate any land to meet Rossendale's requirements for B1, B2 and B8 employment land.
- 5.10 In respect of Gypsy and Traveller accommodation, the 2014 Gypsy and Traveller Accommodation Assessment (GTAA), which will be updated shortly, identified the need for 91 Gypsy and Traveller pitches, 235 Travelling Showpeople requirements, and 59 Transitional pitches by 2035. It is not considered that GM can accommodate any additional provision on top of this.
- 5.11 Rochdale's** position has been set out in the response from the Combined Authority. Meetings have taken place between Rochdale and Rossendale on numerous occasions to discuss the various development Plan documents of both authorities, including Rochdale's emerging Site Allocations DPD in February this year. These meetings often took place with adjoining authorities for Rochdale and which overlap with Rossendale – namely Bury and Calderdale.
- 5.12 Bury's** position has reiterated that of the Combined Authority noting that GM authorities do not require surrounding local authorities to meet any of the conurbation's needs for housing, employment or Gypsies and Travellers, nor is it expected that GM can meet the needs of surrounding districts. Bury specifically referred to the proposed Green Belt release in the south west of Rossendale for development, stating that they would await the Reg. 19 Local Plan to see if they wish to comment, particularly in respect of any concerns to the supply of housing and employment land in the north of Bury.
- 5.13 Blackburn with Darwen** is currently in the early stages of working on a new Local Plan, commissioning new evidence, and do not currently consider there will be any need for Rossendale to accommodate any of Blackburn with Darwen's needs for employment or housing land or vice versa.
- 5.14 Calderdale** is at a similar stage of Local Plan preparation, noted that it is essentially a self-contained housing market and plans to meet its own development needs. Calderdale's Duty to Cooperate Statement, justifies why Calderdale is not in a position to meet any of Kirklees requirements. It is agreed that links between Rossendale and Calderdale are fairly limited. In Calderdale's Duty to Cooperate Statement it notes that both authorities acknowledge lack of cross boundary relationships but are exploring education capacities in area adjacent administrative boundary. Any HRA/SPA issues will be addressed through the South Pennines Renewables and Landscape Group, which is also attended by authorities from Burnley, Hyndburn, Pendle,

Blackburn with Darwen, Lancashire County Council, Bury and Rochdale, amongst others such as Kirklees, High Peak and Craven.

- 5.15 Burnley** having recently just adopted a Local Plan does not see itself in a position to meet any of Rossendale's needs, nor does it see the need for other authorities to meet any of its own needs, given that the very recent adoption date.
- 5.16 Hyndburn** has clarified that it is unable to meet any of Rossendale's employment requirement and states that doing so would likely require an argument to be made to justify exceptional circumstances to release land in the Green Belt. Given the early stage of plan preparation Hyndburn considers itself unable to comment on whether or not it can take on any of Rossendale's requirement at this current time. Hyndburn will be undertaking an update of its 2014 Gypsy and Traveller Accommodation Assessment (GTAA), with outputs expected spring/summer 2019. Until this study has reported back Hyndburn does not consider it can accommodate Rossendale's requirements for a transit site. Hyndburn expects its future housing requirement to be very low, at just 60 dwellings per year, and this does not accord with the desired level of growth, as based on land supply evidence.

6. Other Organisations

- 6.1** As noted above the Duty to Cooperate does not solely apply to local authorities but to other organisations too. Of relevance to Rossendale are: the Environment Agency; Historic England; Natural England; Homes England; and the Clinical Commissioning Group.
- 6.2** The **Environment Agency** has been involved in several meetings with Rossendale and as a result of their concerns a number of sites have not been allocated, where the risk of flooding cannot be ameliorated. Discussions also take place within other groups attended by both Rossendale and the EA, including Making Space for Water, the county-wide Tactical Flood Group, as well as the Irwell Catchment Partnership. These discussions led to consideration by both organisations of designating Rossendale as a Critical drainage Area (CDA) where there is a need for surface water to be managed to a higher standard than normal to ensure any new development would contribute to a reduction in flooding risks. However, on further consideration the Environment Agency does not see this to be the most appropriate option.
- 6.3** **Historic England** has been actively engaged in assisting with preparation of the Local Plan and has provided advice to the Council in respect of assessment methodology and policy wording. It is expected that this will continue throughout the plan-making process.
- 6.4** **Natural England** As well as providing input to the Local Plan, Natural England has been engaged in the Sustainability Report and Habitat Regulations Assessment, mainly via telephone conversations. Natural England's main concern has been the impact of development on the South Pennines SPA, and for this reason a number of sites are no longer being

considered for development. Natural England is also concerned about visitor pressure on this protected habitat and would want to see a Visitor Management Study undertaken to address this and identify mitigation.

- 6.5 **Homes England** has met regularly with Rossendale Borough Council and is supporting the Council with accelerating development on some proposed housing sites. It is expected that this work will continue and will help especially with the delivery of affordable housing.
- 6.6 **NHS East Lancashire Clinical Commissioning Group** has **raised** concerns about the additional number of patients requiring medical and dental services that could be expected from the proposed additional housing and the existing capacity of staff including clinicians to treat this increase. All nine GP practices in Rossendale are willing to expand but this would cost, and there are no guaranteed funding streams for either the staffing or the premises. Discussions are ongoing and this is referred to in the Infrastructure Delivery Plan. In addition to the CCG discussions have taken place with Public Health Lancashire who suggested some amendments to policy wording.
- 6.7 **A Neighborhood Forum** was designated for Edenfield in April 2018. The Forum is collecting evidence to aid understanding of development pressures throughout Rossendale, liaising with the Council on the Local Plan as it relates to Edenfield and the preparation of the emerging Neighbourhood Plan.

7. **Infrastructure**

- 7.1 Throughout the preparation of the emerging Local Plan and its associated Draft Infrastructure Delivery Plan the Council has been involved in discussions with a number of organisations with regard to the provision and maintenance of infrastructure. This has involved meetings, written consultation, and the provision of information.

7.2 **Highways Infrastructure**

RBC continues to speak to Lancashire County Council who as Highways Authority is responsible for the Local Road Network (LRN) and with Highways England, which has responsibility for the A56 which runs from Rising Bridge to join the M66 in Bury. As discussed previously a study to look at highway capacity issues has been commissioned. It is expected that discussions with both parties will continue with LCC providing advice on local and strategic access / transport issues and Highways England commenting in respect of impacts to the A56 and the wider highways network. Another piece of work has been commissioned looking at access to proposed employment sites, this study is overseen by a Steering Group.

7.3 **Flood Risk and Flood Protection**

Flooding and the risk of flooding are very sensitive within Rossendale, an area which was badly affected by the Boxing Day floods of 2015. The Strategic Flood Risk Assessment was prepared and comments received from the Environment Agency. Ongoing discussions will continue to with Lancashire County Council as the Lead Local Flood Authority. United Utilities has also

been actively engaged and a number of meetings taken place to discuss sites, policies and key infrastructure.

7.4 Education

Lancashire County Council is the Local Education Area for Rossendale. Several discussions have taken place with LCC who are aware of the sites being proposed and identified some possible areas across the school planning areas. School Planning continue to look at the solutions across Rossendale as urgent and work is continuing with colleagues from pupil access to recognise opportunities. The Strategy for the provision of school places 2015/16 to 2017/18 identifies the Rawtenstall School Planning area as a hotspot, based on the applications recorded in Rossendale's 5 Year Housing Land Supply document.

7.5 Contact has been made with Calderdale's Education officers who noted that cross border pupil movements are available to Lancashire Education. They concluded that we should be working 'on the basis of no spare capacity' as Calderdale's own emerging Local Plan is likely to generate additional demand in the Todmorden area (which is adjacent to the east of Rossendale).

7.6 There is significant cross border movement between Rossendale and Bury and discussions will continue between both districts and the situation monitored.

7.7 Other Organisations Providing Infrastructure

Discussions have taken place with other organisations who are responsible for infrastructure who are not on the list of prescribed bodies. This includes United Utilities, Electricity North west, Coal Authority.

7.8 Discussions have taken place with Lancashire Fire and Rescue Service and these are expected to continue further to ensure Rawtenstall Fire Station is provided for adequately within the Local Plan given the potential transport implications and its location on the large roundabout in Rawtenstall (known as the Gyrotory).. Lancashire Constabulary and the North West Ambulance Service have been contacted but raised no concerns.

8.0 Conclusions

It is expected that discussions will need to continue with a number of organisations, including adjoining authorities, while the Local Plan progresses through to examination and beyond. This is in part due to different stages in plan-making as well as issues around development and deliverability. This document has been prepared in the absence of any detailed guidance in respect of the Statement of Common Ground and will be updated accordingly as required by guidance or legislation or because of a change in circumstances either in Rossendale or further afield that may have implications.

8.1 Infrastructure capacity (roads, health and education) is a concern, as detailed in the Infrastructure Delivery Plan and this will require additional attention as we bring forward a new Local Plan for Rossendale.

APPENDIX 1 – Memorandum of Understanding – South Pennines

South Pennine Memorandum of Understanding on Renewable Technologies

PURPOSE

This Memorandum of Understanding establishes a framework for co-operation between South Pennine local authorities with respect to strategic planning and development issues relating to renewable energy, in particular wind energy. It is framed within the context of the Section 110 of the Localism Act 2011 and the duty to cooperate in relation to the planning of sustainable development. It sets out the way in which the authorities have, and will continue to, consult one another and work together on matters which affect the South Pennine area.

In line with the National Planning Policy Framework, particularly paragraphs 97 and 98, Planning Authorities will seek to take a positive approach to renewable energy development both in development planning and management. This will include taking opportunities to maximise strategic cross-border benefits as well as ensuring that any potential negative impacts are minimised or avoided.

PARTIES TO THE MEMORANDUM

The Memorandum is agreed by the following Local Authorities:

Insert names

OBJECTIVES

The Memorandum has the following broad objectives:

- To help secure a process and framework enabling a consistent strategic approach particularly to Wind Energy and also to other Renewable Energy issues as appropriate; including development management, strategic planning and monitoring between neighbouring local authorities
- To enable a sharing of information and views and, where appropriate, to facilitate joint working on strategic issues which affect more than one local authority area
- To facilitate joint research and procurement between neighbouring authorities
- To facilitate strategic co-operation and partnership on issues of shared interest with statutory consultees such as the Environment Agency, Natural England and English Heritage and other key consultees including planning, delivering, managing and mitigating renewable energy and its impacts

TOPIC ISSUES

The principal topics where co-operation are considered to be valuable are:

Effective and timely consultation on planning applications, EIA Screening Opinions and Environmental Scoping Reports of cross-border significance in the South Pennines and related areas

- Development of mutually consistent databases on planning applications to enable “cumulative impact” issues to be addressed particularly on wind energy but also other technologies
- Consistent application of landscape character assessments such as the “Julie Martin Study” (or successor documents); the Peak District National Park Landscape Strategy and Action Plan and, as appropriate, other evidence base documents or cross-border landscape studies, when assessing planning proposals
- Joint procurement of evidence base documents and professional expertise where this would bring economies of scale and be mutually beneficial
- An approach to Planning Policy development and Development Management that takes into

account as appropriate cross border effects on:

- Landscape and visual impact
- Cumulative impact
- Historic landscape character
- Ecology including flora, fauna and peat
- Water supply, hydrogeology and flood risk
- Recreational assets, bridleways and footpaths
- Green infrastructure
- Noise
- Cultural and built heritage
- Shadow Flicker
- Socio-economic benefits
- Access and grid connections
- Telecommunications and radar

Co-operation on planning issues relating to the implementation of renewable networks such as District Heating schemes; energy from waste or biomass particularly where these are identified in studies such as the Greater Manchester, Yorkshire and Humber, Lancashire and East Midlands Renewable and Low Energy Studies and have clear cross-border affects

- Joint working as appropriate on policy development and implementation relating to low carbon development including Allowable Solutions and Zero Carbon development
- Consultation on Local Plan policies and SPD's on renewable energy beyond immediate neighbours where proposals are innovative or of wider interest
- Support as appropriate at Planning Inquiries
- Information sharing on current "good practice" at local and sub-regional level

MECHANISMS FOR CO-OPERATION

- Regular meetings will be held (at least 3 times per year) with special meetings if necessary, such as when triggered by an application of major cross-border significance or other specific issues of common interest

Renewable energy databases will be regularly updated and circulated in particular to inform Local Authority Monitoring Reports

- Consultations on wind energy planning applications, Screening Opinions and Environmental Scoping opinions with neighbouring planning authorities will occur in the following circumstances:

- Affected neighbouring authorities where the Zone of Visual Influence shows an impact on land outside the host authority area
- Where there are significant impacts on Recreational Trails of sub-regional or greater significance

- Consultations on non-wind renewable energy applications and Environmental Scoping Opinions will be considered on a case by case basis
- Liaison on development of Planning Policy documents and SPD's
- Sharing of development management policies and validation requirements to facilitate a standardised approach to planning applications across the South Pennines

LIMITATIONS

The Local Authorities recognise that there will not always be full agreement with respect to all of the issues on which they have agreed to cooperate. For the avoidance of doubt, this Memorandum shall not fetter the discretion of any of the local authorities in the determination of any planning application, participation in evidence base studies or in the exercise of any of its statutory powers and duties.

Signed:

Annex One – Background Context

BACKGROUND

The South Pennine landscape straddles the borders of Greater Manchester, Derbyshire, Lancashire and North, West and South Yorkshire. Upland areas are particularly attractive for wind energy developments, ranging from very large wind farms to small individual turbines. While parts of the area such as the Peak District National Park, Forest of Bowland Area of Outstanding Natural Beauty and the South Pennine Special Protection Area/Special Area of Conservation are subject to national landscape or conservation designations substantial areas are not. Issues of cumulative visual impact from wind energy proposals are the major cross-border issue and were clearly identified in the “Landscape Capacity Study for Wind Energy Developments in the South Pennines” (2010) commissioned jointly from Julie Martin Associates by a number of authorities. There is a history of cross-border consultation on renewable energy dating back to the early 1990’s through the Standing Conference of South Pennine Authorities (SCOSPA).

While wind power is the dominant cross-border energy issue other forms of renewable energy that are being developed in the area include solar power, biomass and small scale hydro. These can have localised cross-border impacts. Opportunities for development were identified in the jointly commissioned “Renewable and Low Carbon Energy Study” (Maslen 2010). Other separate studies exist for the East Midlands (LUC, CSE and SQW 2011) Greater Manchester (Aecom 2009), Lancashire (SQW/Maslen 2011/12) and Yorkshire and Humber Low Carbon and Renewable Energy Capacity Study (Aecom 2011).

APPENDIX 2 - Duty to Cooperate Log – Regular meetings

Group	Organisations involved	Topic / Policy Areas	Input into the Local Plan?	Comments
South Pennine Authorities Renewable Energy Group (Meetings held approx. twice a year)	Bradford, Calderdale, Kirklees, Lancashire County Council, Pendle, Rochdale, Burnley	<ul style="list-style-type: none"> wind / renewable energy proposals, status and monitoring DPD consultations Joint Wind Energy Capacity / Landscape impact assessment establish database to monitor wind energy proposals in the South Pennines Looking to undertake visitor management study 	Improved understanding, commissioned evidence and informed policies on wind energy. The remit of this group has broadened to look at issues on landscape, habitat and the Special Protection Area	Use of jointly commissioned 'Julie Martin' study. Gathering and sharing of evidence to monitor cumulative impact of wind energy developments. Discussion on general planning policy matters
Making Space for Water group (Meetings held approx quarterly)	Environment Agency Lancashire County Council United Utilities	<ul style="list-style-type: none"> Update from LCC, UU, EA and RBC re local flood sites Update from planning re recurrent developments with potential flood risk issues. 	Informed SFRA and flood risk policies.	Meetings led by LCC as Lead Local Flood Authority to establish locally agreed data in relation to non-riverine flooding in the Borough.
Irwell Catchment Group	Environment Agency, Bury, Manchester	Understanding of water quality, management issues along the river	Inform green infrastructure / flooding issues	Meetings held every 6-weeks

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Group	Organisations involved	Topic / Policy Areas	Input into the Local Plan?	Comments
Lancashire Conservation Officers Group (Meetings held approx quarterly)	All districts and Historic England	<ul style="list-style-type: none"> ongoing policy and DM issues in relation to heritage matters ensuring that renovations and redevelopment takes into account biodiversity in a heritage sensitive manner 	Helped with developing policies in relation to management of historic environment and implementation of policies in relation to biodiversity	LCOG meets quarterly.
Environment Agency Meetings	Environment Agency	<ul style="list-style-type: none"> Baseline information for IDP and SFRA Input to SFRA Discussion of development proposals 	Development of flood risk policy and possible site allocations	

Pennine Lancashire Playing Pitch Strategy meetings regular during update, now annually)	Burnley BC, Pendle BC, Sport England	<ul style="list-style-type: none"> Joint Playing Pitch Strategy commissioned and completed. 	Key part of Local Plan evidence base	No cross-boundary issues
Lancashire Development Planning Officers Group DPOG (quarterly)	Lancashire County Council, Blackburn with Darwen Council, Blackpool Council, LEP, 12 district Councils	<ul style="list-style-type: none"> Plan-making progress is a standing item on the agendas. Specific topics are included on the agendas as necessary and hear presentations e.g. recent meetings have involved County Council public health and transport planning colleagues. 	General best practice, advice on key issues	Often leads to smaller single-focus short term groupings established
M66 / A56 Corridor Working Group	LCC, Transdev, Transport for GM, Highways England	To understand and address transport issues along this corridor and identify solutions	Assistance in the formulation of strategy and costing of proposals	
Coal Authority / LCC Minerals and Waste		To understand requirements of the Coal Authority and LCC in respect of local plan matters – policy and	Changes to wording and the Policies Map	

		allocations		
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