

ROSSENDALE LOCAL PLAN

Representations Received on Proposed Gypsy and Traveller Transit Site

14th January 2020 – 25th February 2020



February 2020

Rossendale
BOROUGH COUNCIL

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Summary of Representations

1.1 During the 6 week consultation, a total of 63 representations were received, including 6 representations made after 5pm on the last day of the consultation. The majority of representations were made by residents of Sharneyford, Bacup and Todmorden. There were also 6 representations from Statutory Consultees.

1.2 The majority of representations received are objections to the proposed transit Gypsy and Traveller site (57 objections). There were also 4 neutral comments and 2 supporting comments. The individual representations received are shown in Appendix A. Please note that 4 representations were submitted both by emails and via the online survey.

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From: Andrew Rawlinson [<mailto:>]
Sent: 13 January 2020 17:26
To: Michael Atherton
Cc: jake.berry
Subject: Tooter Quarry Travellers Site - Sharneyford - Consultation Objection

Dear Mr Atherton

As a local resident of Sharneyford for almost 20 years, I write to convey my objection to the above proposed travellers site at Tooter Quarry, which was recently debated at the Council meeting prior to Christmas, and has now entered a consultation period.

I have taken the liberty of copying in my MP, Jake Berry, as I understand from the council leader at the above meeting, that the provision of a travellers site in Rossendale no longer needs to be included in the RBC Plan and, if this is confirmed to be the case, the proposal will not be progressed further. That having been said, I take this opportunity to outline my objections to this proposal, to ensure that my objections are included in the consultation process procedure, as we await confirmation from Mr Berry as to the legitimacy of the requirement to provide a site within the plan.

The proposed location of the site is on the absolute periphery of the county boundary, meaning it is almost on the county line – this in itself means that any supporting services, such as police, ambulance and fire and rescue service, are not only at their furthest point away from the site, but the furthest away from our neighbouring county too. It is my firm belief that, should emergency services be required, the drive time for them to attend site would be problematic, and any incident to which they were requested to attend would have escalated. The removal of a police station in Bacup has added to this pressure, and I worry that this remote location will not be adequately supervised or supported by essential services.

Furthermore, I don't believe there is the public service infrastructure to adequately support this site, either from a schooling provision for possible minors attending the site, or for medical, dental or other public services. It is not within reasonable walking distance of local amenities given the variable nature of our weather, and the public bus service may not be an option in the coming months.

The land itself is, I understand, a natural reserve, which I would strongly advocate you seek independent advice on researching, but it also acts as a natural flood plain, meaning that any alteration to the land would mean displacing any flood waters to elsewhere in the valley, which is absolutely not ideal. The land regularly floods, so drainage would have to be addressed, meaning water would be displaced elsewhere.

I am also seriously worried supervision of such as site, given the periphery location it is in, and the strained resources there are – how would the emergency services oversee such a site, and have they been consulted? Also, I worry about the management of the site, and how the terms of the proposal would be implemented, overseen and enforced, i.e. the number of pitches available.

Given the amount of money that would have to be spent making this location fit for purpose, I would strongly urge the council to consider other sites which are closer to support services and amenities, and that do not require the level of investment this site would need. As a local rate payer, I do not want my local council paying to acquire land, upgrade it and make it fit for a purpose

such as this, when other locations, that don't have the same social, economic and geographical impact, are a possibility.

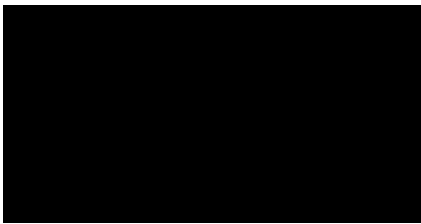
I hope my objections will be noted as above.

Many thanks

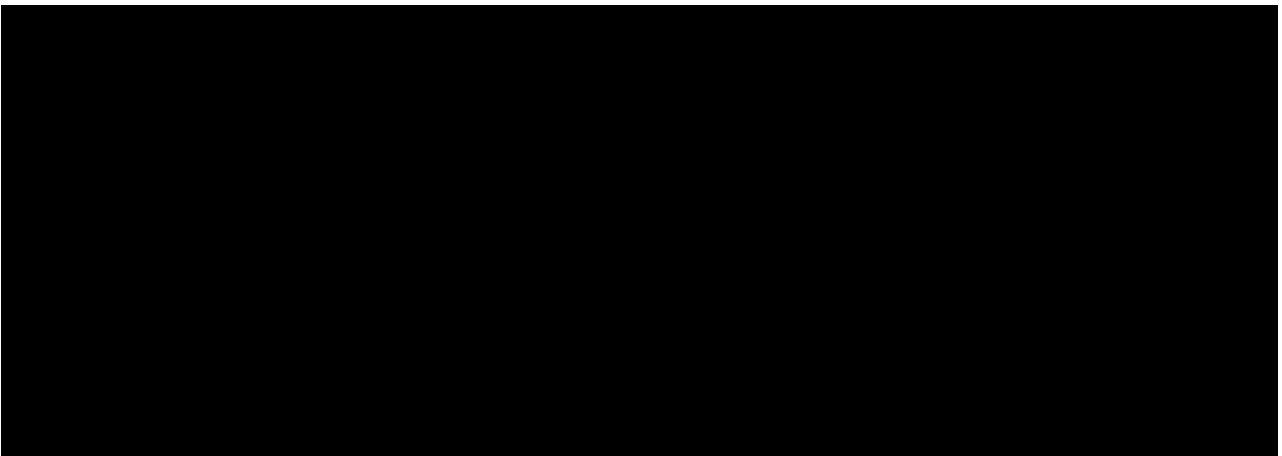
Sincerely

Andrew Rawlinson

Andrew Rawlinson



Ambassador Theatre Group
39-41 Charing Cross Road
London WC2H 0AR



From: Hilton, Warren
Sent: 14 January 2020 16:12
To: Forward Planning
Subject: FW: Local Plan and Neighbourhood Forum Consultations

FAO: Mike Atherton, Planning Manager, Rossendale Borough Council

Thank you for contacting Highways England regarding the consultations that have been launched for the proposed alternative Gypsy and Traveller Site and the designation of Bacup and Stacksteads Neighbourhood Forum and Neighbourhood Area.

From our perspective, there are no comments we feel we need to make in response to either consultation.

Please contact me if you would like to discuss anything about this email.

Kind regards,

Warren Hilton, Assistant Spatial Planner

Highways England | Piccadilly Gate | Store Street | Manchester | M1 2WD
[REDACTED]
[REDACTED]

From: Forward Planning [<mailto:forwardplanning@rossendalebc.gov.uk>]
Sent: 14 January 2020 14:01
Subject: Local Plan and Neighbourhood Forum Consultations

Dear Sir/Madam,

We would like to invite your comments on two consultations: **a proposed alternative Gypsy and Transit Site** to be identified within Rossendale Local Plan and **the designation of Bacup and Stacksteads Neighbourhood Forum and Neighbourhood Area**.

Consultation on the proposed Gypsy and Traveller Transit Site

This is a 6 week consultation on a proposed alternative Gypsy and Traveller Transit Site to be identified within the Rossendale Local Plan. The consultation starts on Tuesday 14th January 2020 and will end at 5pm on Tuesday 25th February 2020. Please note that comments received after this time will not be accepted.

What is being consulted on?

Rossendale Borough Council has submitted its Local Plan to the Minister for Housing, Communities and Local Government for independent examination. One of the actions requested by the Inspectors, after the discussion on Matter 4 (Other Housing Needs), was for the Council to consider its position in relation to the provision of Gypsy and Traveller transit site and provide information to the Inspectors as soon as possible. This is in light of the need to replace the previously identified transit site at Futures Park, Bacup as this is now no longer available.

The consultation documents can be viewed on the Council's website at:

<https://www.rossendale.gov.uk/localplan>, as well as at the One Stop Shop (Futures Park) and at Bacup,

Haslingden, Rawtenstall and Whitworth libraries. For more information about what is being consulted on please see the Statement of Facts.

How to comment on the proposed Gypsy and Traveller Transit Site?

Comments can be submitted via:

- an online survey available at <https://www.rossendale.gov.uk/localplan>
- email at forwardplanning@rossendalebc.gov.uk
- or alternatively by post at the address below.

For more information about how to make comments on this consultation, please see the Statement of Representations.

What happens after the consultation?

Any comments ‘duly made’ will be forwarded on for consideration by the appointed Planning Inspectors as part of the on-going examination process.

Consultation on the designation of Bacup and Stacksteads Neighbourhood Forum and Neighbourhood Area

What is being consulted on?

The Council has received an application for the designation of Bacup and Stacksteads Neighbourhood Forum and Neighbourhood Area. The candidate Neighbourhood Forum and Neighbourhood Area in this instance has the meaning set out in Paragraphs 61F and 61G of the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

The consultation documents can be viewed at:

https://www.rossendale.gov.uk/info/210148/local_plan/10813/neighbourhood_plans/2

How to comment on Bacup and Stacksteads designations as Neighbourhood Forum and Neighbourhood Area?

The Council invite representations on the above application from Tuesday 14th January to Tuesday 25th February 2020 at 5pm. Please note that comments submitted after this time will not be accepted. Comments can be submitted via an online survey available at:

https://www.rossendale.gov.uk/info/210148/local_plan/10813/neighbourhood_plans/2.

What happens after the consultation?

The Council will make a decision on the application within 13 weeks from the start of the consultation. Please note that if the application is approved, the Neighbourhood Forum will be designated for a period of 5 years from the date of designation. Also, no other Neighbourhood Forums will be able to be designated for the same Neighbourhood Area until that designation expires or is withdrawn.

Once designated, a Neighbourhood Forum has the power to produce a Neighbourhood Plan which will guide development within the Neighbourhood Area. The Neighbourhood Plan should be broadly in alignment with the Council’s Local Plan.

If you have any queries about these consultations, please contact the Forward Planning Team at forwardplanning@rossendalebc.gov.uk or on 01706 217777.

Also, if you no longer wish to receive emails about Rossendale Local Plan or planning policy matters, please let us know at forwardplanning@rossendalebc.gov.uk.

Yours faithfully,

Mike Atherton
Planning Manager
Rossendale Borough Council
Forward Planning | Room 120 | The Business Centre | Futures Park
Bacup | Lancashire | OL13 0BB

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Consider the environment. Please don't print this e-mail unless you really need to.

From: Jo Gibbs
Sent: 15 January 2020 16:44
To: Forward Planning
Subject: Representations on the alternative Gypsy and Traveller Transit Site

15 January 2020

Dear Sir/Madam

We would like to object to the proposal to include the proposal to develop a Gypsy and Traveller's Transient Site at Tooter Quarry, Todmorden Rd in the Local Plan and to any proposals to develop the site for such purposes.

Our primary concerns are the impact on wildlife, ecology, geodiversity and biodiversity, loss of countryside and the threat of urban sprawl. Currently, the site is outside the urban boundary and, as such, should not be developed. Your policy SD2: Urban Boundary and Green Belt States that – *'All new development in the Borough will take place within the Urban Boundaries, defined on the Policies map, except where development specifically needs to be located within a countryside location and the development enhances the rural character of the area'*. There is no evidence that there is a specified need for the site to be in a countryside setting, outside of the urban boundary, and this development would not enhance the rural character of the area.

The character of the area would change significantly and the site would have a detrimental impact on the lives of the residents in the Sharneyford area. The plan states that *'a transit site accommodating a minimum of four pitches will be provided on a site at Little Tooter Quarry, Sharneyford'*. This means there will be two caravans per pitch, resulting in eight Caravans and eight vehicles, sufficient in size to pull large caravans. In addition to this there could be an unknown number of plant and machinery that the travellers may bring with for use in their lines of business. This, potentially overbearing number of vehicles, is in direct conflict with Policy ENV4: Landscape Character and Quality which states;

"In order to protect and enhance the character and quality of the landscape, development proposals should: Respond positively to the visual inter-relationship between the settlements and the surrounding hillsides and follow the contours of the site; Retain and, where possible, enhance key views. Be built to a density which respects the character of the surrounding area with only low density development likely to be acceptable in areas abutting the Enclosed Upland or Moorland Fringe Landscape Character Areas; Retain existing watercourses, trees and green infrastructure features that make a positive contribution to the character of the area and retain and, where possible, enhance key views."

The proposed site would not meet the criteria set out in the points stated above in your planning policy document and would not – *'Respect the character and distinctiveness of the local landscape.'*

Nature has reclaimed the quarry since it closed and it has seen substantial recovery with amazing biodiversity, which should be treasured and not destroyed. Especially at a time when so many other organisations and local authorities are trying to create more biodiversity and restore previously damaged sites. To allow a transient Traveller's site at the quarry would disturb this biodiversity significantly. We believe there is significant wildlife interest at the quarry and its' surrounding land/area and any development would not comply with your planning Policy ENV5: Biodiversity, Geodiversity and Ecological Networks which advises that *'proposals should avoid harm and where possible enhance biodiversity, and where necessary appropriate mitigation and on and off-site compensatory measures to offset the impact of development. Development proposals should protect areas of biodiversity and ecological networks and where possible enhance sites and linkages. Any unavoidable adverse effects should be minimised and mitigated against, and where this cannot be achieved, compensated for with a net gain for biodiversity demonstrated. The design and layout of new development should retain and enhance existing features of biodiversity value within and immediately adjacent to the site. Ecological networks should be conserved, enhanced and expanded. Development proposals will be expected to demonstrate how ecological networks are incorporated within the scheme.'*

Although the majority of travellers may be law abiding and respectful of the countryside, there are a small minority that carry out illegal activities. The biodiversity within the quarry would be at significant risk if illegal tipping, dumping or burning were to occur there or mitigate or deal with possible pollution from oils or diesel from machinery. The DCLG have produced advice to local councils about such issues including, fly tipping, illegal burning, and other anti-social

behaviour trends associated with traveller sites. Policy ENV7: Environmental Protection states that *'Development which has the potential, either individually or cumulatively, to result in pollution that has an unacceptable impact on health, amenity, biodiversity including designated sites, will only be permitted if the risk of pollution is effectively prevented or reduced and mitigated to an acceptable level by: Undertaking assessments and/or detailed site investigations of land which is or may be affected by contamination and implementing appropriate remediation measures to ensure the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area.'*

Policing the control of such potentially polluting substances would be very difficult with a transient community and on these grounds, we would strongly object to the site being used as there is too much risk with the potential for pollution and loss of habitat for wildlife at the quarry.

A Traveller's site would not be in keeping with local housing stock and would have a detrimental impact on the aesthetics of the local countryside/landscape. The site would not be built in a traditional manner in keeping with the surrounding houses some of which are over two hundred years old, including listed properties close to the entrance to the proposed site. Your policy ENV1: High Quality Development in the Borough, states; *'All proposals for new development in the Borough will be expected to take account of the character and appearance of the local area, including the following: Siting, layout, massing, scale, design, materials, lighting, building to plot ratio and landscaping. Safeguarding and enhancing the built and historic environment. Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area. The scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive.'* A transient Traveller's site would not comply with any of these points.

The biodiversity and recovery within the quarry has benefitted largely because it contains a basin which holds water. It has a stone, clay and shale base which holds water which attracts plants and wildlife. This also helps in holding rainwater and releasing it slowly, thus slowing the flow of the rainwater down through the village and valley. The site would be inappropriate for a travelling community site due to this. Draining it or putting surface water drains in for the travellers could exacerbate the flooding problems Bacup struggles with in spate conditions, along with adding to existing substantial surface water issues in Sharneyford. Policy ENV11: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality states that *'all Development proposals will be required to consider and address flood risk from all sources. Planning permission will only be granted for proposals which would not be subject to unacceptable flood risk or materially increase the risks elsewhere. This should be informed by consideration of the most up to date information on Flood Risk available from the Environment Agency, the Strategic Flood Risk Assessment (SFRA) and from the Lead Local Flood Risk Authority. All development proposals will be required to manage surface water as part of the development and should seek to maximise the use of permeable surfaces/areas of soft landscaping, and the use of Green Infrastructure as potential sources of storage for surface water run-off. New development should not increase on-site or off-site surface water run-off rates and, where practicable, should seek to reduce surface water run-off.'*

Any development or interference with the site would not comply with the policies above. Policy NV6: Green Infrastructure states; *Development proposals should seek first to avoid or, if not feasible, mitigate biodiversity impacts on-site. Schemes which would result in a net loss of green infrastructure on-site will only be permitted if: - The loss resulting from the proposed development would be replaced by equivalent or better provision elsewhere (achieving an overall net gain of 20% in biodiversity offsite compared to that lost including long-term management proposals); and that the proposals would not have an unacceptable impact on amenity, surface water run-off, nature conservation or the integrity of the green infrastructure network.*

It is known that anti-social behaviour and criminal behaviour has been associated with many travellers' sites. Sharneyford is a very small village on the edge of moorland and on the county boundary. It also has a number of isolated properties and should there be any inappropriate behaviour, especially of a criminal or violent nature, how long would it take for our overstretched police force to respond.

The houses at the top of the village are on spring water and not mains water, equally the site has no running water, no foul drains and no electricity. Putting facilities such as porta-loos in the quarry, or having generators running all the time would not be fair to local residents. There would be noise pollution from the site and potentially light pollution too. Any porta-loos would have to be emptied and any waste caused by the travellers would need to be removed, if it is left to the travellers, some may tip toilet waste on to the land which has happened before. There is no hard standing and providing hard standing could only interfere with the bio-diversity again and cause significant, lasting damage.

The Council should look again for sites where the travellers can use more appropriate locations where they are closer to local amenities and where the living conditions are much easier for them. Tooter Quarry is sited over a thousand feet above sea level, the winters are harsh and it is windy all year round, which is why it was ideal for the wind farm. Combined with the risk of flooding on the site living in a caravan could not be pleasant up there for most of the year.

Kind Regards,

Mr Andrew Gibbs and Mrs Jo Gibbs

13.1.20

Dear Sir,

For 36 years, I have been a resident of Sharneyford and the following is a presentation to you, as the Chief Planning Officer, in respect of the proposed Traveller and Gypsy Site at Tooter Hill Quarry in Sharneyford.

Firstly, I would like to make you aware that I firmly believe in the equality and the human rights of travelling people and gypsies; to receive fair and equal treatment from the those living in the Rossendale Valley.

Since attending the council meeting on December 23rd, I have sincerely thought about the needs of the travellers and gypsies and asked myself does the Tooter Hill Quarry site fairly and realistically meet these needs?

Dept. Communities and Local Government. Planning Policy for Travellers Site.

The Government aims for provision of such sites states:

4j *'to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure...'*

To take the health and welfare issue first:

Living at over 1200 feet as I do (Tooter Hill Quarry 1300 feet above sea level) brings with it severe weather conditions; we in Sharneyford are exposed to the elements with minimal wind barriers. For example: today there are 50 mph winds forecast and a wind chill of 0°C. 16.00 today, the wind is responsible for our electricity power cut, 'Storm Damage'! The Met Office has an archive of data of weather conditions for Sharneyford that can be accessed, here is some data taken from their website: for 6 months of the year the average daily temperature is 10 °C or less, average overnight temperatures for 8 months of the year below 5°C , July-September 2019, 15 sun days. Sharneyford therefore was in the mist/fog/cloud for 46 days. Heavy, persistent rain, ice and snow too take their toll in Sharneyford. A joiner putting in new windows next door likened it as Siberia up in Sharneyford. In caravans, at an isolated site as Tooter Hill Quarry exposed to these elements is not what I would consider taking health and welfare, especially of children, into consideration.

As a regular fell runner and walker over by Tooter Quarry, I am always aware of the extremely wet conditions under foot (even in the summer months) and regularly flood water can be seen seeping down Todmorden Road, from the quarry access gate. What is remarkable is how much of the rainwater is 'managed' by the plant life and terrain of the Tooter Hill Quarry site, stalling and holding the rainwater. Over the hill, Calderdale have planted and are planting many trees to hold back the rainwater as a means of flood prevention. The flood prevention in Tooter Hill Quarry is natural and FREE!

A report by the Traveller Movement, commissioned by the National Inclusion Health Board, looking at how the living conditions of Gypsies and Travellers lead to poor health.

5.2 Traveller sites

Environmental conditions such as poor location

- *the living conditions of Gypsies and Travellers significantly contributes to their physical and mental health*
- *the poor health of Gypsies and Travellers is made worse by their living environment*

Surely this should be taken into consideration!

Dept. Communities and Local Government. Planning Policy for Travellers Site.

Policy B

This policy point 8 discusses sustainability.

Sustainability is defined:

socially- providing a safe built environment with accessible services

environmentally- protecting and enhancing our natural, built and historic environment.

Could I discuss the social aspect first?

I will read accessible services initially as shops, doctors, market...

Buses run every 2 hours between 8.00 and 4.50, no buses on Sunday. The proposed site is at 1.300feet, approximately 1.5 miles from Bacup Centre (840 feet above sea level). Taxis and walking are other options. This would make accessing services somewhat difficult. The site is isolated, no shop, pub, café etc within the community for the travellers to meet and socialise, liaise with the locals. So important for integration and building positive relationships.

Designing Gypsy and Traveller Sites Good Practice Guide.

Communities and Local Government Eland House Website: www.communities.gov.uk

3.2 *'Easy access to local services, and to social contact with other residents in the community, should help deal with the myths and stereotypes which can cause community tension and instead encourage a greater sense of community with shared interests.'*

Continuing with the health and welfare issues, the access to the quarry is on a sharp bend on Todmorden Road. At least two cars this last year have careered off the road and into the wall/stone barriers by the Old Toll House. Many lorries from the Brosters Environmental Waste Management Site based on Bacup Road, use this road and it is a 50mph speed limit on this bend.

Rossendale Free Press:

Brosters Environmental works company that transports waste through Bacup and Rawtenstall has applied to Calderdale Council to increase its hours of operation and to increase the number of wagons that can operate each day. 'Composting company; Brosters Environmental Ltd, has increased its 'traffic movements', from 40 to 60 wagons a day.'

Children will roam and play....this is a dangerous road and unsafe!



Designing Gypsy and Traveller Sites Good Practice Guide.

Communities and Local Government Eland House Website: www.communities.gov.uk

Play areas 4.38

'It is recommended that the inclusion of a communal recreation area for children of all ages is considered where suitable provision is not available within walking distance...'

As considered above, beyond the entrance to the quarry is the dangerous road but within the quarry too there are many hazards, especially for children. The ground is marshy and uneven, there are many pools of water, some with sloping banks and there is a steep rock face to the rear. There is not a safe play area within walking distance for children so one would have to be provided. How could this be planned to be sustainable both socially and environmentally?

The cost too should be taken into consideration especially as it need to be maintained and protected over the winter months. Is it truly feasible to spend money on building a children's play area in such an area?

Now for the essential services. The site is a rejuvenated quarry site and hence has no running water, drainage, sanitation, foundations to house caravans...

Designing Gypsy and Traveller Sites Good Practice Guide.

Communities and Local Government Eland House Website: www.communities.gov.uk

3.13 It is essential that sites are provided with access to mains water, electricity supply, drainage, and sanitation.

Office of the Deputy Prime Minister (now Communities and Local Government) Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites *provides advice on site location and selection.*

1.11 *In addressing this challenge it is important to ensure that these sites: • Are sustainable, safe and easy to manage and maintain.*

Who will manage the site especially as the travellers will live here for only 13 weeks and required to move on; other families coming in? In such an area, 1300 ft above sea level, exposed... will what is intended to be built be sustainable?

3.4 It identifies factors which are important for the sustainability of a site, for instance: Ground conditions and levels of land

As mentioned earlier, the ground in the quarry is uneven, marshy, many pools of water as drainage is poor and a steep rock face surround. How much would it cost and indeed would it be viable to build the site in the quarry and as **'Research has shown skimping on initial site design and construction often means more investment is needed later to rectify problems arising from this.'** Money down the drain!!

What will be the dimensions of the pitches?

Office of the Deputy Prime Minister (now Communities and Local Government) Circular 01/2006 Planning

7.8

'In common with some other ethnic minority communities, some Gypsies and Travellers often have larger than average families, for instance where members of an extended family live together. For this reason, there is likely to be much greater demand amongst these communities for large family units, and small pitches may become quickly overcrowded. Larger than average family sizes, alongside the need for vehicles for towing trailers and for employment also creates particular requirements for parking. Private amenities - It has been found that the majority of Gypsies and Travellers prefer private amenities on each pitch including a toilet, wash basin and shower with hot and cold water supply.'

I believe that 4 pitches are to be provided, two caravans on each pitch, 8 caravans in all. Access to the pitches and hard standings for any vehicles will need to be provided. If a children's playground and a communal sanitation facility is built, that too will need a track/road to be built. Will there be lighting provided from vehicle park to caravan to communal area?

The site at the moment has no existing facilities or services. Local residents are using spring water, so no mains water. Again, is this economically, environmentally and socially sustainable?

The next point is especially deserving of consideration.

Dept. Communities and Local Government. Planning Policy for Travellers Site.

Policy B

This policy point 8 discusses sustainability

The Government are advocating environmental sustainability: protecting and enhancing our natural, built and historic environment, in planning for traveller and gypsy sites

For 36 years I have been so lucky to be a resident in Sharneyford, appreciating the wonderful moors, rugged and severe but beautiful. I run and walk regularly from Sharneyford to Hades, Trough Edge End, Thieveley Pike or over Flower Scar Road. The area of Tooter Hill Quarry is visible from all my runs/walks and adds to the delight of my adventures. Fortunately, I have a stone/brick house that gives me protection and security to return to.

Exploring into the quarry it is exceptional to see how the area has rejuvenated from its plunder and excavations. A mini moorland marsh has been created with pools, rushes, dwarf trees and sphagnum moss which acts like a sponge and retains water. Frogs and toads breed there, which is probably why I have seen the herons, so focused in the tall marsh grasses, ferns and bracken. Cotton grass grows naturally here:

Common cotton grass is one of the plants that the Moors for the Future Partnership use to help restore areas damaged by erosion and provide a natural cover of flora which is important to a wide range of wildlife, these plants will help to continually enhance the biodiversity of the moors.

As a beekeeper in Sharneyford, my honeybees will forage here as will other bees and insects. These are our pollinators and are in decline. **Sheep have not had access to this area for years and this is the reason for the wealth of plants here that are not on the moorland around Sharneyford.** I've noticed too that with the sheep wandering down from the moorland, the verges that used to have many flowers have mostly gone with the sheep grazing here. My bees and other insects need this area too.

It is remarkable what has happened at Tooter Hill Quarry here and I ask why should it be again destroyed by the diggers and excavators? There is a saying, "When it's gone. It's gone!"

publicatios.naturalengland.org.uk

'A great number of moorland habitats and species are recognised as being of nature conservation importance at a local level. As well as being important for the plant communities present, moorland areas support many animal and plant species of conservation interest Moorland habitats are also important because they form the largest extent of undeveloped wildlife habitat remaining in the country.'

Don't we all have a responsibility to conserve nature?

The traveller site will not just be 4 hard standings at one side of the quarry site, it will encroach onto, by building tracks, parking areas, services, children's play area, communal facilities etc, on the whole site ... another lost habitat and one that I have seen developing in my 36 years in Sharneyford. This is not effective land use and does not conserve or improve the biodiversity which the government says it aims to protect.

Dept. Communities and Local Government. Planning Policy for Travellers Site.

4k. for local planning authorities to have due regard to the protection of local amenity and local environment.

Ministry of Housing, Communities and Local Government

National Planning Policy Framework

Planning policies and decisions should:

118 a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.

This is an opportunity to preserve and encourage a habitat creation.

118 b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation or carbon storage.

To sum up, I believe that the travellers and gypsy communities should be provided with temporary sites in order to facilitate their traditional ways of life. Rossendale Council have not chosen a suitable position for them in choosing the Tooter Hill Quarry site considering the social, health and welfare of this group, the devastating environmental implications and moreover, at the monetary feasibility of developing a traveller and gypsy site here (an excuse is not that it is a transient site).

Could I ask why the other sites which have been considered are not listed anywhere? What considerations have been taken by the council to disregard any other sites in Rossendale, indeed The Kingfisher site? Could you (or could you direct me to someone) let me know how I am able to access any minutes from meetings that have discussed other sites for the travellers.

My final question is: Why if Tooter Hill Quarry has a few years ago been proposed as a possible traveller and gypsy site and that proposal was declined, is it now deemed as a suitable site by Rossendale Council in 2020. What has changed?

With thanks for reading this presentation and hopefully the points that have been brought to your attention, will have a some bearing on your decision.

Yours Sincerely,

Karen Taylor

From: Mark Benson-Brown [<mailto:>]
Sent: 15 January 2020 19:58
To: Michael Atherton; jake.berry
Subject: Proposed traveller Site at Touter Quarry HS16.1

Dear Sir / Madame,

I am writing this email in response to the proposed traveller site at Touter quarry, Todmorden Road HS16.1 Sharneyford, Bacup. I would like to object to this proposal and urge you to look at the points below for the reasons why:-

The site has a high risk of flooding and has been video'd by one of the residents as flooding water onto the neighbouring road as the quarry was "full". This cant be a good location for anyone, let alone travellers as the risk of flooding makes it in hospitable.

This site contains or adjoins a heritage building and it is unacceptable to create a site that will impact our current heritage sites which we are greatly proud of in Bacup.

The proposed site will have an enormous impact on the ecological environment in that quarry and the neighbouring area and would be contrary to your planning policy ENV5: Biodiversity, Geodiversity and Ecological Networks.

There is no local access to a convenience store or shop for the travellers which would be a welfare shortfall.

The elevation of the site means that it is extremely windy and turbulent at that elevation from Bacup Centre, which is why they have placed windmills very close by. This would put the travellers in a dangerous position. Caravans could be blown away or damaged, with neighbouring support services like fire and police being situated a long way away it would be very difficult to respond quickly.

I firmly believe that this site is unsuitable for the proposed development, and appeared to be rushed into the local plan days before Christmas with little communication of the proposal.

Please take my concerns shown in the points above into consideration and look at more suitable sites for the travellers welfare accross rossendale.

Kind Regards

Mark Benson-Brown

Nathaele Davies

From: Paul Bradburn <[REDACTED]>
Sent: 21 January 2020 10:39
To: Forward Planning
Subject: Gypsy & Traveller Transit site

Good Morning,

I write on behalf of Edenfield Village Residents Association and can advise that this association supports the provision of such a transit site at Sharneyford.

Paul Bradburn

Chairman

Edenfield Village Residents Association
[REDACTED]

Samantha Howorth
Cowtoot Farm
Todmorden Old Road
Bacup
Lancashire
OL13 8RS
Tel: [REDACTED]

8th January 2020

Dear Sir/Madam,

RE: Travellers site at Tooter Quarry

I am writing to whom it may concern regarding the Rossendale council proposal to create a transient gypsy and traveller site at Tooter quarry, Sharneyford.

I attended the council meeting held at futures park on Mon 23rd Dec 2019 whereby the councillors provided answers to some queries put forward by local residents.

The main point I left this meeting with was that Rossendale council are under pressure to provide “a site” – so I do appreciate that this is something you want to get sorted, and I also sympathise that this is never going to be an easy job. Although no-one wants a traveller’s site on their doorstep, unfortunately someone will have to – if it has to be on ours then so be it. I can live with this decision if it genuinely is the most appropriate site and the council have honestly and thoroughly investigated the potential of Sharneyford quarry.

My biggest concern is not that the site will be on my doorstep, more-so that thousands of pounds of tax-payers money will be ploughed into creating a “facility” that is not suitable for purpose and therefore will not be used anyway. In my opinion, there is a high risk of destroying the flourishing diverse populations of species on this site to be able to “tick a box in Rossendale Councils book.”

There was no mention during the meeting that any council member had spoken with or discussed this opportunity with the gypsy’s and travellers that the site is intended for. As far as I am aware, none of us in that room on Monday are nomadic, and therefore I do not believe we can alone decide on the best site and create the best facilities for a group of people who have such a different culture to ourselves.

There were a few angry comments from supporters of this proposal that many are objecting but not coming up with alternatives – without a doubt, you need to be asking the travelling community for this information. They are the people who know the land, they know their safest routes to travel, they know what benefits and risks different sites offer them - they know what they want from a transient site. If we do not provide the facilities they are wanting in a convenient location to where they travel, I will guarantee you, they will use alternative sites anyway.

On a personal note, and secondary concern; I am from a farming family and our land surrounds the quarry, so I know the area quite well. We have sheep grazing the land all year round and cattle out during the summer.

1. Travellers and gypsy’s commonly have numerous dogs within their tribe – Dogs pose many risks to sheep. There are huge welfare and economical concerns about this for me.

- a. The obvious: dogs can attack and physically injure, or even kill the sheep.
 - b. They can chase sheep which induces stress; during pregnancy (6 months of the year) this is highly likely to cause abortion or death of unborn lambs.
 - c. Dog poo often contains a protozoan parasite, Neospora. If poo is left on the grass, this parasite can be picked up by sheep and/or cattle, causing abortion.
2. As a farming family we often work long hours and alone. It is common for me or one member of the family to be on those hillsides on a quad bike alone. It could be light/dark, sunshine/wind/rain. I personally would not feel comfortable alone on our own family land if there were 8 caravans parked on the quarry next door with potentially 32 strangers staying there.
3. Particularly during lambing time, we need a reasonable amount of equipment, including gates, hurdles, straw, hay to be stored close by. Although many travellers will be honest and respectful, there are always a proportion that spoil it, and I would prefer that proportion not to have the opportunity to take items whilst we are vulnerable.

I appreciate everyone has individual personal worries no matter what site you suggest. One difficulty in this area is the fact it is so secluded; any crime or vandalism would be near impossible to prove or have enough evidence to prosecute anyone.

If there has already been discussion with the travelling community then I would appreciate it if that information was shared. If not, this really needs to be a priority before any more tax payers money is authorised to be spent on surveys etc. I know a handful of travellers myself so if you did need help gathering this information, I would be happy to help to ensure this project is done properly.

Many Thanks,

Sammy Howorth

[REDACTED]

From: Peter Brown <[REDACTED]>
Sent: 28 January 2020 10:38
To: Forward Planning
Subject: Proposal for Little Tooter Quarry at Sharneyford, near Bacup.

Dear Rossendale Council,

Please register my opposition to the proposed Travellers Transit Camp at Little Tooter Quarry at Sharneyford, near Bacup.

My opposition stems from the fact that within a ten mile radius of Bacup there is already provision for stop off transit camps, be it within Lancashire County Council and Rochdale, Greater Manchester areas.

There are times when the letter of the law or central government requirements are applied too rigorously to intimidate local people and this is one of those times.

If you, the Council, are to be seen to be “in touch” and representing the local community then this is the time. The local MP has already stated that he feels that there is sufficient provision to meet the “legal” requirements so why do the local council feel that they know what is best for 5e community.

This proposal is a “re-hash” of failed proposals for other sites within the area. Why is it that the Council chose to agitate and alienate the local community.

Should the Council continue to misuse the already stretched finances and proceed with this proposal against the wish of the local community, would the Council have any legal objections to instigate the proposal to a public enquiry?

Your sincerely
Peter Brown

[REDACTED]

[REDACTED]

[REDACTED]

From: Jennifer Thompson <[REDACTED]>
Sent: 28 January 2020 17:16
To: Forward Planning
Subject: Transit traveller site at Bacup old Quarry

Hi,

My name is Jennifer Thompson and I am emailing in regard to the proposed transit traveller site at Bacup old Quarry. I would like to email my vote to reject this plan as the area is critical to support the current growing wildlife which is invaluable. I fear a transit traveller site would interfere with the natural habitats which are few and far between for these animals.

I do so hope a wise decision can be made about the proposed plans.

Many thanks,
Jennifer Thompson.

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[REDACTED]

From: Hillary Fairclough [REDACTED]
Sent: 29 January 2020 13:59
To: Forward Planning
Subject: Fwd: Objection to the develop a Gypsy and travellers site at Tooter Quarry,Todmorden road.

[REDACTED]

Begin forwarded message:

From: Hillary Fairclough [REDACTED]
Date: 29 January 2020 at 13:42:20 GMT
To: michealatherton@rossendalebc.gov.uk
Subject: **Objection to the develop a Gypsy and travellers site at Tooter Quarry,Todmorden road.**

Dear Sir/Madame

As a resident,I would like to strongly object to the proposal to develop a Gypsy travellers site at Tooter Quarry,Todmorden road.

My concerns for this land to be developed are.

The land and area is a wet land that retains a lot of water and this lessons flooding to the area.With climate change its only going to get wetter in the future so these areas should not be [developed.it](#) states in the documents from 2015 when the site was visited that the area is at a higher risk of flooding,and taking away this Natural wet land to replace with building materials will increase this risk.

The documents site reference SHLAA16405 from the site visit states that the site is located on a biological Heritage site.This should be of great importance to the area of Rossendale and should be protected.

The site doesn't have any amenities,there is no water,no foul waste and no electric,no bus service and not close to doctors,shops.

the site is open to extreme weather conditions and is an unexceptable area to expect anybody to live there in caravans.

The site is outside the settlement of Urban boundary and as such shouldn't be developed.your policy SD2 urban boundary and green belt space states.

The site contains or adjoins a listed building,the planning policy cannot respect the character and distinctiveness of the local landscape and local housing [stock.it](#) does not safeguard and enhance the historic environment and will do harm to the [area.it](#) will have an adverse impact on the neighbouring properties.

Many thanks
Hilary Fairclough
8 Pendle Avenue.
Sent from my iPhone

From: Jean Howarth [REDACTED]
Sent: 30 January 2020 18:34
To: Michael Atherton
Subject: Traveller's Site at Tooter Quarry

Dear Michael,

Please find objection letter attached.

many thanks,

Jean Howarth,

278 Todmorden Road,

Sharneyford,

Bacup,

OL13 9UX

Dear Sir/Madame,

As a resident of Sharneyford I would like to object to the proposal to develop a gypsy/travellers site at Tooter Quarry, Todmorden road, Sharneyford.

My name is Jean Howarth and I live at the Toll Bar House which is situated across the road from Tooter Quarry. The road at Sharneyford is set at the national speed limit, however, some road users drive in excess of 60 miles per hour and as a consequence our property was crashed into 3 times within a 12 month period. There have been many more accidents where vehicles have crashed into the fences and walls around Sharneyford then left in disrepair, one of which occurred near to the entrance to the Quarry where the wall was knocked down and vehicle parts are still left in situ.

I attended the council meeting on the 23/12/19 at Futures Park and was left frustrated due to a statement made by Councillor Lythgoe

who said that the entrance/exit too Tooter Quarry was safe and there is a clear view onto Todmorden road. This is not the case in many circumstances due to adverse weather conditions, poor views and the speed of some motorists.

My driveway leads onto Todmorden road and I struggle to negotiate leaving and entering the road on a day to day basis due to poor vision from early morning fog, year round evening mist and because of the speeds and ridiculous decisions some road users take. Councillor Lythgoe believes that this would be an acceptable site for people who will be entering and exiting the quarry site in long wheel base vehicles, vehicles towing long caravans and in some cases HGV.

Fly tipping is a huge problem across Rossendale and more so in Sharneyford. I was left mystified when Councillor Lythgoe said that if the proposal goes ahead it will be managed sufficiently. I find this extremely difficult to believe because we have Heald Top Farm which has had 800 tons of waste dumped there 4 years ago and is still there, in bales, which are now breaking down and blowing rubbish all across our, so called, protected moors. It appears no agencies across Rossendale can afford to deal with this issue! It is well documented that some travellers leave a mess as they move on so I ask myself how does Councillor Lythgoe think this is going to be managed. Will this be another cost that the tax payer will also have to cover every time some irresponsible travellers move on from the site? Or will this become another area devastated and left as an unsightly blight on the landscape?

With regards to the services required for this site, Councillor Lythgoe stated that there is water available and in place at Tooter Quarry.

There is no mains water and the three cottages opposite the Quarry are supplied by spring water which they share from one well. In the summer season it is common for the spring to dry up and we are without water throughout the summer period.

Flooding is an issue at the Quarry site although Councillor Lythgoe stated that this was not the case. I have video footage of the Quarry entrance under water and Andrew Walmsley witnessed this flood in 2018. Councillor Walmsley stated that this site was unsuitable at the time.

It is well documented that some travelling families have a criminal element of intent according to the Common Select Comity who state that within some travelling sites there are problems with all or some of the following;

- illegal burning
- illegal tipping
- anti-social behaviour
- intimidation of local residents
- illegal road use
- travellers making their site a no go area for local police and other emergency services

My concerns are that Sharneyford is over 5 miles from the nearest, already overstretched, police station. If there was a safety critical event taking place how long, if at all, would there be a police presence?

The Council Policy states that any development should not have an overbearing element on the immediate community. There are three cottages opposite Tooter Quarry in which 6 people occupy. It has been proposed that there will be at least 4 pitches with 2 caravans

on each pitch which could habit six to eight occupants on each. This exceeds the limit and would have an impact on the lives of the local residence.

The Quarry is in a biological Heritage site and has returned to a natural state since the site closed down. There are a series of pools providing valuable habitat for many different species, this habitat could be lost if there was any illegal tipping or burning taken place as we have seen on some gypsy/traveller sites.

Tooter Quarry is situated on the borders of both Rossendale, Lancashire and Calderdale, Yorkshire. The proposed site will have a detrimental impact on the local landscape and is the gateway into both Counties.

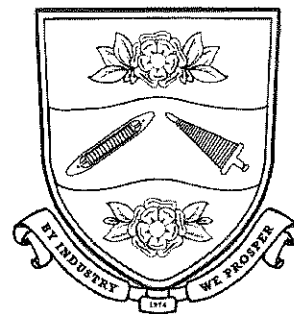
There are other sites in Rossendale which should be considered more suitable than this site such as; Futures Park, Valley View or off John street at Whitworth where travellers have shown an interest but have been evicted from these areas. These sites are situated off the main road, there are no biodiversity issues, no flooding, less cost to the tax payer and they are not 1300ft above sea level.

I would appreciate that you take into account the points I have made and reconsider this proposal.

Yours Sincerely J Howarth

TODMORDEN TOWN COUNCIL

Town Clerk's Office,
Todmorden Community College,
Burnley Road, Todmorden OL14 7BX



Mike Atherton
Planning Manager
Rossendale Borough Council
Futures Park
Bacup
OL13 OBB

5th February 2020

Dear Mr Atherton

Consultations on Gypsy and Traveller Transit site

I wish to respond on behalf of Todmorden Town Council to your consultation in respect of the above proposed Gypsy and Traveller Transit site.

Todmorden Town Council recognises and supports the need to provide such sites, but is concerned at the proposed location, which in practical terms does not appear to take into account the need for such a site to be in a practical location, where accommodating the needs that may arise from such use of a site, can be reasonably met.

The location on the edge of the Rossendale boundary, in an old quarry, is wet, exposed (same height as Stoodley Pike) and an area regularly blasted by snow and high winds. This cannot be helpful to providing a reasonable standard of accommodation for travellers.

Whilst there is a nearby primary school, there are no local shops, surgery or local facilities, that would normally support such an application.

Access to and egress from the site is not good, and potentially depending upon the exact location, on a dangerous bend. The purpose of this site could potentially lead to a larger number of vehicles and trailers accessing the road infrastructure and with it an increasing risk.

The proposed site is also on the doorstep of a Neolithic and Bronze Age site. Some of the mounds on this site may be ancient dwellings, and as such, we would ask that an Archaeological Impact Assessment is undertaken, and that the ramifications, if any, of this study, be taken into consideration before any planning permission is given to develop this Transit site. We would respectfully ask to be provided with such a copy.

This is also a dark moor, and we do have concerns reading possible light pollution as well as the impact of such lighting on the overall appearance of the moor.

Kind Regards


Colin Hill
Town Clerk and Responsible Financial Officer

[REDACTED]

From: smith family [REDACTED]
Sent: 09 February 2020 11:15
To: Michael Atherton
Subject: Travvelers site tooter quarry Todmorden Road sharneyford.

To whom it may concern;

Re Site Assessment document SHLAA16396 file 13918

My Name Is Geoff Smith , I have been a resident of Sharneyford for 31 years and have endured some harsh winters At Capella House I feel the proposal to allow a travellers site to be built here would cause unnecessary suffering to the travelling families living there. This site is also liable to flooding as it is a clay quarry; this flooding has increased since the erecting of wind turbines and additional roads and drainage on the moors on the Calderdale side, the quarry area now acts as a Free soak away for the rain water that now floods down Todmorden road, if the quarry was concreted for a hardstanding the water would flood Bacup centre.

This quarry has slowly recovered from the devastating condition it was left in many years ago, the wonders of nature have finally restored some beauty into the space. there is a lot of wildlife in this area which uses the ponds that are permanently there, the nature needs leaving alone to thrive.

I have also endured several illegal travelling communities in this area who have moved on eventually due to the harsh weather, ,they left a massive trail of domestic and commercial waste. which we cleaned up personally.

I have also had break ins and items removed from around our property; this stopped when the individuals moved on.

I totally oppose this proposal and suggest the travellers would be better facilitated elsewhere in a safer environment

As a Builder I can also confirm this area is unsuitable due to the massive cost that will be incurred to provide the basic utilities .

I hope this is of help with your decision .

Regards Geoff Smith
Capella House
Todmorden Road
Sharneyford
Bacup OL139UX

[REDACTED]

From: smith family [REDACTED]
Sent: 09 February 2020 11:21
To: Michael Atherton
Subject: FW: Travvelers site tooter quarry Todmorden Road sharneyford.

From: smith family
Sent: 09 February 2020 11:14
To: michaelatherton@rossendalebc.gov.uk <michaelatherton@rossendalebc.gov.uk>
Subject: Travvelers site tooter quarry Todmorden Road sharneyford.

To whom it may concern; Re Site Assessment document SHLAA16396 file 13918

My Name Is Ruth Smith , I have been a resident of Sharneyford for 31 years and have endured some harsh winters At Capella House I feel the proposal to allow a travellers site to be built here would cause unnecessary suffering to the travelling families living there. This site is also liable to flooding as it is a clay quarry; this flooding has increased since the erecting of wind turbines and additional roads and drainage on the moors on the Calderdale side, the quarry area now acts as a Free soak away for the rain water that now floods down Todmorden road, if the quarry was concreted for a hardstanding the water would flood Bacup centre.

This quarry has slowly recovered from the devastating condition it was left in many years ago, the wonders of nature have finally restored some beauty into the space. there is a lot of wildlife in this area which uses the ponds that are permanently there, the nature needs leaving alone to thrive.

I have also endured several illegal travelling communities in this area who have moved on eventually due to the harsh weather, ,they left a massive trail of domestic and commercial waste. which we cleaned up personally.

I have also had break ins and items removed from around our property; this stopped when the individuals moved on.

I totally oppose this proposal and suggest the travellers would be better facilitated elsewhere in a safer environment

I hope this is of help with your decision .

Regards RuthSmith
Capella House
Todmorden Road
Sharneyford
Bacup OL139UX



The Coal
Authority

Gypsy and Traveller Transit Site - Proposed Alternative Site Consultation

Contact Details

Planning and Local Authority Liaison Department
The Coal Authority
200 Lichfield Lane
Berry Hill
MANSFIELD
Nottinghamshire
NG18 4RG

Planning Email:

[REDACTED]

[REDACTED]

[REDACTED]

Date

10 February 2020

Dear Forward Planning Team

Gypsy and Traveller Transit Site - Proposed Alternative Site Consultation

Thank you for your notification received on the 14 January 2020 in respect of the above consultation.

I have reviewed the Proposed Gypsy and Traveller Transit Site and can confirm that it does not fall within the Coal Authority's defined Development High Risk Area. On this basis we have no specific comments to make on the proposed site.

Please do not hesitate to contact me should you wish to discuss this further.

Regards

[REDACTED]

Melanie Lindsley *BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*
Development Team Leader (Planning)



Historic England

By email
forwardplanning@rossendalebc.gov.uk

Our Ref: PL00135762
Your Ref:
Date: 12 February 2020

Dear Sir

Rossendale Borough Council: Consultation on Proposed Gypsy and Traveller Transit Site

Thank you for consulting Historic England on the Proposed Gypsy and Traveller Transit Consultation.

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

The proposed site allocation at the former Sharneyford Quarry has the potential to impact on the significance of a number of Grade II designated heritage assets. The current consultation does not make any assessment to determine the level of harm to the heritage assets and their setting. Reference is made to specific mitigation measures such as positioning of the pitches without understanding what the impact on the heritage assets are and whether this is an appropriate design measure to mitigate the harm. This is contrary to the requirements of the NPPF.

Historic England has produced a number of good practice advice notes on the historic environment, in particular the Good Practice Advice Note on the Historic Environment and Site Allocations in Local Plans (<https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>) will be useful in understanding more about the need for a heritage impact assessment to accompany the site allocation.

The NPPF makes it clear that the significance of heritage assets can be harmed through development within their setting. There is a requirement in the Town and

Country Planning Act 1990 that 'special regard' should be had to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which they possess. It is also the duty of the Council to preserve or enhance the character or appearance of its conservation areas and their setting. Where potential development sites appear to include non-designated assets including the possibility for archaeology, their potential should be investigated and retention/exploration should be promoted.

Consequently, before allocating any site there would need to be some evaluation of the impact, which the development might have upon those elements that contribute to the significance of a heritage asset including their setting, through undertaking a heritage impact assessment. The assessment of the sites needs to address the central issue of whether or not the principle of development and loss of any open space is acceptable. It needs to evaluate:

1. What contribution the site in its current form makes to those elements which contribute to the significance of the heritage assets. For a number of these heritage assets, it might be the case that the site makes very little or no contribution.
2. What impact the loss of the area and its subsequent development might have upon those elements which contribute to the significance of those heritage assets.
3. If it is likely to result in harm, how might that harm be removed or reduced to an acceptable level.
4. If the harm cannot be reduced or removed, what are the public benefits that outweigh the presumption in favour of the conservation of the heritage asset?

The selection of sites for development needs to be informed by an up-to-date evidence base and the Plan should avoid allocating those sites which are likely to result in harm to the significance of the heritage assets of the Plan area. Where adverse impacts are unavoidable, the Plan should consider how any harm might be mitigated. This could include measures such as a reduction of the quantum of development at a site, amending the types of development proposed or locating the development within another part of the site allocation. Such initiatives need to be fully justified and evidenced to ensure that such measures are successful in reducing identified harm.

The allocation of sites for development may also present better opportunities for the historic environment. For example, new development may better reveal the significance of heritage assets or may provide an opportunity to tackle heritage at risk.

Where relevant, policies for allocated sites may need to make reference to identified historic environment at risk in order to guide how development should be delivered. For example, this might require the policy to include detailed criteria or providing supplementary information within the supporting text.



Historic England strongly advises that the conservation officer of the Council and its archaeological advisers are closely involved in the preparation of the Rossendale Local Plan. They are best to advise on local historic environment issues and priorities including access to data held in the HER; how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the

nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

If you wish to discuss the content of this letter further, please do let me know.

Yours sincerely



Emily Hrycan
Historic Environment Planning Adviser (North West)
Historic England
Telephone: 
E-mail: 

[REDACTED]

From: Sue McCafferty <[REDACTED]>
Sent: 13 February 2020 14:55
To: Forward Planning
Subject: Gypsy and Traveller Transit Site - Tooter Hill Quarry, Sharneyford

Dear Planners

See photo at the bottom which is the view from my bedroom window and shows the Tooter Hill Quarry opposite. As you can see it is directly opposite my house. Over the thirty years we have lived here we have seen various schemes turned down for the quarry. It was being used for storage of demolition vehicles and equipment and that wasn't causing anyone any problems until the Moors Action Group of the time decided to involve themselves and the demolition man was evicted. The appeal went to the D of E and I went to the public meeting at Bacup Leisure Hall. The appeal failed on several grounds. [REDACTED] was supposed to restore the quarry and wasn't doing so to the satisfaction of the government and LCC. Year 1991.

Someone then wanted to use the space for storage of some sort of paper waste. That too was turned down, that was in May 2000, turned down by LCC as the person didn't put a bond of £10,000 forward towards the restoration of the quarry to comply with the early restoration of minerals sites as needed by the Development Plan policies of the government.

So I would like to know what has changed that this site can suddenly be used as a Gypsy and Traveller Transit site??

History and Nature - The quarry is important historically as it is on the site of a Neolithic settlement and several artefacts have been found there. It has, over the years, taken itself back to nature and is full of wildlife and vegetation.

Gateway - In objections by the Council over the years they have put forward time and again that this quarry is "the gateway to Rossendale and the first thing people see as they come over from Todmorden", it is right on the Lancashire/Calderdale boundary and because it is slightly lower than the moor anything in there can be seen from the road. Do we really want visitors to see caravans? I am fairly sure that if I had put a planning application in for caravan storage there it would have been turned down.

Water table - Over recent years as we have had more rainfall the quarry has never dried out, it acts as a reservoir for run off from the moor plus it is crossed by a tributary which leads down to the River Irwell. You can see the main bulk of the water on my photo and it is like that all the time now. The cost of draining this and providing hard standing for caravans must surely be immense. And then where would the water from the moor go? Yes straight down to Bacup very fast!

Altitude and climate - The quarry is at a high altitude and the weather can be cruel, the caravans would be at risk of not only flooding but being blown over.

Traffic – the quarry entrance is straight onto the very busy A681 where there is a national speed limit. If I was to do a risk assessment on vehicles towing caravans entering or exiting the quarry I would say it is very high risk! As vehicles come up the hill at speed they cannot see the quarry entrance until they are on top of it. There are a lot of road accidents up here as it is with vehicles misjudging the bend as they come from the moor. Add to that travellers' children running about plus all their loose dogs, highly dangerous scenario.

Water supply – there isn't any mains water up here, all the properties are on our spring water and we do run out from time to time although not as often as we used to. I would presume the travelers would need a water supply if it is to be a proper site with facilities. Also sewerage would be required. So they would need either a borehole supply or for mains water to somehow be pumped up the hill but that would be very expensive.

Amenities – Travellers like to be near retail outlets so they can stock up on supplies, the men usually leave the women on their own all day, don't think they'd be very happy to be left in a disused quarry miles from anywhere!

So, in conclusion, I do not feel that Tooter Hill Quarry is the right site for a Gypsy and Traveller Transit site.

This is TWO objections as my husband is in full agreement with everything I have said.

Sue and Garry McCafferty
276 Todmorden Road, Sharneyford
Bacup OL13 9UX



Sent from [Mail](#) for Windows 10

From: Brennan, Adam <[REDACTED]>
Sent: 14 February 2020 14:17
To: Forward Planning
Subject: RE: Local Plan and Neighbourhood Forum Consultations

Consultation on the proposed Gypsy and Traveller Transit Site

Thank you for seeking the view of United Utilities (UU) as part of the above consultation. We wish to build a strong partnership with Rossendale Council to aid sustainable development and growth within the borough. We aim to proactively identify future development needs and share our information. This helps:

- ensure a strong connection between development and infrastructure planning;
- deliver sound planning strategies; and
- inform our future infrastructure investment submissions for determination by our regulator.

United Utilities wishes to highlight that we wish to continue the constructive communication with Rossendale Council to ensure a co-ordinated approach to the delivery of the allocations with their Local Plan and the site included as part of this consultation.

General comment – Drainage

With regards to the amended gypsy and traveller site, we would encourage the Local Planning Authority to direct future developers to our **free pre-application service** to discuss their schemes and highlight any potential issues. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. We cannot stress highly enough the importance of contacting us as early as possible. Enquiries are encouraged by contacting:

Developer Services – Wastewater
Tel: 03456 723 723
Email: WastewaterDeveloperServices@uuplc.co.uk
Website: <https://www.unitedutilities.com/builders-developers/>

If the applicant is seeking to connect to the public sewer in Todmorden Road adjacent to the site, then early dialogue must be made. Future applicants and Rossendale Council should aware that if there is detailed information in relation to drainage submitted as part of a pre-application, a more detailed response into the requirements will be provided. In addition, any discussions must be consistent with the planning application that they are proposing to submit. Should any circumstances change, we would recommend that a pre-application to United Utilities is resubmitted to highlight any changes. Discussions should be consistent with those with the Local Planning Authority as they do not override the planning application process, which will require a thorough investigation of the surface water hierarchy.

It is important to highlight a need for continued discussions should the applicant wish for wastewater assets to be adopted by United Utilities. If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards.

General comments - Water Supply

Our water mains are likely to need extending to serve any development on this site and the applicant may be required to pay a contribution. If the applicant intends to obtain a water supply from United Utilities, we strongly recommend they engage with us at the earliest opportunity. It should be noted that the site proposed would require assessment to obtain a connection to our water network. There is little water infrastructure in the

immediate vicinity of the site, so early engagement is required to assess options and costings for a new water connection.

Although water supply in the area is compliant with current regulatory standards, we recommend the any future development provides water storage of 24 hours capacity to guarantee an adequate and constant supply.

To discuss a potential water supply, the applicant should contact the team at DeveloperServicesWater@uuplc.co.uk or visit <https://www.unitedutilities.com/builders-developers/>

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

Summary

Moving forward, we respectfully request that the Council continues to consult with United Utilities for all future planning documents. We are keen to ensure that all new growth can be delivered sustainably, in line with the Council's delivery target.

If you have any queries or would like to discuss this representation, please do not hesitate to contact me.

Kind regards,



Adam Brennan
Planner
Developer Services & Metering
United Utilities
T: [REDACTED]
[REDACTED]
unitedutilities.com

If you have received a great service today why not tell us?
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From: Forward Planning [mailto:forwardplanning@rossendalebc.gov.uk]
Sent: 14 January 2020 14:01
Subject: Local Plan and Neighbourhood Forum Consultations

Dear Sir/Madam,
We would like to invite your comments on two consultations: **a proposed alternative Gypsy and Transit Site** to be identified within Rossendale Local Plan and **the designation of Bacup and Stacksteads Neighbourhood Forum and Neighbourhood Area.**

Consultation on the proposed Gypsy and Traveller Transit Site

This is a 6 week consultation on a proposed alternative Gypsy and Traveller Transit Site to be identified within the Rossendale Local Plan. The consultation starts on Tuesday 14th January 2020 and will end at 5pm on Tuesday 25th February 2020. Please note that comments received after this time will not be accepted.

What is being consulted on?

Rossendale Borough Council has submitted its Local Plan to the Minister for Housing, Communities and Local Government for independent examination. One of the actions requested by the Inspectors, after the discussion on Matter 4 (Other Housing Needs), was for the Council to consider its position in relation to the provision of Gypsy and Traveller transit site and provide information to the Inspectors as soon as possible. This is in light of the need to replace the previously identified transit site at Futures Park, Bacup as this is now no longer available.

The consultation documents can be viewed on the Council's website at: <https://www.rossendale.gov.uk/localplan>, as well as at the One Stop Shop (Futures Park) and at Bacup, Haslingden, Rawtenstall and Whitworth libraries. For more information about what is being consulted on please see the Statement of Facts.

How to comment on the proposed Gypsy and Traveller Transit Site?

Comments can be submitted via:

- an online survey available at <https://www.rossendale.gov.uk/localplan>
- email at forwardplanning@rossendalebc.gov.uk
- or alternatively by post at the address below.

For more information about how to make comments on this consultation, please see the Statement of Representations.

What happens after the consultation?

Any comments ‘duly made’ will be forwarded on for consideration by the appointed Planning Inspectors as part of the on-going examination process.

Consultation on the designation of Bacup and Stacksteads Neighbourhood Forum and Neighbourhood Area

What is being consulted on?

The Council has received an application for the designation of Bacup and Stacksteads Neighbourhood Forum and Neighbourhood Area. The candidate Neighbourhood Forum and Neighbourhood Area in this instance has the meaning set out in Paragraphs 61F and 61G of the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

The consultation documents can be viewed at:

https://www.rossendale.gov.uk/info/210148/local_plan/10813/neighbourhood_plans/2

How to comment on Bacup and Stacksteads designations as Neighbourhood Forum and Neighbourhood Area?

The Council invite representations on the above application from Tuesday 14th January to Tuesday 25th February 2020 at 5pm. Please note that comments submitted after this time will not be accepted. Comments can be submitted via an online survey available at:

https://www.rossendale.gov.uk/info/210148/local_plan/10813/neighbourhood_plans/2.

What happens after the consultation?

The Council will make a decision on the application within 13 weeks from the start of the consultation. Please note that if the application is approved, the Neighbourhood Forum will be designated for a period of 5 years from the date of designation. Also, no other Neighbourhood Forums will be able to be designated for the same Neighbourhood Area until that designation expires or is withdrawn.

Once designated, a Neighbourhood Forum has the power to produce a Neighbourhood Plan which will guide development within the Neighbourhood Area. The Neighbourhood Plan should be broadly in alignment with the Council’s Local Plan.

If you have any queries about these consultations, please contact the Forward Planning Team at forwardplanning@rossendalebc.gov.uk or on 01706 217777.

Also, if you no longer wish to receive emails about Rossendale Local Plan or planning policy matters, please let us know at forwardplanning@rossendalebc.gov.uk.

Yours faithfully,

Mike Atherton

Mike Atherton

Planning Manager

Rossendale Borough Council

Forward Planning | Room 120 | The Business Centre | Futures Park

Bacup|Lancashire |OL13 0BB

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Rossendale Borough Council, Futures Park, Bacup, Rossendale, OL13 0BB
Website Address: www.rossendale.gov.uk
Twitter: @RossendaleBC
Facebook: Rossendale Borough Council
Telephone 01706 217777

EMGateway3.uuplc.co.uk made the following annotations

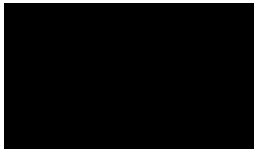
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The Planning Department,
Kingfisher Centre,
Futures Park,
Bacup,
OL13 0BB

17 February 2020

Dear Sirs,

Proposed Travellers' Site, Tooter Quarry, Sharneyford

I write to raise my concerns and objections to the proposed Traveller's site at Tooter Quarry Todmorden Road Sharneyford.

Being a long time resident of Sharneyford, having resided here for over ninety years, I have seen changes in that time and accept that changes in communities must occur.

During this time I have also witnessed the debris left to be removed by prior occupation of land by travellers and the anti-social behaviour of the travelling community. I realise that not all members of the travelling community display anti-social behaviour but the itinerant nature of their lives seems to give some of them what appears to be the right to help themselves to other people's belongings. In this respect a site similar to the former proposed site adjacent to the Kingfisher Centre would be more appropriate where the travellers would be within the community environment rather than at the periphery.

The behaviour of the travelling community aside, I consider the proposed site to be unsuitable as it is situated at the boundary edge of the Borough and at high altitude and not conducive to caravans. I have witnessed caravans being destroyed by high winds causing not only hazard to itself but to the surrounding area.

Yours faithfully,



H Hollingsworth



The Planning Department,
Kingfisher Centre,
Futures Park,
Bacup,
OL13 0BB

17 February 2020

Dear Sirs,

Proposed Travellers' Site, Tooter Quarry, Sharneyford

I write to raise my concerns and objections to the proposed Traveller's site at Tooter Quarry Todmorden Road Sharneyford.

Being at a high altitude the area suffers from severe weather conditions and therefore I believe is not suitable for the type of caravans that would use the site.

The quarry itself floods due to its clay, stone and shale base which having such a base then assists in intercepting rainwater which is then slowly released. Actually draining it or putting in surface water drains to construct a travellers site could add to the flooding problems in Bacup, ie faster flowing water into the River Irwell.

I have further concerns with regard to the lack of respect some members of the travelling community have towards the local area itself. Over the years I have witnessed the amounts of rubbish, both domestic and commercial, which has been left behind by travellers once they have moved on. If this happens at the proposed site then this could cause pollution to the River Irwell.

I also have concerns that there are insufficient local amenities, we have no shops, a very limited bus service to Bacup, and therefore feel that the travellers' themselves would prefer to be situated nearer to such amenities. The proposed site is approximately 2.5 miles away from any amenities apart from the local primary school.

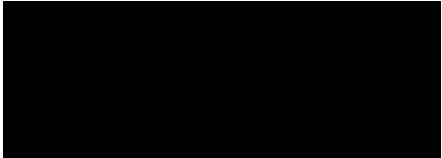
Due to the adverse publicity with regard to some travellers in respect of anti-social/criminal behaviour, I worry about how long it would take our emergency services, especially our overstretched police force, to respond to any concerns from the local residents.

I am therefore requesting that you to take my concerns into consideration when making your decision to whether to proceed or hopefully not with this proposal.

Yours faithfully,



J Carter



17 February 2020

The Planning Department
Futures Park
New church Road
Bacup
OL13 0BB

Dear Sirs

Re: Proposal of Travller's Site Tooter Quarry, Sharneyford

Please accept this letter as my strong objections to the above proposal.

I have been a resident of Sharneyford for 60 years, I have always loved living in the village with the surrounding countryside. I have seen changes in time and I am fully aware that changes must occur from time to time.

It is a number of years since we had travellers staying at the top of the village and during those times I witnessed anti-social behaviour and milk missing off doorsteps when they were present and when they departed a great deal of debris was left behind and this was moved at the expense of the Council.

Being a regular walker and only yesterday witness the proposed site was nothing more than a large lake; this area is totally unacceptable for the proposal with the regular flooding issues.

A family member that moved to the area in the 1970's lived in a caravan whilst they were renovating their house, I remember it well that they had to chain the caravan down due to the high winds. I have also witnessed other caravans being damaged by high winds, which was a danger to the area and highways.

Sharneyford is of a high altitude and is not suitable for caravans it is extremely exposed to high winds and rains, only yesterday I could hardly walk with the wind in my face it was so strong.

Please take into consideration my objections



Mr K Mitchell

Rossendale Borough Council,
Futures Business Park,
Bacup, Lancs

18th February 2020

Parrock Forge,
Todmorden Rd.,
Bacup, Lancs
OL13 9UT

RE TRAVELLERS SITE PROPOSAL, TOOTER HILL QUARRY, BACUP

FAO Michael Atherton, Forward Planning Dept

Dear Sir,

I wish to strongly object to the above proposal.

Following our recent weather storm Ciara this weekend I suggest that the gipsy camp proposed for Sharneyford is rejected.

The proposal is in a water capture area and helps to "Slow the Flow " of the stream down the valley towards Bacup.

Any development in the Irwell tributary flow should be avoided.

Let us learn from previous mistakes

None of the reasons for this proposal being rejected in 2016 have changed other than the Council now being prepared to make a compulsory purchase order on the land.

All the other reasons still stand.

I object on the grounds that this proposal will dominate the village of Sharneyford.

Your guidelines state that this should be avoided in all cases particularly outside the urban boundary.

The proposal consists of 8 caravans/ family units

The whole village consists of only 43 houses and an even smaller number of houses are immediately in close proximity.

This is not good for peaceful existence between the settled community and the travellers.

Nor is it good that this development is placed at the Gateway to Rossendale or indeed the Gateway to Lancashire. Such developments should not be placed on the periphery of urban areas.

I suggest that other sites be investigated more in line with National guidelines.

Please do not waste ratepayers money on a scheme which will without doubt be rejected upon Appeal to the Secretary of State.

Yours faithfully,


Mr D Mitchell.

Rossendale Borough Council,
Futures Business Park,
Bacup, Lancs

18th February 2020

Parrock Forge,
Todmorden Rd.,
Bacup, Lancs
OL13 9UT

RE TRAVELLERS SITE PROPOSAL, TOOTER HILL QUARRY, BACUP

FAO Michael Atherton, Forward Planning Dept

Dear Sir,

I wish to strongly object to the above proposal.

The Former Tooter Hill Quarry has now integrated into the landscape and provides a natural habitat for significant wildlife and plant naturalisation.

As recently it has flooded again further water damage to Bacup centre was reduced due to the Quarry retaining the storm water.

Concreting over such a large area to provide standing for 8 caravans ,parking sheds ,play area as required for a Transit site for travellers will

- 1) increase flooding risk to the Valley.
- 2) Compromise the setting of the Grade 2 listed Toll House at the entry to the Tooter Hill Quarry.
- 3) Severely stretch the current pumped water service to Sharneyford village , houses at the Quarry gate rely only on spring water.
- 4) safety risk for caravans at 1100 feet above sea level which would not be tied down. Traveller sites should not be built "on exposed sloping sites where there is risk of overturning or high flood risk" In this area our own 30 foot caravan has been picked up & blown away.
- 5) add to the traffic problems on Todmorden Road, Bacup which has several pinch points -
 - due to excessive main road parking
 - a school zone of 20 mph which is often ignored,
 - the presence of 40 + lorries(articulated trucks 40 feet long) per day going to the composting plant (carrying food waste from all over Lancashire) on the Todmorden Moor operated by Brosters ,formerly a maggot farm for 20 years .

For the travellers point of view

- 1) there is no space at the nearest Primary school in Sharneyford. Secondary schools are 3-5 miles away.
- 2) we receive snow ,high winds , low temperatures many times a year , not suitable for living in small caravans with minimal weather protection and not chained to the ground.
- 3) we have no bus service on a regular basis ,no shops, pubs or leisure facilities in Sharneyford itself. Bacup has these but is 1.5 miles away downhill with very narrow pavements on Todmorden Road.

In not allowing travellers to visit Futures Park , their long term preferred stopping point , the council is discriminating against the Travellers right to choose when Clauses restricting their presence have been negotiated with new tenants on Futures Park.

Yours faithfully



Moira Mitchell.

Mr Atherton
Rossendale Borough Council
Planning Dep't
Kingfisher Centre Bacup

Tooter Quarry - Sharneyford - Proposed Travellers Site. Todmorden Road.

Dear Mr Atherton,

Please take my concerns into considerations below. I believe the Council is sacrificing this land to protect its reputation and to push through the Local Plan. I understand a great deal of money has been spent on the plan and worry that the Travellers site will be accepted as a suitable site despite having complete contradictions in respect of the Planning Policy Guidance and DCLG's Guidance regarding traveller's sites. I would urge you to please look at this proposal in an objective manner.

I have suggested the old Recycling Yard at Blackwood Road, Stacksteads to the Councillors but have had not one reply. This site belongs to the LCC and I believe they would look favourably and come to a reasonable agreement with RBC. It has pollution control measures already in place. It has Drainage, Toilet facilities and sufficient hard standing in place. It is closer to local amenities and is in a safer location. There would be no need for a CPO and potential costly legal action. It would not require biodiversity compensatory measures putting in place after development and is a more sheltered position.

I would like to object to the proposal to put Traveller's site within the Tooter Quarry at Sharneyford on the grounds of;

- The safety of the travellers and the traveller's welfare.
- Potential biodiversity damage and impact on the ecology within the quarry.
- The detrimental impact on the Landscape and local housing stock
- Documented illegal activity within Traveller's Sites
- The safety and welfare of Sharneyford residents
- Hinterland Villages and Urban Sprawl
- Lack Of Demonstrable evidence the site needs to be in a rural location

There is no phone signal at the quarry. This would affect issues such as arranging work for the travellers, making emergency calls and potentially home schooling. Internet access has become an essential part of modern living. We have no phone signal at our house and rely on Internet calling.

The road is a national speed limit road and sees traffic travelling at ridiculous speeds past my property. Attached are three separate accidents that happened at my property in a twelve month period.

As an adult I have to care extra care negotiating the road as I cross it due to the speed of the traffic. I worry that a young child from the sight, unfamiliar with the road and its speed will be at risk if they wonder on to the road. Long Caravans plus large vehicles towing them

would be at risk, especially when the mist is down. The mist reduces visibility to a few feet, however, this does not prevent some motorists travelling at ridiculous speeds. The first crash image attached happened on such a foggy night. I have sent you these images on a previous email.

Again on the welfare of the travellers, putting travellers in the quarry, at an altitude of one thousand three hundred foot seems ridiculous. We have high winds, very heavy snow fall and very cold temperatures. Essentially we are half way up a mountain. When it's sleeting in Bacup, it's falling as heavy snow up here. Images with comparisons sent on the 19th via email.

The quarry does flood, as I have demonstrated in previous correspondence to the Councillors, (which I copied you in to.) I don't know whether you have seen the images but, I will send video footage to you if you want to see it.

Cllr, Adrian Lythgoe said,

"If it's flooded in the quarry the travellers will decide whether to stay or not."

What happens if it floods during the night, do they sleep with one eye open? Is this really an appropriate development where they may or not be able to stay depending on whether it's flooded or not? Surely there are other sights more appropriate. Is it really fair to say to the Travellers we have a site for you, let them travel miles to use it, only for to be turned away due to flooding? We're either providing a suitable site or we are not providing a suitable site.

DCLG Say traveller's sites should not be positioned in areas that flood due to, "The vulnerability of Caravans."

There was a suggestion at the council meeting that the quarry isn't at risk from flooding, the quarry does flood. I have reports that say the entrance to the quarry is at high risk of flooding with a medium risk of flooding within. Please see previous emails

Cllr Lythgoe also said,

"Travellers don't need public transport because they "Arrive in vans." Again, this is showing a total disregard for the travellers and is a stereotypical approach. What happens if one of the travellers is stranded at the site whilst their partner is at work, two miles from any shops and other amenities? The bus service is about to cease. Are we really serious suggesting that travellers don't use public transport? We would not accept sweeping statements like this about any other sections of society.

A concern is the loss of countryside and urban sprawl. Hinterland villages such as Sharneyford should be protected from such irresponsible proposals. Currently, the site is outside the settlement or "Urban boundary" and, as such, should not be developed. Your Policy SD2: Urban Boundary and Green Belt States;

"All new development in the Borough will take place within the Urban Boundaries, defined on the Policies map, except where development specifically needs to be located within a countryside location and the development enhances the rural character of the area"

I believe the Planning Dep't could not provide evidence that there is a demonstrable need for the site to be in a countryside setting, outside the urban boundary, and that this development could not enhance the rural character of the area.

I fear the character of the area will change significantly and I feel a site of this nature will have a detrimental impact on the lives of the residents in the Sharneyford area. We don't know how big the site will be as the Plan states there will be;

“A Transit site accommodating a minimum of four pitches will be provided on a site at Little Tooter Quarry, Sharneyford shown on the Policies Map as HS16.1.”

This means there will be two caravans per pitch, resulting in eight Caravans and eight vehicles, sufficient in size to pull large caravans. Plus a potentially unknown number of additional plant and machinery that many travellers use in many of their lines of business. This, potentially overbearing number of vehicles and vans, is in direct conflict with Policy ENV4: Landscape Character and Quality which states;

“In order to protect and enhance the character and quality of the landscape, development proposals should:

- Respond positively to the visual inter-relationship between the settlements and the surrounding hillsides and follow the contours of the site;
- Retain and, where possible, enhance key views.
- Be built to a density which respects the character of the surrounding area with only low density development likely to be acceptable in areas abutting the Enclosed Upland or Moorland Fringe Landscape Character Areas;
- Retain existing watercourses, trees and green infrastructure features that make a positive contribution to the character of the area and retain and, where possible, enhance key views.”

In my opinion, the proposed site could not meet the criteria set out in the four points above, from your planning policy document. Nor could the proposed development;

“Respect the character and distinctiveness of the local landscape.”

DCLG's Planning policy for traveller sites, Policy D: Rural exception sites states;

“A rural exception site policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.”

There is no evidence there are current residents or family connections in the area with travellers. There is in Whitworth at Valley View where there is a settled traveller's community. The travellers used to stay there but have been blocked from doing so with large stones placed around where they used to stay. There is also no evidence the site needs to be in a rural location due to employment opportunities. This is not an arable farming area where seasonal farm work is available for the travelling community. We have no fruit farmers that require travellers for fruit picking. It is a moorland landscape and as such, only sees Cattle

and Sheep farming which is not labour intensive. There is no evidence at all to suggest there is a need to push the Urban Boundary to accommodate travellers.

I have additional worries as many travellers sites mix domestic living with commercial enterprise and this again could have a detrimental impact on the area. I feel any Traveller's site would not be in keeping with local housing stock and would have a detrimental impact on the aesthetics of the local countryside. The site wouldn't be built in a traditional manner and would not blend in sympathetically with the surrounding houses some of which are over two hundred years old, including a listed house and a listed milestone within yards of the entrance to the proposed site. My points are in line with your Policy ENV1: High Quality Development in the Borough, which states;

- All proposals for new development in the Borough will be expected to take account of the character and appearance of the local area, including the following: Siting, layout, massing, scale, design, materials, lighting, building to plot ratio and landscaping.
- Safeguarding and enhancing the built and historic environment. Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area.
- The scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive.

How could a transient Traveller's site comply with any of the points above? It couldn't and is another example why I have strong objections to this proposal.

I have forwarded to you recently, some images of the Quarry in an attempt to show just how much is at stake with the loss of Tooter Quarry to development of any kind. As you can see through the pictures, the quarry has had an amazing recovery back to moorland and has amazing Biodiversity, of which, most other Councils and Boroughs would be proud of, in fact, thousands are spent on former quarries, to encourage what has happened naturally in the quarry.

To allow a transient Traveller's site at the quarry could potentially disturb the Bio-diversity that's taken place since the quarry closed. I believe there is a significant wildlife interest at the quarry and any development would not adhere to your planning Policy ENV5: Biodiversity, Geodiversity and Ecological Networks which advises:

- proposals should avoid harm and where possible enhance biodiversity, and where necessary appropriate mitigation and on and off-site compensatory measures to offset the impact of development.
- Development proposals should protect areas of biodiversity and ecological networks and where possible enhance sites and linkages. Any unavoidable adverse effects should be minimised and mitigated against, and where this cannot be achieved, compensated for with a net gain for biodiversity demonstrated.

- The design and layout of new development should retain and enhance existing features of biodiversity value within and immediately adjacent to the site. Ecological networks should be conserved, enhanced and expanded. Development proposals will be expected to demonstrate how ecological networks are incorporated within the scheme.

The majority of travellers are law abiding and respect the countryside but, there are a small minority that carry out illegal activities, in fact DCLG have produced advice to local councils with issues such as this in mind including, fly tipping, illegal burning, and other anti-social behaviour trends associated with traveller sites. It may only be a minority of travellers that do that but, I don't believe we can take a risk at this site due to the green, biodiversity environment which is at risk in the quarry if such tipping and illegal burning occurs. And I don't believe a transient traveller's site could;

“Where appropriate, development should incorporate habitat features of value to wildlife within the development (including within building design).”

Some travellers do use plant and machinery and with that comes oils and diesels. The majority would manage these pollutants safely however, there are some who would not use these potential pollutants responsibly. Policy ENV7: Environmental Protection says;

Development which has the potential, either individually or cumulatively, to result in pollution that has an unacceptable impact on health, amenity, biodiversity including designated sites, will only be permitted if the risk of pollution is effectively prevented or reduced and mitigated to an acceptable level by:

Undertaking assessments and/or detailed site investigations of land which is or may be affected by contamination and implementing appropriate remediation measures to ensure the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area.

I believe, policing the control of such substances would be very hard with a transient community and on these grounds, I would strongly object to the site as there is too much at stake with the potential pollution and loss of habitat for wildlife at the quarry.

We have pylons, wind turbines, fly tipping and smelly wagons to contend with. In addition, behind us we have 8 hundred tonnes of illegally dumped waste at Heald Top Farm, which it appears that no one can do anything about other than to let it rot! What would happen if we have a similar incident in the quarry?

The quarry has benefitted due to it being a basin that holds water, hence the biodiversity that has regenerated there. It has a clay, stone and shale base which holds water. This assists in the intercepting of rainwater and holds this water, releasing it slowly. The site is inappropriate for a travelling community site due to this. Draining it or putting surface water drains in for the travellers could exacerbate the flooding problems Bacup struggles with in spate conditions. Policy ENV11: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality states;

- All Development proposals will be required to consider and address flood risk from all sources. Planning permission will only be granted for proposals which would not be subject to unacceptable flood risk or materially increase the risks elsewhere. This should be informed by consideration of the most up to date information on Flood Risk available from the Environment Agency, the Strategic Flood Risk Assessment (SFRA) and from the Lead Local Flood Risk Authority.
- All development proposals will be required to manage surface water as part of the development and should seek to maximise the use of permeable surfaces/areas of soft landscaping, and the use of Green Infrastructure as potential sources of storage for surface water run-off. New development should not increase on-site or off-site surface water run-off rates and, where practicable, should seek to reduce surface water run-off

Clearly, any interference with the site would not comply with the policies above. Policy NV6: Green Infrastructure states;

Development proposals should seek first to avoid or, if not feasible, mitigate biodiversity impacts on-site. Schemes which would result in a net loss of green infrastructure on-site will only be permitted if:

The loss resulting from the proposed development would be replaced by equivalent or better provision elsewhere (achieving an overall net gain of 20% in biodiversity offsite compared to that lost including long-term management proposals); and

The proposals would not have an unacceptable impact on amenity, surface water run-off, nature conservation or the integrity of the green infrastructure network.

How and where would any developer achieve an overall net gain of 20% in biodiversity offsite compared to that lost including long-term management proposals? They couldn't and this is another reason why I would object to this development.

I have worries with regard to Anti-social behaviour and criminal behaviour that has been associated with some traveller's sites. Sharneyford has many isolated properties and I feel, should there be any inappropriate behaviour, especially of a criminal or violent nature, how long would it take for our overstretched constabulary to respond with the nearest Police Station at Waterfoot.

On a personal note, I am an officer in the Fire Service, I live opposite the quarry. I worry for my family's safety. I work in Bacup and may have to attend illegal burning in the quarry and may find myself in conflict with the travellers. The Commons Select Committee states there are problems with illegal burning, illegal tipping, anti-Social behaviour, illegal road use and travellers making sites "No go areas for the police" it also states there is a trend of travellers intimidating local residents. Should I attend an incident there, as I respond from home, within five minutes of putting out a fire, travellers with criminal intent will then see me return home directly opposite the quarry. I worry that this will compromise my safety and the safety of my family. (These are my views, not the views of Lancashire Fire and Rescue Service.)

Currently the site has no running water, no foul drains and no electric. Putting porta-loos in the quarry and having generators running all the time would not be fair to local residents. There would be noise pollution and potentially light pollution. Who would pay for the loos to be emptied, if it is left to the travellers, some may tip toilet waste on to the land which has happened before. There is no hard standing and providing hard standing could only interfere with the bio-diversity again.

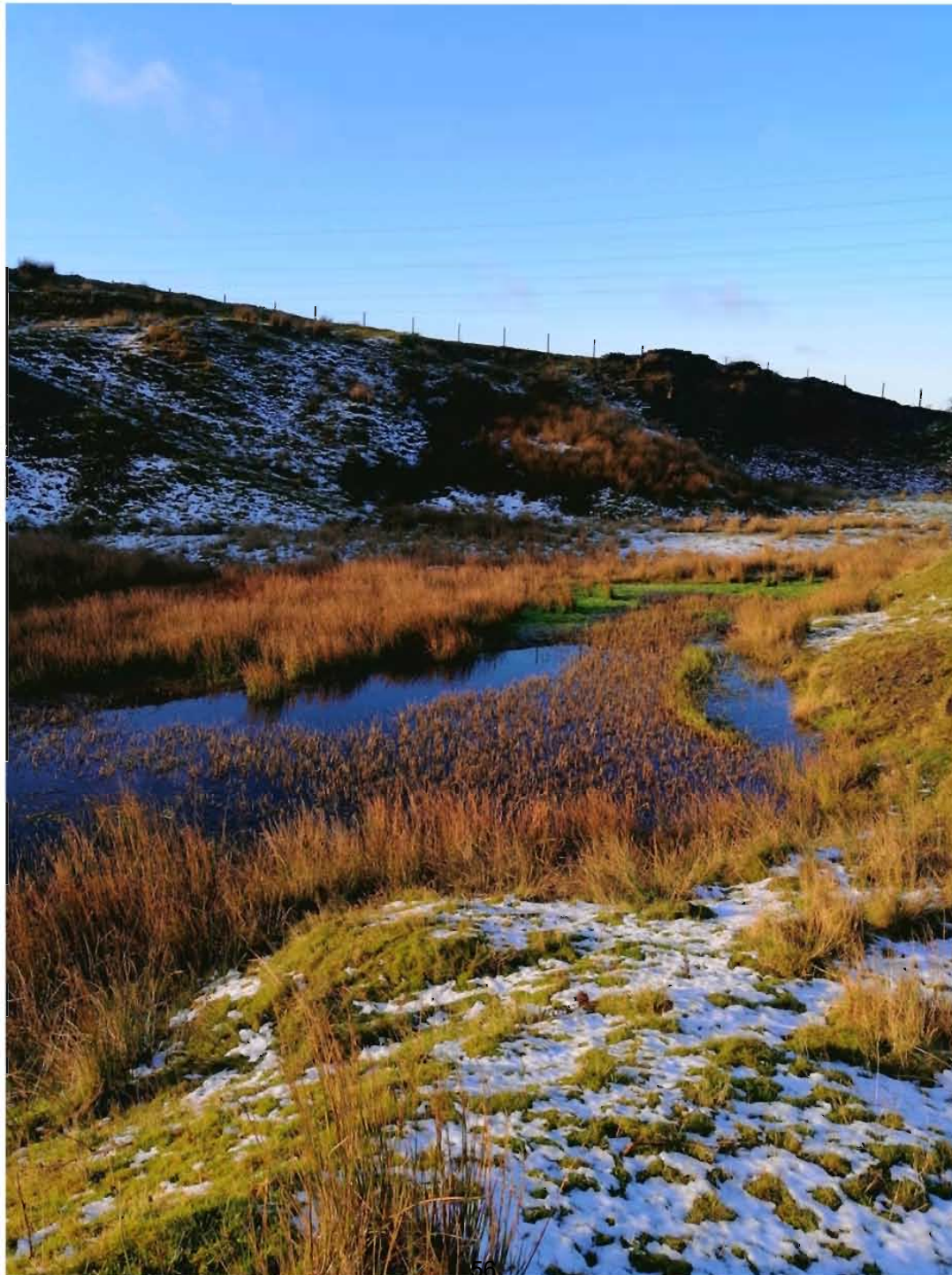
Kind Regards,

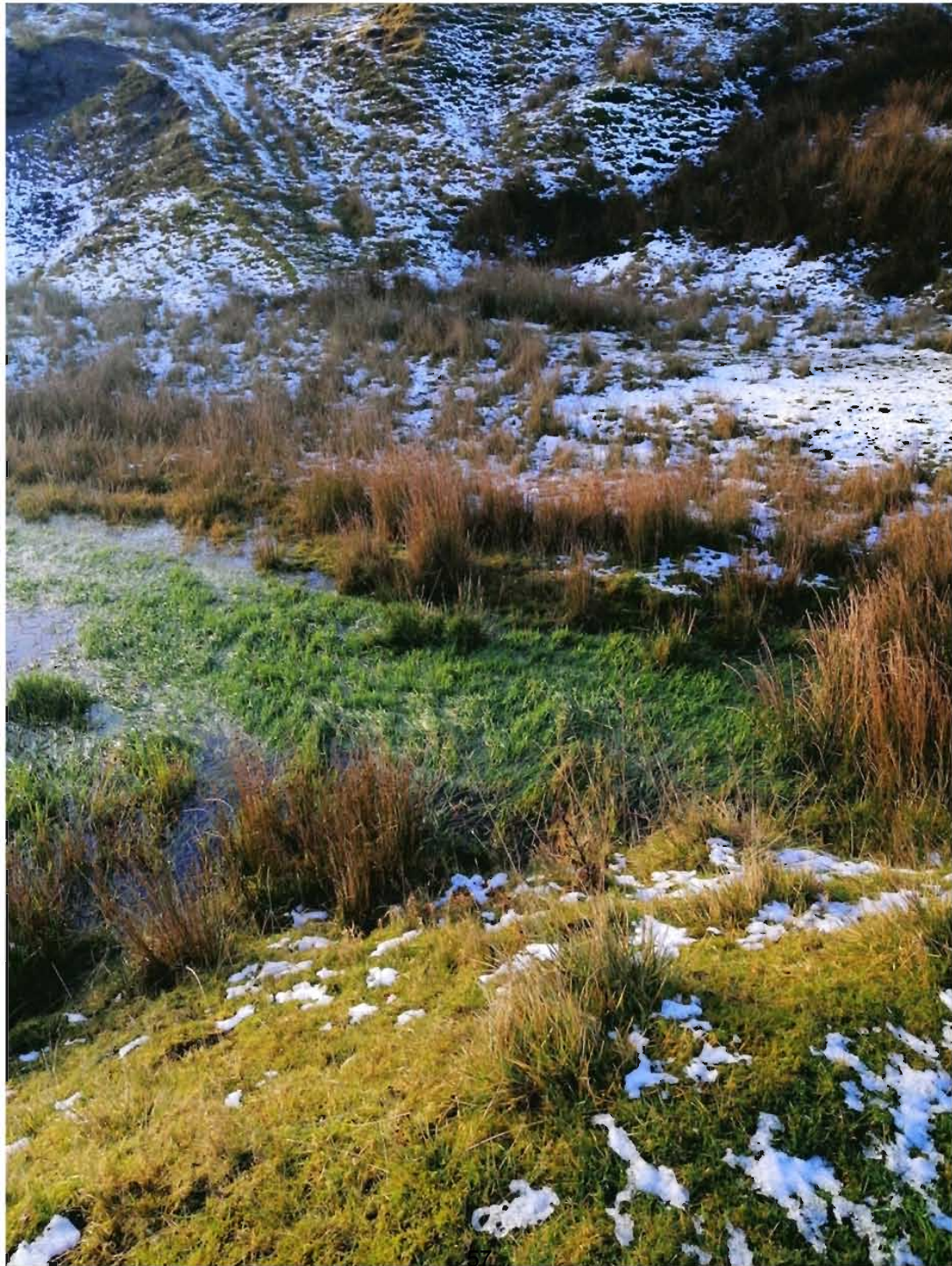
Chris Howarth
278 Todmorden Rd
Sharneyford
Bacup
O113 9UX

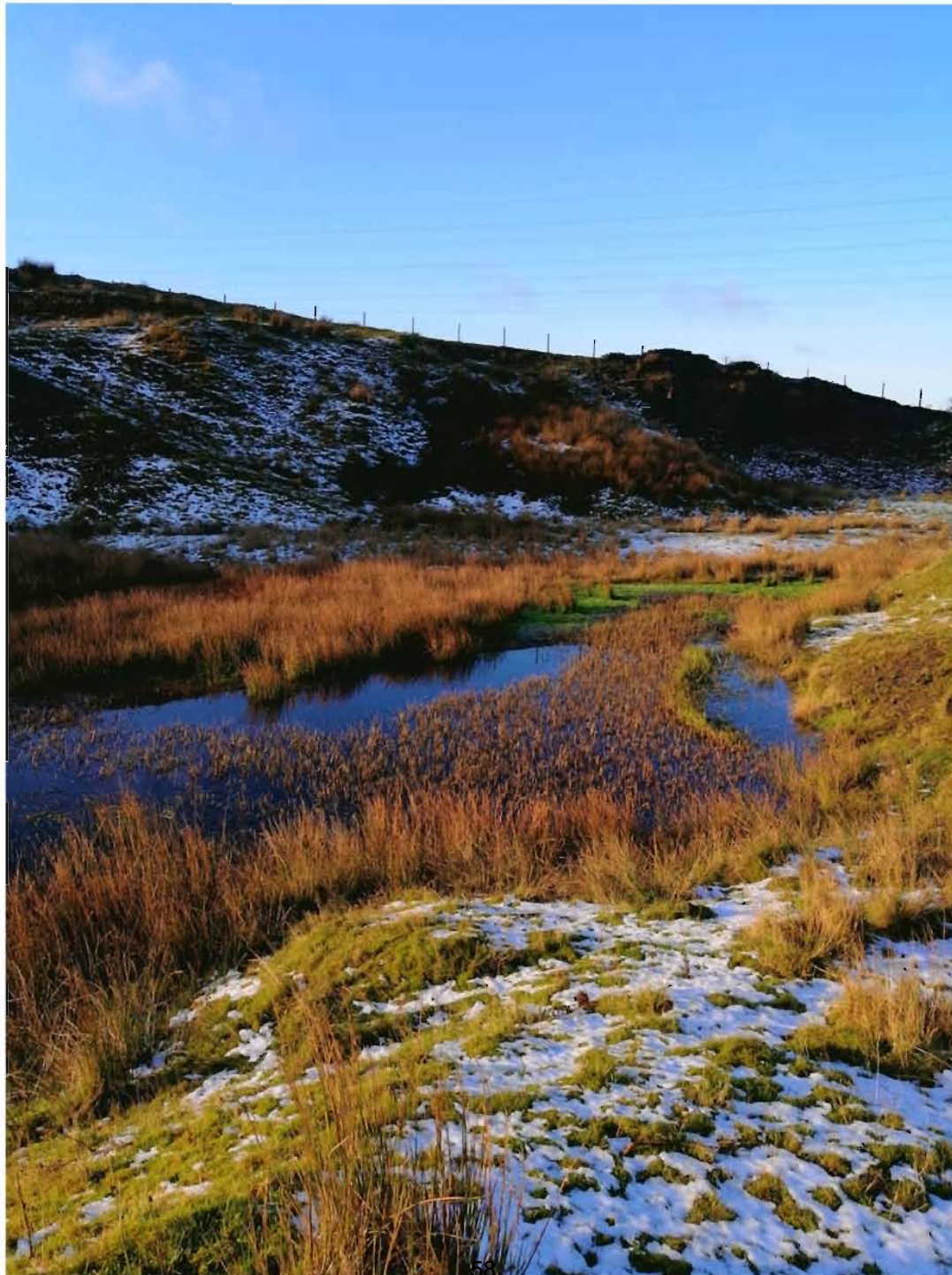


SHARNEYFORD AND TOOTER QUARRY







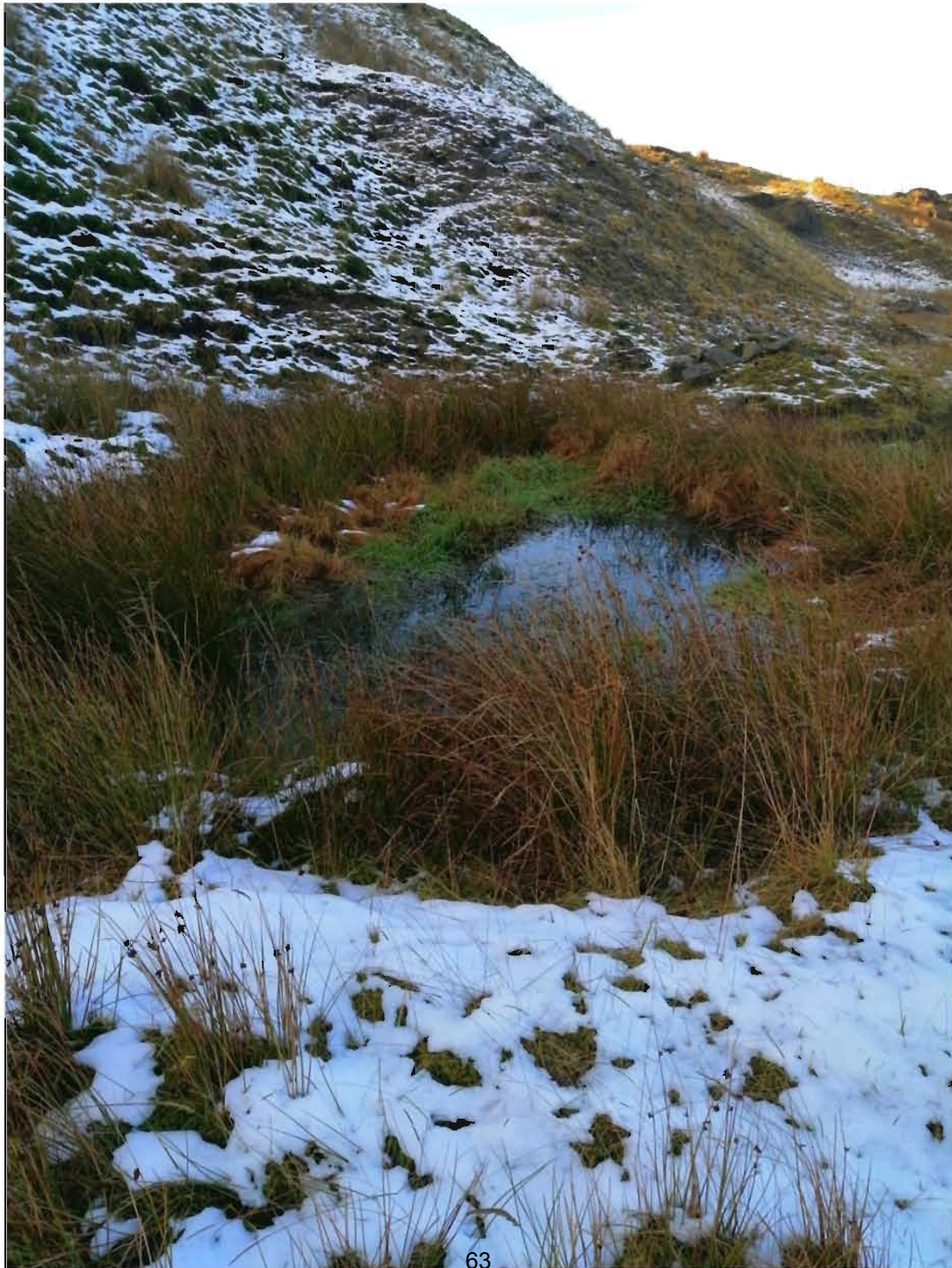




































TOOTER QUARRY FLOODING



















15 February 2020



09:29



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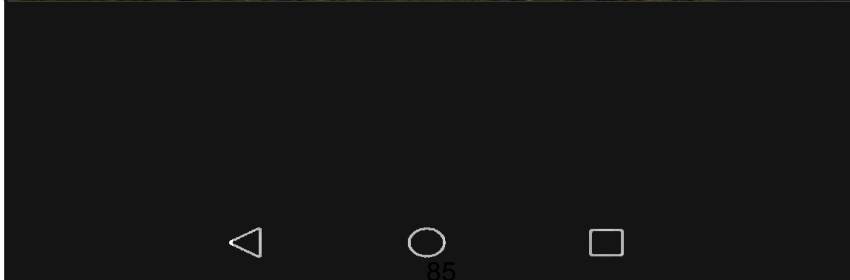


Delete



More



































Aillis Ni Ríain
234 Todmorden Road
Sharneyford
Lancashire
OL13 9UQ

9th January 2020

Dear Jake Berry and Michael Atherton

I am writing on behalf of my partner and myself who both live at 234 Todmorden Road, Sharneyford to object to the proposal to develop a Gypsy and Traveller's Site at Tooter Quarry, Todmorden Rd.

Everyday I walk past this quarry and up to Todmorden Moor. Very little indeed has been spent on maintaining the footpath and the low lying stone walls are literally falling down. Despite these issues, I love where I live. The moors are special and in my experience many people – young and old take advantage of this immediate area for walking, running, dogs, cycling and quad biking.

My main concern is the loss of countryside and anti-social behaviour. Sharneyford needs to be protected from what seems to me a very rushed and inconsiderate proposal for all concerned. I don't see why such a remote, brutally harsh, 1200 metres above sea level, exposed piece of beautiful moorland should be repurposed for the housing of the gypsy and travelling community when so little research has been done or locals not consulted.

We are aware we reside on the border between West Yorkshire and East Lancashire – but we are not in no-man's land and the area where this is proposed is totally unsuitable for the proposed site. We already have serious litter, abandoned vehicles and fly tipping issues immediately near where this site is proposed – I can only see things get worse and the environment and residents suffering.

As far as I am aware you have not stated how large the site will be – I don't see how this can be up for discussion or agreed to without us residents knowing precisely what is intended and what research has gone into it. I fear the character of the area will change significantly and I feel a site of this nature will have a detrimental impact on the lives of the residents in the Sharneyford area.

I've read your planning policy and don't see how the proposed site could meet the criteria stated within. It makes no sense to me that this proposal is even being seriously considered given the location we are discussing.

There are no amenities for the travellers at Sharneyford, there is only a very limited bus service. We have no shops and, historically, the travellers like to be closer to such amenities as supermarkets, doctors etc. Sharneyford School is always oversubscribed and would struggle to accommodate more children from the travelling community.

I have worries with regard to Anti-social behaviour and criminal behaviour that has been associated with some traveller's sites. Sharneyford has many isolated properties – Waterfoot is our nearest police station, there isn't even public lighting on the top of Todmorden Road, zero amenities and a limited bus schedule.

Trying to rush this policy through to meet government deadlines is a fool's game on this issue. It seems to be to be a bizarre, rushed and ill considered proposal by all accounts.

Please take my concerns into consideration and look at more suitable sites across Rossendale for the travellers.

Sincerely,

A Ni Riain

Ajay Gilbert

Ailís Ní Ríain
234 Todmorden Road
Sharneyford
Lancashire
OL13 9UQ

9th January 2020

Dear Jake Berry and Michael Atherton

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My main concern is the loss of countryside and anti-social behaviour. Sharneyford needs to be protected from what seems to me a very rushed and inconsiderate proposal for all concerned. I don't see why such a remote, brutally harsh, 1200 metres above sea level, exposed piece of beautiful moorland should be repurposed for the housing of the gypsy and travelling community when so little research has been done or locals not consulted.

We are aware we reside on the border between West Yorkshire and East Lancashire – but we are not in no-man's land and the area where this is proposed is totally unsuitable for the proposed site. We already have serious litter, abandoned vehicles and fly tipping issues immediately near where this site is proposed – I can only see things get worse and the environment and residents suffering.

As far as I am aware you have not stated how large the site will be – I don't see how this can be up for discussion or agreed to without us residents knowing precisely what is intended and what research has gone into it. I fear the character of the area will change significantly and I feel a site of this nature will have a detrimental impact on the lives of the residents in the Sharneyford area.

I've read your planning policy and don't see how the proposed site could meet the criteria stated within. It makes no sense to me that this proposal is even being seriously considered given the location we are discussing.

Rossendale Borough Council
Futures Business Park
Bacup, Lancs

234 Todmorden Road
Sharneyford
Bacup, Lancs
OL13 9UQ

18th February 2020

RE TRAVELLERS SITE PROPOSAL, TOOTER HILL QUARRY, SHARNEYFORD, BACUP

FAO Michael Atherton, Forward Planning Dept

Dear Michael,

I appreciate you are in a difficult position, with pressure to accommodate the travelling community somehow under government directives, and I bear no ill feeling towards that community, though there is plenty of history of difficulties between them and 'settled' communities.

However, **I wish to strongly object** to the proposal for the following reasons:

1. In such a small village as Sharneyford, such an encampment will dominate and is unlikely to lead to peaceful relations.
2. Though there are no doubt exceptions, the site will very likely become an eye-sore. The travelling community have different values when it comes to the environment, and this is what people entering Lancashire from Todmorden will face every day. There is already a problem with fly-tipping in the area and this will just get worse. It is a sad fact that the borders between counties receive least care from both responsible Councils.
3. The police, informally, have suggested the site is entirely unsuitably given the distance between it and the nearest police station.
4. It is an inhospitable place to offer the travellers, given its altitude, inclement weather and being prone to flooding, as well as the lack of public facilities, school places, buses etc
5. What really has changed since the previous proposal in 2016 which was rejected?

Thank you for your attention and I sincerely hope you are able to reject this site as a very poor choice.

Yours faithfully



Ajay Gilbert

[REDACTED]

From: Laura Davies <[REDACTED]>
Sent: 20 February 2020 22:45
To: Forward Planning
Subject: Traveller site objection

To whom this may concern

As a resident of Todmorden Road, Sharneyford, I would like to strongly object to the proposal to develop a Gypsy travellers site at Tooter Quarry, Todmorden Road.

My concerns for this land to be developed are:

- The land and area is a wet land that retains a lot of water and this lessens flooding to the area. With climate change its only going to get wetter in the future so these areas should not be [developed.it](#) states in the documents from 2015 when the site was visited that the area is at a higher risk of flooding, and taking away this Natural wet land to replace with building materials will increase this risk.
 - The documents site reference SHLAA16405 from the site visit states that the site is located on a biological Heritage site. This should be of great importance to the area of Rossendale and should be protected.
 - The site doesn't have any amenities, there is no water, no foul waste and no electric, no bus service and not close to doctors, shops.
- the site is open to extreme weather conditions and is an unexceptable area to expect anybody to live there in caravans.
- The site is outside the settlement of Urban boundary and as such shouldn't be developed. your policy SD2 urban boundary and green belt space states.
 - The site contains or adjoins a listed building, the planning policy cannot respect the character and distinctiveness of the local landscape and local housing [stock.it](#) does not safeguard and enhance the historic environment and will do harm to the [area.it](#) will have an adverse impact on the neighbouring properties.

Laura Davies
2 Higher Change Villas
Todmorden Road
Sharneyford
OL139UB

[REDACTED]

From: [REDACTED] >
Sent: 20 February 2020 22:47
To: Forward Planning
Subject: Traveller site objection

To whom this may concern

As a resident of Todmorden Road and local business owner in Sharneyford, I would like to strongly object to the proposal to develop a Gypsy travellers site at Tooter Quarry, Todmorden Road.

My concerns for this land to be developed are:


- The land and area is a wet land that retains a lot of water and this lessens flooding to the area. With climate change its only going to get wetter in the future so these areas should not be [developed.it](#) states in the documents from 2015 when the site was visited that the area is at a higher risk of flooding, and taking away this Natural wet land to replace with building materials will increase this risk.
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Craig Davies
2 Higher Change Villas
Todmorden Road
Sharneyford
OL139UB

Consultation on Proposed Gypsy and Traveller Transit Site

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|-------------------------------|--|
| Title | Mr |
| First Name | Steven |
| Last Name | Hartley |
| Job Title (where relevant) | - |
| Organisation (where relevant) | HPand DA Ltd |
| Address Line 1 | Swallow Barn |
| Address Line 2 | Lower Chapel Hill |
| Address Line 3 | Hurst Lane |
| Address Line 4 | Rawtenstall |
| Post Code | BB4 8TB |
| Telephone Number (optional) | - |
| Email Address |  |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I act for Mr and Mrs K Street of Shawforth. They and their 3 adult sons are travelling showpeople. They have acquired a site opposite the former Deerplay public house and where they are currently storing some of their fairground type equipment. The site is known to your enforcement section(Nick Brookman) Mr and Mrs Brookman have occupied the site in this manner for several months I am instructed to submit a planning application for the continue use of the site for them as travelling showpeople to include one dwelling, 3 no touring caravans for thier 3 adult sons, plus space for thier fairground equipment. A topographic survey of the site is commissioned with a view to submitting a planning applicaton forthwith. This site provides an alternative to the proposed traveller site which is the subject of the consulation. There is certainty that this site at the Deerplay (whichi is within the Rossendale Borough boudary) can be developed for a traveller family which , while all being members of the same family, comprises 4 separate parts

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

see above Please bring this to the attention of the Inspector

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: The site.pdf

Q9. Signature

| First Name | Last Name | Date |
|------------|-----------|------------|
| Steven | Hartley | 22/02/2020 |



67%

3. Part B - Comments on proposed Gypsy and Traveller Transit Site

5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----------------------|----------------------------------|
| (1) be Legally Compliant | <input type="radio"/> | <input type="radio"/> |
| (2) be Sound | <input type="radio"/> | <input checked="" type="radio"/> |
| (3) comply with the Duty to co-operate | <input type="radio"/> | <input checked="" type="radio"/> |

6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

see above

Please bring this to the attention of the Inspector

8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

File: The site.pdf

Choose File

9. Signature

| First Name | Last Name | Date |
|------------|-----------|------------|
| Steven | Hartley | 22/02/2020 |

Save and Continue Later

Previous Page

Finish Survey

[REDACTED]

From: [REDACTED]
Sent: 24 February 2020 09:46
To: Forward Planning; Michael Atherton
Subject: Consultation re proposed traveller site - Tooter Quarry

Dear sir / madam,

I have fairly recently moved to Sharneyford, Bacup and I have many concerns regarding the proposed traveller site at Tooter Quarry.

Firstly I would like to state that I agree with all of the comments previously posted in 2018 objecting to the proposal - this was prior to me buying my house.

I briefly summarise my specific concerns below :

I have experience of the travelling community in both my previous employment, and my current employment, and I have serious concerns that the crime rate in the area will soar including theft, fly tipping, intimidation, doorstep crime relating to their 'dodgy' business activities (roofing, gardening, tarmac) and general unruly behaviour. The massive cost of fly tipping to local authorities has been well documented over recent months, and around the Tooter Quarry area there many potential sites.

I have recently moved to the area but I can state quite categorically that I definitely would NOT have bought a house in Sharneyford had I known there was a traveller site on my doorstep. The house prices in the area will definitely be affected and people will not want to move to what is otherwise a lovely area;

Having a traveller site at the gateway to Bacup, Rossendale and Lancashire (from Todmorden/Littleborough direction) is definitely not the welcome a visitor would want. If the Council is committed to encouraging new visitors and potential investors/residents then such a traveller site in this location is not the way forward;

I am aware that the former quarry has gone back to nature over several years which has encouraged lots of wildlife and wild foliage to the area. Building a new traveller site will have such a damaging affect on the local ecology;

The likely cost to the Council to make this site liveable can surely not be acceptable in these times of austerity. There is inadequate infrastructure in the area - mains water including drinking water, drainage, plumbing, electricity, hard-standing for vehicles and caravans, access roads etc

Due to the nature of a former quarry there are areas that are potentially unsafe for children. How would the Council ensure the safety of children?

There is a distinct lack of public amenities in the area - the local primary school is very small and oversubscribed; the nearest health centre and convenience stores are over a mile away and the local bus service is highly inadequate;

There are likely to be legal challenges against Rossendale Borough Council if they are not following its own criteria set out in the Local Plan regarding building developments outside the Urban Boundary. There are many derelict buildings and brownfield sites around Bacup centre, and indeed other areas of Rossendale, which I consider to be more appropriate for development as a traveller site.

I OBJECT TO THE PROPOSED TRAVELLER SITE AT TOOTER QUARRY.

Best regards

Gary Singleton
188 Todmorden Road
Sharneyford
OL13 9UD



[REDACTED]

From: [REDACTED]
Sent: 24 February 2020 14:51
To: Forward Planning; Michael Atherton
Subject: Proposed traveller site at Tooter Quarry.

Dear sir/madam,

In response to the consultation in relation to the proposed traveller site in Sharneyford, I wish for it to be noted that I strongly object to the proposals on the following basis:-

- 1). It is not in line with the councils own policy for establishing a traveller site within the urban boundary. The area proposed for the site is rural.
- 2). There will be significant costs to establishing the site at the proposed location, which I consider to be a disproportionate spend of council money, in relation to the benefits gained. The site would require substantial work to ensure the location is habitable, including levelling the site and the provision of basic amenities to the site, including water, drainage and power.
- 3). The location is not close to any local amenities for any potential travellers who reside there.
- 4). The local school is small, and would put additional pressure on the school.
- 5). There is no regular public transport to the proposed site. It is not responsible of the council to develop residential sites out of urban locations, which require regular car travel, thereby adding unnecessarily to the carbon footprint.
- 6). The area is subject to extreme weather conditions, in relation to other parts of the Borough, including wind, snow and heavy rain. Such weather conditions can be difficult to those living in permanent housing structures and less than ideal for caravans and less substantial buildings.
- 7). I have experience of working for a local authority, and seen how the level of fly tipping increases in areas used for traveller sites. The rural location proposed will provide much opportunity for fly tipping, yet the remedial costs will be high to remove accumulations from the many inaccessible areas around.
- 8). The proposed site is on the border with Yorkshire. For those people travelling from Yorkshire to Rossendale, Lancashire, the traveller site will be the first development seen. I don't believe that this will be the most attractive first impressions for visitors to Lancashire.
- 9). I believe that house prices in the area will be affected as any potential new purchasers would take in to account the proximity to a traveller site. I recently purchased this property as I wanted to live in a rural location.
- 10). It is my opinion that traveller's would not want to reside in such a rural location and would feel they have been banished to the outer boundary of the Borough, kept at a distance from integrating with other residents and communities in the Borough.

Kind regards
Lisa Barker
188 Todmorden Road,
Sharneyford,
Bacup

Rossendale Borough Council
Planning Policy
Futures Park
BACUP
Lancashire
OL13 0BB

Our ref: NO/2012/104518/PO-
04/SB1-L06

Your ref:

Date: 24 February 2020

Dear Sir/Madam

Rossendale Local Plan - Consultation on Gypsy and Traveller Transit Site

Thank you for consulting us on the above.

We have reviewed the consultation material available on your website and having regard to our remit, we would have no objections to the proposed allocation.

Yours faithfully

Philip Carter
Planning Officer - Sustainable Places

Direct dial [REDACTED]
[REDACTED]

[REDACTED]

From: Rob Hindle <[REDACTED]>
Sent: 24 February 2020 18:59
To: Michael Atherton; Forward Planning
Cc: Michelle Hindle
Subject: Travellers site - Tooter Hill Quarry, Sharney Ford, Objection Email
Attachments: COUNCIL.minutes_pkg.view_doc.doc; Habitat_Enhancement_Plan_1.pdf; image003.jpg; Validation_Checklist.pdf; PHOTO-2020-02-09-18-07-54.jpg; PHOTO-2020-02-09-18-07-55.jpg; PHOTO-2020-02-09-18-32-14.jpg; PHOTO-2020-02-09-18-32-57.jpg; PHOTO-2020-02-09-18-33-20.jpg; PHOTO-2020-02-09-18-34-44.jpg

Dear sirs

I would like to strongly object to the proposed traveller site at the above. My reasons are below and I have attached various documents to assist and back up my objection.

The site is exposed and does not allow travellers to integrate with the local community in Bacup.

The site is the gateway from Calderdale in to Rossendale and will be an eyesore.

The site has previously been rejected for development - so why the change now.

The site is located in Flood Zone 1, however the Rossendale Planning Validation Checklist identifies that sites in this flood zone that are over 1ha would require a Flood Risk Assessment as part of the planning application (it is likely the proposal will exceed this). Further to this, the below attached identifies that the site is at medium to high risk of surface water flooding on the site and, more notably, what is likely to be the main entrance is also subject to a high risk of surface water flooding.

On the biodiversity front, the development does not appear to be subject to a designation for biodiversity purposes, although this does not include consideration of locally designated sites as these are held by the local authority.

The Rossendale Planning Validation Checklist notes that 'an ecology assessment and/or wildlife survey [to be] submitted for all proposals where development might affect protected species and/or habitats, any waterbody, pond, ditch or other similar feature'. Appendix B specifically highlights that proposals located in or immediately adjacent to quarries or gravel pits must be accompanied by surveys relating to bats, breeding birds and reptiles.

Allocation of a site would not be expected to provide this information, instead collated for a planning application, but should consider the likelihood of its acceptability based on the available information. If a site is unlikely to be acceptable on aspects considered through planning, then it shouldn't be allocated for use. Some key aspects of the NPPF in relation to allocating land for development: Flood risk – All plans should apply a sequential, risk- based approach to the location of development – taking into account the current and future impacts of climate change –so as to avoid, where possible, flood risk to people and property (see Paragraph 157); Flood risk - Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding; Flood risk - Both elements of the exception test (where it is not possible to locate in an area of lower flood risk) should be satisfied for development to be allocated or permitted; Conserving and Enhancing the Natural Environment - plans should: allocate land with the least environmental or amenity value, where consistent with other policies in the Framework;

The issues associated with surface water could be overcome at great expense to the tax payer, but will need to do so without making flood risk elsewhere worse. Given the risk of surface water flooding on the site,

The Habitat Enhancement Plan for Parrock and Heightside Farms indicates the value of the area for breeding skylark and curlew (ground nesting birds that will be disturbed by activities if nesting close to the site – not an offence as not Schedule 1 species, would be contrary to the national Biodiversity Action Plan). The Council Minutes for a windfarm at Reaps moss indicates the presence of badger setts nearby and inadequacy of bird surveys undertaken. Whilst further afield, the Gorpley Planning Statement for a windfarm near Gorpley Reservoir identifies that surveys were needed for amphibians, reptiles, badger, otter and bats – and identifies the importance of the area for breeding curlew. Tooters Quarry could provide habitat for great crested newts, bats, breeding birds and badger. Access is poor just off a sharp corner and adjacent a national speed limit area. So turning caravans would be in a dangerous position.

There is no infrastructure which would need to be paid by the Tax payer.

The site would be overbearing to the few cottages adjacent in terms of the number of people possible at the caravan site against locals.

There is no school provision.

I hope the above is considered and please could you confirm receipt of this email.

Kind regards

Rob Hindle FRICS
Director

For and on behalf of



WHITE HINDLE & PARTNERS
BUILDING AND PROJECT CONSULTANTS

W: whplimited.co.uk
A: Calls Wharf, 2 The Calls, Leeds, LS2 7JU

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Heightside Farm
Todmorden Road
Bacup
OL13 9UG
19/02/2020

FAO: Michael Atherton

Please find below the letter of objection for Traveller site proposal at Tooter Hill Quarry Bacup.

We would like to strongly object to the proposal, the reasons are as follows:

- 1) Damage to natural habitation of wildlife and plants of the wet land.
- 2) With climate change on the rise, the ground holds back flow of water to Bacup, changing this ground would increase the risk to people's safety and life in the lower Valley.
- 3) Increased risk to direct community with regards flooding, and grade listed property in close proximity.
- 4) The site proposed has been flooded by Storm Ciara for 2 weeks now helped by Storm Dennis, therefore is it reasonable to suggest the lives of the travellers and there family are endangered as well as the local Bacup which has also suffered due to the Storms despite this large holding water site you are proposing to change.
- 5) Farm land surrounding the proposed site which holds live stock could be placed at risk.
- 6) Safety of travellers using the site due to excessive high winds which can cause damage to property and life.
- 7) Safety of the travellers due to local amenities being 1.5 miles away on a small road which is already heavily congested.

The local area of Sharneyford is very welcoming, friendly and pleasant Village to be part of. The local town Bacup has recently been developed by the council to improve the appeal and will to visit the area and town generating larger trade for the community, if flooding risk was increased then the appeal to visit would inevitable be reduced.

The crime levels in Bacup have reduced and the area has 'come up' in recent years due to the funding provided by the council and I feel from experience with travellers and there sites this could be compromised and local authorities and police services may struggle to deal with this potential growing problem.

For the Travellers information:

Local schools (Sharneyford Primary) is already full to capacity, meaning local primary school education will be 1.5 miles away and local high school education being between 3-5 miles plus in travelling distance.

Safety for travellers living in mobile housing, at 1100 feet approximately above sea level, as they will be unable to secure there home to the ground. With high winds experienced in the Village for many parts of the year. From personal experience living in a home in Sharneyford we suffer with problems due to wind and driving rain, and proposing a site in these conditions I feel is inhumane.

No local bus service to connect the travellers to the local town of Bacup and Todmorden.

Yours Sincerely

J Heap & K Heap

[REDACTED]

From: Michael Atherton
Sent: 25 February 2020 11:32
To: DG - Forward Planning
Subject: FW: Tooter Hill Quarry
Attachments: IMG-20200209-WA0002.jpg; IMG-20200209-WA0003.jpg

From: Philip Taylor [REDACTED]
Sent: 24 February 2020 16:17
To: Michael Atherton
Cc: [REDACTED]
Subject: Tooter Hill Quarry

Dear Mr Atherton,

I would like to object to the proposed siting of a Traveller's site at Tooter Hill Quarry on two grounds.

Firstly, Sharneyford is a small community, perhaps a hundred or so residents.

The proposed site is for eight caravans, each of which could contain six people, meaning that the population of Sharneyford could increase by 50% overnight.

This is despite the **'Department for Communities and Local Government's 'Planning policy for traveller sites'** document stating:

When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.

I would say that this potential increase to the population, would represent domination of the community.

Secondly, flooding. Just over two weeks ago Storm Ciara caused severe flooding in Bacup town centre. The quarry filled with a huge amount of water (please see the attached photographs).

Had this water been channelled directly down towards Bacup, the many thousands of litres of water contained, would have affected many more homes and businesses.

The site is in many other ways is a totally unsuitable one. Enduring, for much of the year, a very inhospitable climate for caravan living and being on a dangerous bend with a history of accidents .

Finally, a question; why, when two years ago the site was deemed to be totally unsuitable, have things changed so drastically?

Please could you acknowledgement receipt of this email?

Thank you.

Philip Taylor





New Barn Farm
Todmorden Road.
Bacup
OL13 9UZ
23.02.20

To Whom it may Concern,

Re: Proposed Gypsy and Travellers site at Little Tooter Quarry

I'm writing to object to the proposed traveller's site in the Little Tooter Quarry of Sharneyford, my main reasons for this rejection is that living up on the moors is really challenging at times. We live in a house and struggle with the strong wind, heavy rain and cold conditions, I feel it would be inhumane to expect people to live in caravans and deal with these difficult living conditions.

Another major issue with the weather is that the proposed quarry holds a lot of the water coming off the hills and has developed a natural pond. In heavy rain the propose quarry area floods which would be unsuitable for caravans to be based on. Even if drainage was put into the quarry during heavy rain this would still pour onto the road and make its way down into Bacup town, like it has with the recent weather (Pictures below).

As stated in the Rossendale free press (Link below) recently Mario's has been flooded 3 times in 5 years, if the site was used as a traveller's site it is inevitable that the water that was once held here will make its way to Bacup causing more flooding risks.

The Council and the people living in Bacup have worked really hard recently to improve the area and it's reputation, lots of new shops have opened and are making the area a place to come and visit or move to. If the flood risk increases then this hard work will be lost, businesses can not continue to have floods, water damage, loss of earnings.

We have recently moved to Sharneyford and now been here 3 years, Sharneyford is a beautiful part of Bacup which is an up and coming area like I said before. If this proposed site goes ahead then this will bring the reputation of the area down, this is a massive shame considering all the recent hard work the council and the local people have put in to improve its status.

We have lived near traveller's sites before which have not been pleasant for the local people, the community or the local authority, even the police were reluctant to go onto the travellers site following complaints or incidents.

My fear from previous experience is that crime will increase, the area of Sharneyford and Bacup will become less desirable and this will effect the investment potential it currently has, along with its up and coming reputation being damaged and stopping people wanting to move here. If this was a consideration when we were buying our house 3 years ago we would of not gone through with the purchase and looked at a different area.

Yours faithfully

Karl Pover

<https://www.lancs.live/news/lancashire-news/how-floods-devastated-rossendale-now-17743336>







New Barn Farm,
Todmorden Road
Bacup
OL13 9UZ

23/02/2020

Dear Sirs

Re: Proposed Gypsy and Travellers site at Little Tooter Quarry

I am writing to object to Rossendale Council's proposals for the development of a residential Gypsy and Traveller site at the above location.

My objection is on the following grounds:

1. Impact on amenity

The proposed development will place extra burdens on the village infrastructure, with the local infant school already at full capacity and no amenities or facilities within the immediate vicinity.

The site will increase traffic on an already busy road, with no pavements or street lights, further up Todmorden road hence creating even more of a risk for pedestrians and drivers.

The proposed development would undoubtedly increase the areas overall population would in turn increase pollution exponentially; air, noise, light, drainage, litter and other materials, further spoiling the visual amenity and sense of open countryside that the local residents currently enjoy.

2. Flood Risk

The proposed land is situated on flood plain zone. In heavy rain, the proposed area is vulnerable to severe flooding leaving the site unsuitable and uninhabitable for caravans to be based.

Even if drainage was put into the site, to attempt to try and cope with heavy rain, any excess rainwater would still pour onto the road and make its way down into Bacup town, like it has done in recent weather (Appendix 1).

The proposed plans for the site make no provision for extra sewerage; the drainage system in this village cannot cope currently with some local businesses having suffered from flooding three times in the past five years. This was evidenced in the local newspaper, a copy of which is enclosed (Appendix 2).

3. Impact on the rural character of the area

The proposed development does not respect the character of the surrounding rural area. The proposals will lead to an urbanising effect both through the development of permanent new homes and through the significant increase in traffic movements to

and from the site. The current tranquillity of this rural setting is likely to be ruined by the proposed development.

The proposed site will unquestionably reduce the habitat for local wildlife, such as; badgers, rabbits, foxes, bats, dormice, birds and others all of which would have a detrimental impact on the ecosystem.

The proposed site would not be considered suitable for housing and therefore I fail to see why it is considered acceptable for a gypsy/traveller site.

To conclude, the alleged need for the proposed development is questionable, the proposal site is not suitable for the proposed development and therefore the application proposals should be refused.

Please acknowledge this letter of objection.

Yours faithfully

Mrs Hayley Pover

Please see Appendix 1 & 2 Attached.







**Mr Atherton
Rossendale Borough Council
Planning Department
Kingfisher Centre Bacup**

Dear Sir,

With regard to the proposal to put a traveller's site at Little Tooter Quarry at Shaneyford, I would like to object due to a number of issues.

Firstly, the quarry floods, as seen over the last two weekends. The quarry holds a significant amount of water and, if released quickly due to it being drained, then this can only increase the already horrendous flooding we saw in the town centre on Sunday. Putting travellers in a quarry that sees flooding like that seems a ridiculous proposal. All predictions for future flooding events are to get more frequent and to get more severe. This begs the question, why risk the traveller's welfare putting them at this site that has a known flood risk?

Being the gateway to Lancashire and Rossendale from West Yorkshire, the quarry provides pleasing aesthetic views. Placing travellers in the site can only detract from these views, caravans and large vehicles in what has now become a natural moorland landscape would without doubt have a negative impact on the skyline as you cross the border from Yorkshire. The quarry's basin is visible to walkers and road users from Flower Scarr Road, Bacup Road, Todmorden and Todmorden Old Road, Bacup.

This site sits within view of the Rossendale Way and, having passed Heald Top Farm, which has tonnes of waste blowing around the moor in fields next to it. What would visitors to Rossendale think if any travellers illegally dump within the quarry, essentially we could have two grot spots on the Lancashire/Yorkshire border. Would they accept this on the North Yorkshire Moors, the Yorkshire Dales or the Lake District, of Course not but, it looks like we will in Rossendale. Who will foot the bill to clear any illegal tipping and how could it be policed if some members of this transient community do dump illegally. By the time any meaningful investigation took place they would be gone, leaving an expensive clean-up operation for the tax payers of Rossendale?

There are many other Brownfield sites across Rossendale, surely placing travellers in the quarry can in no way be considered to be looking after the welfare of the travellers. The cost of developing the site runs into many thousands of pounds, placing the utilities in the quarry will be very expensive. Tax Payers of Rossendale will have to foot the bill, surely there must be cheaper alternatives. Rakehead Recycling Centre has all the travellers need, a hard standing base, interceptors for spillages, it's closer to local amenities and can accommodate large vehicles. It has drainage and Toilets, running water and it is lower lying and does not sit at a very

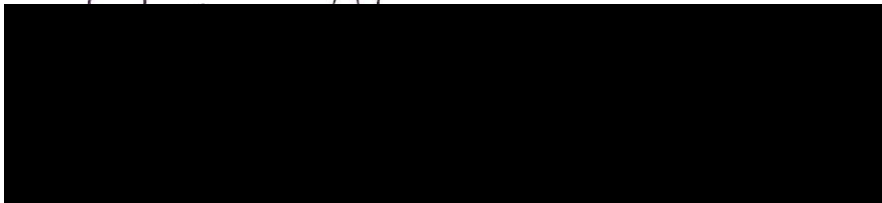
high altitude and, more significantly, doesn't flood. There would be no compensatory bio diversity measures needed putting in place and it's not owned by the LCC. They would surely come to an agreement with RBC.

If Rossendale BC were to CPO this site, surely the safety of the travellers becomes the Council's responsibility. Would RBC not be held responsible if a safety critical event took place there due to the water for example? If RBC own the site, any tipping and clean- up costs would sit with the council wouldn't it? If the quarry is polluted, would the cost of restoring the damage to the environment sit with the council.

Is there any actual demonstrable need for travellers to be placed here? Travellers traditionally like to be close to local amenities. There is no bus service, limited phone signal and no shops within easy access. Travellers visiting Bacup don't need to be positioned in a rural location for work. We don't have seasonal arable farm work available for the travelling community. Rossendale is a livestock farming area which is not labour intensive.

The questions for me are, do the council really believe they are providing the best site available in Rossendale that meets the needs of the travellers? This land owner has not expressed an interest in selling the land, according to the Councillors at the meeting on the 23rd December. I believe other land owners haven't agreed to sell their land but, why choose to purchase this land when we could purchase any piece of land under a CPO which has no flooding issue or road safety issue or extreme weather conditions in comparison to other areas in Rossendale? Why have we listened to the views of some land owners but not this one? The final Question has to be, are the council really providing best value for the Tax payers of Rossendale by choosing this piece of land? I think not!!

Yours



26 COWTOOT LANE
Bacup
Lancashire
OL13 8ED

[REDACTED]

[REDACTED]

From: peter connor [REDACTED]
Sent: 25 February 2020 15:18
To: Michael Atherton
Subject: Fwd: Sharneyford

To Michael Atherton.

Proposed Gypsy and Traveller Site at Sharneyford.

Further to your proposed gypsy and traveller site at Sharneyford, Todmorden, as a resident of Bacup Road. Todmorden, I am writing to you to register my objections.

This site has previously been rejected on two occasions due to the unsuitability of the location. I am objecting on the grounds that this is a totally unsuitable site due to the location.

I refer to the Communities and Local Government Good Practice Guide to Designing Gypsy and Traveller Sites, Section 3 Location.

3.1 Selecting the right location for a site is a key element in supporting good community relations and maximising its success. As with any other form of housing, poorly located sites, with no easy access to major roads or public transport services, will have a detrimental effect on the ability of residents to:

- Seek or retain employment
- Attend school, further education or training
- Obtain access to health services and shopping facilities.

The buses Monday to Friday only run every two to two and a half hours, the last bus of the day running at 17:31. There are no buses on Sundays and there are no buses to the nearest Rossendale High School. There are no trains from Bacup and the station at Todmorden is a 90 minute walk away.

3.2 Easy access to local services, and to social contact with other residents in the community, should help deal with the myths and stereotypes which can cause community tension and instead encourage a greater sense of community with shared interests.

The nearest Medical Centres are at Bacup and Todmorden but both are under resourced and face shortages of medical staff. There are no shops within the local area. The site is isolated and therefore would not provide the suggested social contact with local residents.

3.4 Office of the Deputy Prime Minister (now Communities and Local Government) Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites provides advice on site location and selection. It identifies factors which are important for the sustainability of a site, for instance:

- Ground conditions and levels of land
- Not locating sites in areas of high flooding risk (for medium and low risk areas see paras 3.21–3.23).

This site has been turned down on two previous occasions due to the high flooding risk. The quarry at Sharneyford is currently flooded with gallons of rainwater and is fulfilling a requirement as a vital flood plain.

Developing this site and changing the composition of the land surface will cause a greater risk of flooding to

the village of Cloughfoot and the residential areas on Bacup and Todmorden roads.

3.5 It should also provide visual and acoustic privacy, and have characteristics which are sympathetic to the local environment. When selecting locations for permanent sites, consideration needs to be given to the relatively high density of children likely to be on the site.

Sharneyford Primary School has 67 pupils at present. The total capacity of the school being 70 pupils. There is insufficient provision for any increase in numbers due to children from the site.

3. 7 Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments.

There are relatively few houses in the area, which is not conducive to building community relationships.

Bacup councillor, Andrew Walmsley said, “I don’t feel it is an appropriate location. The location is pretty wild at the top of Sharneyford, this site has flooding issues and it’s a site that has been returned to its natural habitat.”

In feel that this area is totally unsuitable due to its isolated location; it suffers from high winds, heavy rain and flooding. The road across this area is often impassable during the winter months. This moor is a wildlife haven and is home to a wide variety of birds and wildlife.

Your Sincerely

Peter Connor.





[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: andrea kay [REDACTED]
Sent: 25 February 2020 16:08
To: Michael Atherton
Subject:

I am a Sharneyford resident, I am writing to object to the proposal to develop a Gypsy and Travellers Sight at Tooter Quarry, Todmorden Road, Sharneyford. HS16.1
I have significant concerns in relation to the location of the choses sight.
It is well known that the gypsy and travelling communities are one of the most marginalised and oppressed communities within society. They face a high-level of poverty and discrimination and concerns are regularly recorded in relation to their unmet needs, poor physical and mental health, inappropriate housing conditions, poor sanitation and lack of educational opportunities. The Local Area Safeguarding Children's board express concerns in relation to the high-levels of child neglect, poverty, domestic abuse and substance misuse. Due to the transient life style, it harder to provide the appropriate education and support, therefore the key is to integrate these communities into society and not to segregate and isolate. It is imperative that the women and children within this community are seen and heard and have appropriate access to community resources and services.

Central government has proposed to take measures to address these inequalities and provided better outcomes in relation to social isolation, poverty, education, health, housing and hate crime etc. This will mean that each local council had a duty to promote equality and challenge discrimination.

The proposed site will significantly isolate this community from society, the council could not have chosed a more remote isolative sight. Without transport there is no access to shops, health care, available educational facilities. Currently there is no regular bus service. Due to the rural location very few people are physically fit enough or able to walk up from the doctors, schools, shops or town centre to the quarry sight. This will further isolate the women and children within this community.

As a Sharneyford Resident, over eight months of the years we are subject to extreme weather conditions. Temperatures plummet below zero on a regular basis, the wind, rain, fog and snow provide a harsh environment in which to reside. Our homes are required to be maintained to a high standard, all have stone roofs, most have additional insulation and all have heating bills above the national average.

The quarry sight which is proposed fills with water acting as a flood plain for both Bacup and Todmorden, as the council are well aware the flooding has worsened over recent years, and of concern is that interference with this quarry will only exacerbate the flood issues.

Snow drifts have been known to cover the back of my house for over a period of a month during the winter, I would be extremely concern about the safety and welfare of any individual living in a caravan, relaying on hook up electricity in such extreme weather conditions. The quarry its self, also fills with water and snow, being exposes to such conditions could have fatal consequences for the most vulnerable members of our society, the children and elderly.

Therefore, in conclusion I express concern that the Council Members proposing this sight are significantly discriminating against the Travelling and Gypsy community, by failing to take their needs fully in to account. Furthermore, they would be isolating them from society, restricting their


access to community resources and facilities also placing their health and welfare at significant risk of harm, due to social isolation and the extreme adverse weather conditions we experienced here in Sharneyford.

I am of the view that the local council would be failing in their duties to address the government recommendations to challenging these social inequalities of the gypsy travelling communities and to implement the recommended local strategies in relation to flooding.

Out of the whole of the Rossendale Valley, I fail to see that this proposal is the only option available.

The gypsy travelling community have identified sights appropriate for themselves such as Futures Park, I request that the council reconsider these sights, the needs and basic human rights of this community.

Regards

Andrea kay
270 Todmorden Road
Sharneyford
Bacup
O113 9us


[REDACTED]

[REDACTED]

[REDACTED]

From: Diane Burton [REDACTED]
Sent: 25 February 2020 17:06
To: Michael Atherton
Subject: Planning permission Tooter Hill Quarry

I believe that Lancashire Council have approved plans for Tooter Hill Quarry to be filled and developed.

It is extremely concerning that this land is considered suitable for development, as this will remove a natural defence against flooding for both Todmorden and Bacup. At a time when the area has yet again suffered severe flooding and had a high profile in national press, Local Authorities and the Environmental Agency have a duty of care to be working together to build a better flood defences.

The quarry is currently filled with gallons of water and is acting as a floodplain / defence.

Please also see the photos which have been taken over the last few days. The quarry does over flow during peaktimes and joins the rivers flowing down the hill.

I would urge you to seriously reconsider these plans as it is highly likely this could have a devastating impact on the local areas.

Thank you,
Diane Burton
Todmorden resident





[REDACTED]

From: Sue Brennan [REDACTED]
Sent: 25 February 2020 16:54
To: Forward Planning
Subject: Fw: Consultation on proposed Gypsy and Traveller Transit Site

----- Forwarded message -----

From: Sue Brennan <[REDACTED]>
[REDACTED]
Sent: Tuesday, 25 February 2020, 16:49:24 GMT
Subject: Consultation on proposed Gypsy and Traveller Transit Site

Councillor Sue Brennan
3, Moorlands Terrace,
Bacup
OL13 9QD
[REDACTED]

To the Local Plan Inspector and whom it may concern,

I am writing as a resident of Bacup and as a relatively recently elected Rossendale Borough Councillor in Longholme Ward, Rawtenstall.

I have generalised and serious concerns with regards to legalities in the process of developing the emerging Local Plan. My concerns are particularly and especially around detail in any clause/s within council lease agreements being

a) non discriminatory (directly or indirectly)

b) legally and practically deliverable, enforceable and serving the council's versatility of action over time.

I want to ensure as is mine and all of our duty, as councillors and officers, that we have acted and continue to act legally and appropriately specifically considering The Equality Act 2010 and legislation around what is and is not enforceable within any lease/s which the council has with its tenants.

I cannot support a process, in which, the evidence I have seen, informs me that the clause referred to in, Rossendale Local Plan "Consultation on proposed Gypsy and Traveller Transit Site" is discriminatory and originates from an intent of preventing the placing of a Gypsy/Traveller transit site at Futures Park, Bacup. It is also I believe a clause which is most likely unenforceable over time.

At a confidential and closed part of a Council meeting on 9th July 2019 I became aware of a request for a clause within a lease which I viewed to be directly discriminatory towards a protected group Equalities Act 2010.

I raised my concerns in the meeting and was assured by officers that it was not a legal and had been checked out. After the meeting I remained concerned and in order to fulfill my duty to act within the law as a councillor I sought legal advice in principle around the same without breaking confidentiality.

I do not have a copy of the confidential papers from that meeting of course but although they were draft documents I would hope that they will be available to the inspector as they are an important part of the story leading to Futures Park becoming unavailable as a transit site.

I raised my concerns with Alyson Barnes Leader of the Council, Claire Birtwistle, Cath Burns and Phil Seddon and those it may concern at the council on 10th July 2019, the following day. This email I sent to officers will be available to the Inspector.

I then sought advice from Howes, Human Rights Solicitors, Brentford and from Ben Taylor Housing/Property Solicitor and one time solicitor of the year Manchester.

Howes agreed with my view that this clause request was directly discriminatory. Ben Taylor advised that it was extremely ill advised to put a clause in a lease which referred to land not being leased by the leaseholder as this would be unenforceable.

Alyson Barnes met with me some time later and assured me that the offending clause was to be removed from the potential lease.

Futures Park as a traditional stopping off point for Gypsies and Travellers was at this point the allocated site for a future transit site. I understand the need for a site within Rossendale referred to by the Inspector.

It was only at the ensuing Labour Group meeting in December 2019 and the December Council Meeting that I became aware that Futures Park was no longer available as a transit site.

I then checked the agreed lease and I am concerned that the clause now worded very differently is a lightly disguised transition from the requested clause which was direct discrimination to a clause which I perceive as indirect discrimination. The intent and outcome of the clause being exactly the same, to prevent the siting of a transit site at Futures Park. I remain concerned that all efforts are made to ensure this clause is legal.

Futures Park is over time in documentation referred to as an Employment and Leisure Park. I do not see how this precludes a transit site at Futures Park as a transit site would in fact require employees to manage, supervise and maintain it.

Common sense implies that any lease eg my household lease can not refer to other land outside of that lease as per Ben Taylor's advice. Over time this or future councils may want to use Futures Park for a variety of reasons and this clause constrains and restricts the council over what could be a long period. I can find no evidence regarding Futures Park becoming solely for employment other than in the above mentioned lease clause.

I understand and agree that it is very important that the local plan is passed and that allocating a transit site is essential for this to happen. At the Council meeting in December 2019 it was made very clear by leaders of the council that there is no money to prioritise and build a site and that it is therefore unlikely this will happen. Can I ask the inspector does the plan get passed even if there is very little or no ability or intent to build it?

I am concerned that a suitable site has been eliminated as a possibility for no good reason I can see. It was also traditionally a Gypsy/Traveller stop over site over many years.

I object strongly to the consideration of the Sharneyford site as an alternative. I live in Bacup. I know those hills and I cannot think of a less appropriate site for people living in caravans. There is no or little tree cover and the wind rages (higher than the highest point on the M62). It is at a height of at least 1300ft it is windswept I travel this road regularly and the often freezing fog in winter sits there almost all year, prone to flooding and in fact in recent storms was flooded to swimming depth. It would be a very expensive venture to purchase and adapt. It is under the largest pylons and in close proximity to wind turbines neither conducive for families with children to live under. The bus services are infrequent and mostly do not run in school holidays up to thirteen weeks of the year. It is isolated and site users would be vulnerable from victimisation. This group being the most discriminated against group in the UK.

I acknowledge the importance of complying and hopefully realistically negotiating transit sites. A cheaper and more realistic solution may be negotiated sites. I am assuming the Leeds model has been consulted and the West Yorkshire Travellers Group has been consulted. Sharneyford site is questionably in West Yorkshire.

Resolution which serves people and communities required

Sue Brennan

[REDACTED]

From: Cllr Andrew Walmsley <[REDACTED]k>
Sent: 25 February 2020 14:00
To: Forward Planning
Subject: Gypsy Transit Site
Attachments: tooter hill.docx

good afternoon

please see attached

Andrew

Andrew Walmsley
Elected member for Irwell Ward
Portfolio Holder for Resources
Rossendale Borough Council
The Business Centre | Futures Park
Bacup | Lancashire | OL13 0BB

Mob: [REDACTED]

Email: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [here](#) to get all the latest Council and Community news for Rossendale

Please find below my response to the consultation in respect of the Tooter Hill Quarry proposed gypsy transit site.

I visited the site with local residents in 2017

I appreciate many points have been identified in the site assessment, and fed into the initial works, in my opinion the unsuitability is understated and would have hoped that even by walking the site at this early stage this would have assisted in demonstrating its unsuitability.

The site itself is very uneven, wet and boggy, and has pleasingly returned to somewhat of a natural habitat. The possibility of contamination to the land and water course has a wider impact further down the village. Given its location on the Lancashire Yorkshire Boarder, there are significant challenges in keeping the site safe for travellers.

I'm also concerned that given the site conditions and extreme winter weather experienced, the likelihood of growing trees to reduce visual impact, is likely to take longer than the plan itself

Travellers are one of the most marginalised communities in the UK, by creating a site on Sharneyford /Todmorden boundary does nothing to improve integration if anything it enhances segregation, however short the travelling visit. The remote location is inappropriate to tackle this issue.

Capacity at the local junior school is also an issue, has this been reviewed as part of the site allocation.

The site borders West Yorkshire. Has a response been sourced from both Lancashire and Yorkshire police forces as to identify the challenges a site on a border may bring, has information been sourced from other authorities who may face a similar issue and information from the bordering police forces elsewhere as part of the site evaluation ?

Public Objection – attendees at a residents meeting exceeded 80 people which were fed into the initial reports, I trust that these will be revisited as part of the more recent consultation

Neighbouring Properties – with a listed property neighbouring and overlooking the site, and moorland surrounding I'm unclear how the site would sit in visual terms?

A major concern is flooding, despite the Environment agency assessment there is clear photographic evidence provided as part of the initial consultation on the volume of water that enters the site during moderate rainfall; this has been further evidenced over the weekends of early February 2020. With evidence available if not provided by Chris Haworth (a local resident). As a minimum I believe there is a requirement for further multiagency evaluation as to the risk of localised flooding.

To THE PLANNING DEPT.
MICHAEL ATHERTON FORWARD PLANNING,

MR. PAUL CHESWORTH
66 TODMORREN ROAD
BACUP
LANCS

SUBJECT. TRAVELLERS SITE, TOOTAL QUARRY,
TODMORREN RD.

O L 13 9 H J

To MICHAEL ATHERTON.

Dear Sir

I would like to raise my strong objections to the proposed Travellers site (see above)

1/ I have written to Jake Berry on two occasions regarding the amount of traffic using Todmorden Road. This road is constantly bombarded with wagons from Broosters from 6 am to 6 pm six days a week. Any more traffic will cause more mayhem on a road that contains a primary school, park and playground, double parking all way up to Sharneyford.

2/ My main issue concerns the natural habitat and wildlife on the proposed site. As an ornithologist I have seen numerous endangered species nesting on this site including Curlew, Snipe, Meadow Pipit, Sky lark, Kestrel etc. The council cannot ignore the natural significance of this area.

3/ Lastly I ~~must~~ must raise the issue of litter and debris that this site will produce. Who will move it - no doubt the Council.

Please raise this issues at the appropriate meeting

Yours



Consultation on Proposed Gypsy and Traveller Transit Site

Response 1

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------------|
| Title | Mrs |
| First Name | Julia |
| Last Name | Andrews |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 5 Moorside Crescent |
| Address Line 2 | Bacup |
| Address Line 3 | Lancashire |
| Address Line 4 | 5 Moorside Crescent |
| Post Code | OL13 9HY |
| Telephone Number (optional) | ██████████ |
| Email Address | ████████████████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--------------------------|-----|----|
| (1) be Legally Compliant | X | |

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | | |
|---|--|---|
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Inadequate consideration of alternative sites, for example nearer to the main council offices - only peripheral Bacup being considered.
 My recent litter collection just over the border into Calderdale yielded 4 sacks of rubbish and 4 sacks of recycling in a distance of a few hundred yards. (There was also a large amount of cannabis-growing paraphernalia and evidence of prescription drug abuse). The presence of a traveller site may increase littering in the area, which both Rossendale and Calderdale would fail to accept responsibility for as it is on the border of the two areas.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

An alternative site away from Bacup.

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Julia | Andrews | 14.1..2 |

Response 2

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|--------------------|
| Title | Mrs |
| First Name | Lesley |
| Last Name | Marshman |
| Job Title (where relevant) | - |
| Organisation (where relevant) | 1969 |
| Address Line 1 | 10 Caldicott Close |
| Address Line 2 | Close |
| Address Line 3 | Todmorden |
| Address Line 4 | - |
| Post Code | OL147QS |
| Telephone Number (optional) | - |
| Email Address | - |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

No

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | | X |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We don't want the site near our homes. Move it somewhere else out of the way. It's going to spoil the landscape.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

Move it

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------------|
| | Lesley | Marshman | 14th January 2020 |

Response 3

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------|
| Title | ms |
| First Name | edith |
| Last Name | freeman |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 15 mark street |
| Address Line 2 | stacksteads |
| Address Line 3 | bacup |
| Address Line 4 | - |
| Post Code | ol13 0ll |
| Telephone Number (optional) | - |
| Email Address | ██████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | X | |
| (3) comply with the Duty to co-operate | X | |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

There is an acknowledge need for such transit camps throughout the UK. Provided there are no more than four pitches, it is clearly designated as 'transit' and all the proposed mitigation actions are taken then it would appear to satisfy the legal requirement whilst creating minimal impact on local residents.

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | edith | freeman | 14/12/20 |

Response 4

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------------|
| Title | Mr |
| First Name | Jim |
| Last Name | Leach |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 6 Rooley View |
| Address Line 2 | Bacup |
| Address Line 3 | Lancashire |
| Address Line 4 | - |
| Post Code | OL138UY |
| Telephone Number (optional) | ██████████ |
| Email Address | ████████████████████ |

Q2. Agent's Details (if applicable)

| | |
|---------------------------------------|----------------------|
| Title | mr |
| First Name | Jim |
| Last Name | Leach |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 6 Rooley View |
| Address Line 2 | - |
| Address Line 3 | bacup |
| Address Line 4 | lancashire |
| Post Code | OL138UY |
| Telephone Number | ██████████ |
| Email Address (where relevant) | ████████████████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | | X |
| (2) be Sound | | |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The proposed site has not to my knowledge been identified, only where it is not going to be

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

see above

Q9. Signature

| First Name | Last Name | Date |
|------------|-----------|------------|
| Jim | Leach | 16-01-2020 |

Response 5

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|--|
| Title | mr |
| First Name | Maurice |
| Last Name | Hugo |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 117 Newchurch Road,Rawtenstall |
| Address Line 2 | Rawtenstall |
| Address Line 3 | Rossendale |
| Address Line 4 | 117 Newchurch Road, |
| Post Code | BB4 7SU |
| Telephone Number (optional) | ██████████ |
| Email Address | ██ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | | X |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Has this been passed by the Government or is it just the Local council who has passed it, if so has there been any discussion with the residents of that area as I have not been notified my self. I see there has been a Neighbour Hood scheme set up so they may be in rejection to this proposed site.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

the site if passed has to be maintained to a worthy standard as knowing what mess these sites can be left in and that the latrines are also kept upto standard. there must be a system installed where there is a control of the dates of entering the compound and leaving the compound so if there has been any damage done to the site then they can be checked up by the police. The flood danger must also be rectified as this could be a claim on the council.

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Maurice | Hugo | 22/01/2020 |

Response 6

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------------|
| Title | Mr |
| First Name | Ian |
| Last Name | Francis |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 39 Windermere Road |
| Address Line 2 | Bacup |
| Address Line 3 | Lancashire |
| Address Line 4 | - |
| Post Code | OL13 9DN |
| Telephone Number (optional) | ██████████ |
| Email Address | ████████████████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | X | |

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

The site proposed is subject to flooding and is waterlogged during winter. It would take a substantial amount of drainage work to be undertaken to make the site safe and habitable. It is considered that the financial burden to make the site suitable for even temporary habitation would not be justified by the benefit to Bacup residents and Travellers alike.

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: flooding at proposed traveller site 1.jpg - [Download](#)
- File: flooding at proposed traveller site 2.jpg - [Download](#)
- File: flooding at proposed traveller site 3.jpg - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|------------|-----------|------------|
| | Ian | Francis | 15/02/2020 |







Response 7

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------|
| Title | Mrs |
| First Name | Hayley |
| Last Name | Pover |
| Job Title (where relevant) | Matron |
| Organisation (where relevant) | NHS |
| Address Line 1 | New barn farm |
| Address Line 2 | Todmorden road |
| Address Line 3 | Bacup |
| Address Line 4 | - |
| Post Code | OL13 9UZ |
| Telephone Number (optional) | - |
| Email Address | - |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|---|-----|----|
| (1) be Legally Compliant | | X |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The site has the following issues:

Flooded and holds back a lot of water from spilling onto Todmorden road and going into bacup.

Weather conditions are terrible at times and we struggle in a house, it would be in humane to expect people to live in caravans there.

Disturbing natural habitat for animals and creatures.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

I don't think drainage would be enough, living up here and putting extra drainage in our land has not solved the problem.

We are highly up(the site even higher up), weather conditions are terrible at times and the water settles in certain places. I think the area will still flood to an extent and possibly cause more flooding problems for bacup.

We have gas central heating and firers and live in a stone house with double glazing. Winter is cold and the strong winds push through the stone work and windows causing drafts, a caravan would be awful in these conditions.

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Hayley | Pover | 21/02/20 |

Response 8

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|-------------------|
| Title | Mr |
| First Name | Steven |
| Last Name | Hartley |
| Job Title (where relevant) | - |
| Organisation (where relevant) | HPand DA Ltd |
| Address Line 1 | Swallow Barn |
| Address Line 2 | Lower Chapel Hill |
| Address Line 3 | Hurst Lane |
| Address Line 4 | Rawtenstall |
| Post Code | BB4 8TB |
| Telephone Number (optional) | - |
| Email Address | ██████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I act for Mr and Mrs K Street of Shawforth. They and their 3 adult sons are travelling showpeople. They have acquired a site opposite the former Deerplay public house and where they are currently storing some of their fairground type equipment.
The site is known to your enforcement section([REDACTED])
Mr and Mrs Brookman have occupied the site in this manner for several months
I am instructed to submit a planning application for the continue use of the site for them as travelling showpeople to include one dwelling, 3 no touring caravans for thier 3 adult sons, plus space for thier fairground equipment.
A topographic survey of the site is commissioned with a view to submitting a planning applicaton forthwith.
This site provides an alternative to the proposed traveller site which is the subject of the consultation.
There is certainty that this site at the Deerplay (whichi is within the Rossendale Borough boudary) can be developed for a traveller familiy which , while all being members of the same familiy, comprises 4 separate parts

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

see above
Please bring this to the attention of the Inspector

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: The site.pdf - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|------------|-----------|------------|
| | Steven | Hartley | 22/02/2020 |



Response 9

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------------|
| Title | Mr |
| First Name | Rob |
| Last Name | Wells |
| Job Title (where relevant) | - |
| Organisation (where relevant) | Mr |
| Address Line 1 | 2 Brambling drive |
| Address Line 2 | Irwell |
| Address Line 3 | Bacup |
| Address Line 4 | - |
| Post Code | OL13 9QJ |
| Telephone Number (optional) | ██████████ |
| Email Address | ████████████████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | | X |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Legally Compliant

I do not believe that the proper consultation process has been followed. Regulation 19 consultation saw a complete change of site at the very last minute back in July 18. This change in consultation is a much more technical consultation based on just three areas. Duty To Co-operate, Legally Compliant and Soundness. This undermines the principle of local plans being developed in consultation with residents as they can only comment on the technical considerations.

Firstly, a site was pushed into the regulation 19 'technical' consultation without considering any other options and secondly, Sharneyford Quarry is being pushed into the 'technical' consultation at the last moment. It seems against the meaning of the requirements to consult widely when the sites are dropped in at the ruling parties whim.

Duty To Co-operate

I do not believe that 'no stone unturned' has been looked at to examine the potential for meeting this allocation with other local authorities. I specifically asked the question (in writing) of RBC in December whether any further contact had been made with any neighbouring authorities with regards to meeting the 'need' of the site. I have received no reply to indicate whether any further enquiries had been made – some two months after the question was asked in writing).

With neighbouring authorities having pitches empty created with public funds, the excess capacity should be used before the creation of new allocations and fully explored. With sensitive allocations such as these – and neighbouring authorities having spare capacity, I do not feel that 'no stone has been unturned' with looking to meet this 'need'.

Soundness

Site floods regularly. Site is in private ownership. Site has a lack of utilities. Site is very remote and prone to extreme weather.

Evidence base for identification of need is fundamentally flawed. Consultation does not appear to have involved the end-users (nor anybody else come to think about it) on location at this final late stage of the only site being consulted on.

GTAA evidence base data is flawed and incredibly outdated. Illegal encampments have been non-existent for at least the last six months due to proper enforcement of blocking access to the site indicating that the historical demand has been based on weak enforcement and the advantages of the sites isolated position for disposing of trade waste.

Site selection has been done without any robust methodology and seems arbitrary at best. Having asked specific questions in writing to RBC, at the time of writing – over 2 months later – am still awaiting details of sites considered, site selection methodology and exact requirements of site such as outbuildings / toilets etc. If these questions cannot be answered at this stage, it appears that they haven't been considered during site selection.

The Council leader has expressed a view that this Council will not bring forward this site at (FC in December 2019), yet the report states the council would CPO the site. Given the issues with the site with regards to drainage, highways and utilities and that it looks like it would be an organisation outside of government / local authorities that would bring this site forward, the costs involved on a 1% utilisation rate (at best) seem to suggest an undeliverable site has been put forward.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

Revisit evidence base now FP location is not available. Look at the demand following on from Futures Park being developed (having had no illegal encampments for at least six months in the Borough since the site was

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

blocked).

Consider the capacity at a regional level in provision of gypsy and traveller sites and follow a strategic method of considering demand and supply at a much larger area. The consideration of a tiny authority in terms of both demand and supply risks a massive over-provision and duplication of capacity.

Consider alternatives such as Temporary Stopping Over Area if there is still a need which have been used and recommended by the GTAA's author in other local authority areas.

If the 'need' is proven after a further study, go back to regulation 18 style consultation (with the longer consultation period) and involve the residents and end users in site selection and requirements needed for provision.


Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Rob | Wells | 24/02/2020 |

Response 10

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|---|
| Title | Mr |
| First Name | Alan |
| Last Name | Pepper |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 22 |
| Address Line 2 | Cockerell Drive |
| Address Line 3 | Britannia |
| Address Line 4 | - |
| Post Code | OL139sg |
| Telephone Number (optional) | - |
| Email Address |  |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|---|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | X | |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The site clearly is old workings and has protected elements the soundness of the location is of concern. Flood water recently in storm Ciara affected the area and would have made the site unsuitable for habitation. The risk of issues such as sewage and waste would surely be of concern. Even with the provision for disposal of this then it cannot be guaranteed that the facility will be used appropriately by the transient visitors. This would also present a risk to houses, environmental etc etc downstream of the site. There is also mention of suitable permanent buildings and the dedign. Then again these would be at risk but again why if this is a 'transit' site would any permanent building be required? As stated the occupants of said site would be in transit and how will that be managed to identify that permanent residence is not undertaken. The surrounding wildlife, protected areas would also be affected with the extra noise, movement, water run off, potential pollution etc etc. The above surely brings the soundness of the site into doubt.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

Provision plan of robust suitable drainage and waste facilities. With full survey undertaken and presented to the local residents and community explain that a no risk is guaranteed by the council that they will not be affected.

Identify a means of floodwater run off that will have no effect on the occupants themselves.

24hr independent monitoring of waste disposal and adequate provision for this onsite. With no effect on local residents either service interruption or cost to them.

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Alan | Pepper | 24 Feb 2020 |

Response 11

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------|
| Title | Mr |
| First Name | Rob |
| Last Name | Hindle |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | Old Doals Farm |
| Address Line 2 | Todmorden Road |
| Address Line 3 | Sharney Ford |
| Address Line 4 | - |
| Post Code | OL13 9TZ |
| Telephone Number (optional) | - |
| Email Address | [REDACTED] |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | | X |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | | X |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The site is exposed and does not allow travellers to integrate with the local community in Bacup.

The site is the gateway from Calderdale in to Rossendale and will be an eyesore.

The site has previously been rejected for development - so why the change now.

The site is located in Flood Zone 1, however the Rossendale Planning Validation Checklist identifies that sites in this flood zone that are over 1ha would require a Flood Risk Assessment as part of the planning application (it is likely the proposal will exceed this). Further to this, the below attached identifies that the site is at medium to high risk of surface water flooding on the site and, more notably, what is likely to be the main entrance is also subject to a high risk of surface water flooding.

On the biodiversity front, the development does not appear to be subject to a designation for biodiversity purposes, although this does not include consideration of locally designated sites as these are held by the local authority.

The Rossendale Planning Validation Checklist notes that 'an ecology assessment and/or wildlife survey [to be] submitted for all proposals where development might affect protected species and/or habitats, any waterbody, pond, ditch or other similar feature'. Appendix B specifically highlights that proposals located in or immediately adjacent to quarries or gravel pits must be accompanied by surveys relating to bats, breeding birds and reptiles.

Allocation of a site would not be expected to provide this information, instead collated for a planning application, but should consider the likelihood of its acceptability based on the available information. If a site is unlikely to be acceptable on aspects considered through planning, then it shouldn't be allocated for use.

Some key aspects of the NPPF in relation to allocating land for development:

Flood risk – All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change –so as to avoid, where possible, flood risk to people and property (see Paragraph 157);

Flood risk - Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding;

Flood risk - Both elements of the exception test (where it is not possible to locate in an area of lower flood risk) should be satisfied for development to be allocated or permitted;

Conserving and Enhancing the Natural Environment - plans should: allocate land with the least environmental or amenity value, where consistent with other policies in the Framework;

The issues associated with surface water could be overcome at great expense to the tax payer, but will need to do so without making flood risk elsewhere worse. Given the risk of surface water flooding on the site,

The Habitat Enhancement Plan for Parrock and Heightside Farms indicates the value of the area for breeding skylark and curlew (ground nesting birds that will be disturbed by activities if nesting close to the site – not an offence as not Schedule 1 species, would be contrary to the national Biodiversity Action Plan).

The Council Minutes for a windfarm at Reaps moss indicates the presence of badger setts nearby and inadequacy of bird surveys undertaken. Whilst further afield, the Gorpley Planning Statement for a windfarm near Gorpley Reservoir identifies that surveys were needed for amphibians, reptiles, badger, otter and bats – and identifies the importance of the area for breeding curlew. Tooters Quarry could provide habitat for great crested newts, bats, breeding birds and badger.

Access is poor just off a sharp corner and adjacent a national speed limit area. So turning caravans would be in a dangerous position.

There is no infrastructure which would need to be paid by the Tax payer.

The site would be overbearing to the few cottages adjacent in terms of the number of people possible at the caravan site against locals.

There is no school provision.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

I seriously believe you need to look elsewhere in rossendale that has better integration with the community and also infrastructure.

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: COUNCIL.minutes_pkg.view_doc.doc - [Download](#)
- File: Habitat_Enhancement_Plan_1.pdf - [Download](#)
- File: image003.jpg - [Download](#)
- File: Validation_Checklist.pdf - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Rob | Hindle | 24/02/202 |

**CALDERDALE METROPOLITAN BOROUGH COUNCIL
PLANNING COMMITTEE**

WARD AFFECTED: 15 - Todmorden

Date of meeting: 19 February 2008

Report of the Development Control Manager

SUBJECT OF REPORT

Application No 07/00349 -Installation and operation of 5 wind turbines and associated infrastructure (including transformers, access tracks, a sub station and a meteorological mast) for the generation of wind power at Todmorden Moor, Flower Scar Road, Sharneyford for Coronation Power Ltd

Application 07/00351- Upgrade access track to service the proposed Reaps Moss Wind Turbines on land to the south of the A681 between Cloughfoot and Sharneyford for Coronation Power Ltd.

Application No 07/00632- Installation and operation of 5 wind turbines and associated infrastructure (including transformers, access tracks and temporary construction compound) for the generation of wind power (as part of a larger scheme for 12 wind turbines) on land at Crook Hill Reddysore Scout Gate Lane Todmorden for Coronation Power Ltd.

1. PURPOSE OF REPORT

1.1 To inform Members that Coronation Power Ltd has submitted appeals to the Secretary of State for the Department of Communities and Local Government for non-determination of the above three planning applications and to request that Members endorse the report of the Development Control Manager.

2. THE PROPOSALS

2.1 Coronation Power has submitted three planning applications for the installation of wind turbines, access track and ancillary equipment and infrastructure in the Todmorden area. An Environmental Statement and Design and Access Statement accompany the planning applications. The applicant indicates that the Company would provide £1,000/MW/annum for community benefit over the lifetime of the project. Coronation Power have also submitted proposals to Rossendale BC for the installation and operation of 3 wind turbines and associated substation, metrology mast and access at Reaps Moss, Bacup (Ref 2007/125) and to Rochdale MBC for the installation of 7 wind turbines at Crook Hill. Rossendale and Rochdale Councils have formally consulted the Council on the wind farm applications at Reaps Farm and Crook Hill.

- 2.2 The proposed Todmorden Moor Wind Farm lies within the Calderdale MBC boundary and would be located on Common Land to the north east of Holden Gate and to the north and south of Flower Scar Road, which is a public right of way. The site is located about 2.5km northeast of Bacup. The 5 wind turbines would be located on the moor, which is a peat habitat. The site has a long history of clay and coal mining. A site location plan is attached to the report as Appendix A.
- 2.3 Each wind turbine would generate up to 3 megawatts (MW) and would be of a three- blade design with a maximum tip of 125m. The developer estimates that the wind farm would provide energy for 11.4% of Calderdale's energy needs.
- 2.4 Access to the site would be from the A 681 and then onto Flower Scar Road. The delivery of the turbines would require a police escort. Improvements to the bend in the road to the north of Sharneyford would be required. Also the existing Flower Scar Road would require upgrading from the site entrance and follow the existing road alignment in an easterly direction. The road would require reinforcement and widening to 5 metres. However, after construction it is proposed to partially reinstate the road back to 4metres wide. New tracks to the wind turbine locations and substation would be constructed. The construction of the wind turbines would take approximately 6 months. The total number of vehicle movements to and from the site would be 1,845.
- 2.5 The proposed Reaps Moss Wind Farm lies within the administrative boundaries of Rossendale BC and Calderdale MBC. (A site location plan is attached to this report as Appendix B). The site access would be off the A681 at Clough Head via a track that would be up- graded to serve the Reaps Moss Wind Farm. The access track together with the compound required for the construction of the wind farm would be sited within the Calderdale administrative boundary. The wind farm would have 3 wind turbines of the same design as the Todmorden Moor proposal (the applicant has reduced the number of wind turbines from 4 originally to 3). These 3 wind turbines would be located within the administrative boundary of Rossendale.
- 2.6 The third wind farm proposal would be located at Crook Hill. (A site location plan is attached to this report as Appendix C). There would be 12 wind turbines constructed to the same specification as those proposed at Todmorden Moor (i.e. maximum capacity of 3W and a maximum height to blade tip of up to 125m). Five of the proposed wind turbines together with associated infrastructure would be sited within Calderdale. The remaining 7 wind turbines would be sited within the administrative boundary of Rochdale.

3. KEY POLICY CONTEXT

3.1 Shown as within a Special Landscape Area, Common Land and Area around Todmorden in the Replacement Calderdale Unitary Development Plan. Relevant national policy advice can be found in:

PPS7 - Sustainable Development in Rural Areas
PPS 9 - Biodiversity and Geological Conservation
PPG15- Planning and the Historic Environment
PPS22 -Renewable Energy
PPS23 -Planning and Pollution Control

3.2 Draft Regional Spatial Strategy: The Yorkshire and the Humber Plan 2005 provides advice at Policy ENV5 (Energy).

3.3 The following Replacement Calderdale Unitary Development Plan (RUDP) policies are considered to be relevant to these proposals.

- Policy GEP2 -Management and Conservation of Natural Resources
- Policy EP3- Noise Generating Development
- Policy EP12- Protection of Water Resources
- Policy EP14-Protection of Ground Water
- Policy EP28- Development of Renewable Energy Sources
- Policy EP30-Wind Power Developments
- Policy NE33 –Renewable Power Generation
- Policy GNE2- Protection of the Environment
- Policy NE8- Appropriate Development for the Area Around Todmorden
- Policy 12- Development within the Special Landscape Area
- Policy BE1-General Design Criteria
- Policy OS8 Development within or at the edge of Common Land
- Policy T12- applications Affecting Public Rights of Way
- Policy T27- Safeguarding Aerodromes and Air Traffic Technical Sites

4. REPRESENTATIONS

4.1 Todmorden Town Council objects to the proposed wind farm and associated works.

4.2 Erringden Parish Council objects to the Crook Hill Wind Farm proposal on visual amenity grounds.

4.3 2003 letters of representation have been received relating to the Todmorden Moor Wind Farm proposal.

2010 letters of representation have been received relating to the access track to serve the Reaps Moss Wind Farm proposal.

2201 letters of representation have been received relating to the Crook Hill Wind Farm proposal.

4.4 The main issues that have been raised in these representations are:-

- Loss of important habitat in particular the failure to understand the physical properties of peat
- Loss of amenity value
- Visual intrusion by virtue of the scale and size of the proposals
- Disturbance to old mine workings
- Potential pollution of the water courses
- High risk to the hydrology of the area that could affect private water supplies and cause damage to the blanket bog habitat
- Badger sets not safeguarded
- Insufficient information relating to ornithological survey
- Loss of tourism to the area
- Inadequate road network to serve the proposed development
- Rights of way affected by the turbines and use of tracks that are rights of way
- Noise resulting from the proposed development
- Industrial nature of the development in this area of open land.

5 CONSULTATIONS

5.1 The following bodies/organisations have been consulted in respect of these applications. Where comments have been received these have been taken in account as part of the assessment of these applications.

Head of Engineering Services
Head of Environmental Services
Head of Recreation, Sports and Streetscene
Environment Agency
Yorkshire Water Services
The Coal Authority
Natural England
Royal Society for the Protection of Birds
West Yorkshire Ecology
West Yorkshire Archaeology Advisory Service
Yorkshire Forward
Defence Estates
NATS
Manchester Airport
Leeds/ Bradford Airport
West Yorkshire Police
West Yorkshire Police Architectural Liaison Officer
Lancashire Police
CAA
British Telecom

Health and Safety Executive
National Grid
Transco
Power Gen
National Power
National Grid
Yorkshire Electricity
West Yorkshire Ecology
Coal Authority
English Heritage
Council for the Protection of Rural England
Wildlife Trust for Lancashire Manchester & North
Yorkshire & the Humber Regional Assembly
Rossendale Borough Council
Lancashire County Council
Burnley Borough Council
Rochdale Metropolitan Borough Council (Crook Hill proposal only)

6. ASSESSMENT

Renewable Energy

- 6.1 Challenging targets have been set by the Government for the increasing the generation of electricity from renewable sources. PPS22 and RUDP Policy EP 28 seek to promote the development of renewable energy.
- 6.2 PPS 22 makes it clear that in determining applications from renewable energy sources that consideration is given to the wider environmental, social and economic benefits of the project. The applicant indicates that the Todmorden Moor turbines would have a capacity of 15MW and save the emission of approximately 39,000 tonnes of carbon a year. The Reaps Moss turbines would have a capacity of 9MW and save the emission of 24,000 tonnes of carbon a year and the Crook Hill wind farm proposal that has a capacity of 36MW would save approximately 94,000 tonnes of carbon a year. These proposals would make a useful contribution towards meeting targets for renewable energy generation and would reduce 'greenhouse gas emissions'.
- 6.3 However, the proposed developments could damage the important peat deposits. There are concerns that the destruction of the peat which is an important 'carbon sink' would result in carbon being released to the atmosphere. The developer's proposals are not considered to fully address the issue of avoiding using an important habitat and mitigation measures are not adequate (see ecology section below). It is therefore difficult to assess to overall amount of carbon emissions saved as a result of the proposals.

Hydrology, Hydrogeology and Land Stability Issues

- 6.4 One of the main issues is whether the proposal would adversely impact on the quality of spring water available to local private water supplies. The developer has submitted information on the hydrology of the area. However, the information submitted is not considered to be in accordance with paragraphs 12.34 and 12.86 of the RUDP or the criteria set out in PPS22. Additional information has been requested on the hydrology of the area (in particular water catchment areas) but no additional has been received. Under the circumstances it is considered that the requirements set out in RUDP Policies EP14 and EP30 to demonstrate the impacts of the development are not satisfied.
- 6.5 The area has been subject to mining both by opencast and deep mining of coal and clay. There is also a history of land instability resulting from past mining activities and slope instability as a result of the geology of the area (Lower Coal Measures comprising clay, shale, coal and sandstone.). There are concerns that the developer has not fully addressed this issue. In particular, the applicant makes no reference to the Coal Authority proposals for a mine water treatment plant (reed bed system) at Cloughfoot or to the underground pumping of mine water to the Deerplay Treatment Works to deal with the ochreous discharges from old mine workings. In the absence of such information a full assessment of the potential implications of interference to surface and ground water movements and potential to pollute water regime cannot be made. It is therefore considered that the proposal would not comply with RUDP Policies EP14 and EP30 (viii).
- 6.6 The developer's structural engineer advises that further geotechnical work would be required for the design of the foundations for the turbines. There are concerns that in the absence of this geotechnical information to support the design of the tracks and turbine foundation the hydrology of the area could be affected. This could have significant implications for the peat deposits that could be damaged or lost permanently, and threaten ground and surface water movements. The proposals are considered to be contrary to RUDP Policies EP12, EP14 and EP30.

Environmental Effects- Noise, dust and odour

- 6.7 There would be some dust, odour and noise and disturbance resulting from the construction works and heavy goods vehicle movements. It is estimated that over the 6month construction period there would be 1845 heavy goods vehicle movements at the Todmorden Moor Wind Farm site. There would be up to 55 vehicle movements a day during the delivery of the concrete for the turbine bases with an average of 10/day over the 6month construction period at the Reaps Moss Wind Farm site. The Crook Hill Wind Farm proposal would generate 3870 heavy goods vehicle movements over a 12month period. On average there would be up to 55 vehicle movements a day during the delivery of the concrete for the turbine bases with an average of 10/day over the 12 month construction period

6.8 Although a noise assessment report was submitted the Environmental Health Officer has expressed concerns regarding the information submitted by the developer relating to noise data and noise predictions in terms of the accuracy of the equipment used to measure background noise levels at properties, other properties for which it is considered noise predications should be made and modelling of cumulative noise impacts of all of the wind turbines at the three sites. No further information has been submitted and therefore a proper assessment of noise resulting from the proposed development cannot be made contrary to RUDP Policy EP30,

Ecology/Habitat

6.9 The application sites comprise peat deposits, which is an important resource. Although the area is degraded the habitat is listed as a Priority Habitat within the Calderdale BAP and is considered important in the South Pennine and West Yorkshire context.

6.10 The ecological submissions indicate that the bird population is not of regional significance. However, the Council's Conservation Officer comments that the area supports skylarks and other upland bird species that are of sub-regional importance.

6.11 The report also includes some proposals to mitigate the effects of the development on the peat habitat by fencing to control grazing and should also include undertaking works outside the breeding season. A management plan and monitoring programme is proposed but these would need to be agreed in advance to ensure that there would be no loss of biodiversity. Such plans should include the long term monitoring of all priority species.

6.12 The submission is considered deficient in terms of the surveys of the composition, hydrology and ecology of the peat deposits and the proposed mitigation/management measures. Also, it is not clear from the Environmental Statement how much additional indirect loss of habitat there would be through erosion/changes in habitat adjacent to the infrastructure and changes in hydrology and disturbance. There is no information on the impacts on the habitat through the laying of cables. The Council's Conservation Officer considers that the proposals would result in temporary and permanent loss of wildlife habitat and as such the proposals would be contrary to RUDP Policy GNE2 0 and Policy EP28.

Highway matters

6.13 The Todmorden Moor Wind Farm would require the re-alignment of the carriageway at the A681 Todmorden Road junction with Flower Scar Road. The Council's Highways Engineer has requested that the carriageway is returned to its current alignment following the completion of construction works. The site traffic – equipment, plant and material would access the site from Bacup and as such it is considered that the impact on

Calderdale roads would be small. A temporary compound is proposed on Flower Scar Road near the junction with Todmorden Road. Only 5 parking spaces are proposed and there are concerns about the lack of parking for the workforce. Flower Scar Road, which is a public highway would need to be upgraded and consideration would need to be taken in use of materials to bind the road. The closeness of the proposed turbines is a concern for horse riders using the public highway. The BHS recommends a minimum distance of 200m for 40m or 50m high turbines. However, as the size of the proposed turbines is 125m the turbines should be installed at a distance of three times their height. The Head of Engineer Services has raised no objections in principle to the development but objects to the siting of the turbines as they would affect horse riders using the bridleway because of noise and flicker from the operating turbines and as such would be contrary to RUDP Policy EP28.

6.14 The upgrading of the existing access to serve the Reaps Moss Wind Farm would result in works to a bridleway. A similar proposal to upgrade the access (ref. 99/00747) was refused on the grounds that it would result in the risk of damage to an ancient footpath of archaeological features and permanence of an access track contrary to UDP Policy N88. Although the character of the track would be altered, the Head of Engineering Services has raised no objection on highway safety grounds.

6.15 Access to the proposed Crook Hill Wind Farm would be from Calderbrook and the Head of Engineering Services has raised no objections to the use of the access on highway safety grounds. Two public rights of way cross part of the Crook Hill Wind Farm site. One of the footpaths (No 193) known as Long Causeway is used as a bridleway. The Head of Engineering Services has concerns regarding the positioning of turbine No 5 and its impact on equestrian traffic resulting from noise and flicker from the operating turbines and has objected to the positioning of turbine 5 which would not accord with RUDP Policies T12 and Policy EP28.

Landscape

6.16 The Council together with Rossendale BC and Rochdale MBC appointed Julie Martin Associates (JMA) to undertake a Landscape and Visual Assessment of the proposed Wind Farms at Todmorden Moor, Reaps Moss and Crook Hill.

6.17 JMA concluded that the lowest level of landscape and visual impact is Todmorden Moor, followed by Reaps Moss and then Crook Hill which would have the greatest impact. All of the wind farms fall within the High Moorland Plateaux landscape charter and this type is highlighted to have very little scope for any form of development. Additionally, the inter-visibility between existing large -scale developments threatens the special open character of the area and sense of remoteness and wilderness. The wind farms would occupy most of the ridge- line from Thieveley Pike to Crook Hill. Seen from the north-west and south- east

and south east they would overlap and appear as a cluster, thereby reducing their impact but from views to the east- including sections of the Pennine Way and Pennine Bridleway- would be seen as separate sites, together occupying a wide field of view and would increase their visual impact. There are 3 wind farms in the surrounding area at Coal Clough, Scout Moor and Ovenden Moor but because of their separation and location the cumulative impact is low.

6.18 However, if one or more of the application sites were granted the effect would be to connect the existing sites visually and this would create a more larger area where wind farms would have a significant influence. Although Todmorden Moor would have the least impact, the Reaps Moss proposal would strengthen the visual links between Coal Clough and Scout Moor. Crook Hill would link Scout Moor to the Pennine edge near Blackstone and would also form a link eastwards to Ovenden Moor. At a strategic level the sites would have a major cumulative impact on the landscape character and extent of wind farm visibility and intervisibility. This would be the case even if Todmorden Moor and Reaps Moss were developed.

6.19 A concludes that the Todmorden Moor proposal would impact on the setting of the town of Bacup, its Conservation Area and its residents contrary to PPS1, PPS7 and PPG15. In addition, it is contrary to Lancashire CC and Rossendale BC policies. For all these reasons, the landscape and visual impacts of the application are deemed to be unacceptable.

6.20 The access track to the proposed Reaps Moss wind farm would have a significant adverse impact on the landscape fabric of the hillside above the A681. The wind farm itself would significantly affect the special open character, visual amenity and recreational experience of this central section of the moorland ridge; the setting of the Conservation Area at Bacup; and the visual amenity of the residents of Bacup. Recreational users potentially would be deterred from using strategic ridge top rights of way; and there would be cumulative impacts on character and views from the Pennine edge and on the Southern Pennines Heritage Area. The Reaps Moss proposal is contrary to PPS1, PPS7, PPS22 and PPG15, as well as to Regional Planning Guidance and Countryside Agency advice on the preferred separation distance between wind turbines and bridleways. It is considered that recreational users would be -deterred from the ridge top rights of way The application is contrary to PPS1, PPS7, PPS22 and PPG15, as well as to Regional Planning Guidance and Countryside Agency advice on the preferred separation distance between wind turbines and bridleways. It is contrary to Calderdale's policies OS 8, EP 28 and EP 30. For all these reasons, the landscape and visual impacts of the application are deemed to be unacceptable.

6.21 JMA concludes that the proposed Crook Hill Wind Farm would have major, adverse landscape, visual and cumulative impacts. The principal impacts relate to the location and alignment of its proposed access track,

which does not satisfactorily minimise landscape and visual impacts; the harm caused to the openness, wildness and tranquillity of a substantial area of moor land plateau landscape, resulting in damage to the integrity of the Special Landscape Area and the Southern Pennines Heritage Area; serious adverse effects on the quality of the recreational experience available to surrounding urban populations; intrusion on the setting and visual amenity of strategic trails including the Pennine Way and Pennine Bridleway National Trails and the Watergrove Reservoir recreation management area; and major cumulative impacts in association with existing and consented wind farms at Coal Clough, Scout Moor and Ovenden Moor. The application is contrary to PPS1, PPS7, PPS22 and PPS2 and to Regional Planning Guidance due to its significant, strategic impacts on the Southern Pennines Heritage Area and the Green Belt. It is also contrary to all the relevant policies in Calderdale and Rochdale, that is Calderdale's policies BE 1, NE 12, NE 8, OS 8 and the landscape, visual and amenity criteria set out in EP 28 and EP 30. For all these reasons, the landscape and visual impacts of the application are deemed to be unacceptable.

7. CONCLUSIONS

7.1 PPS22, the Regional Assembly and RUDP policies support renewable energy and wind farms. In the short term there would be some benefits in terms of local employment and money provided by the developer during the 25 year life of the proposed development for community use. However, there are deficiencies in the applicant's submission in terms of the failure to demonstrate that private water would be safeguarded, address fully the effects of noise from the proposed developments on local residents, and that the peat deposits would not be damaged and this important habitat lost. It is not considered that the benefit that would accrue from the development would outweigh the harm caused to the hydrology, ecology landscape character and visual amenity of the area.

8. RECOMMENDATIONS

8.1 That had the Council had the opportunity to determine the planning applications for :-

Application No 07/00349 - Installation and operation of 5 wind turbines and associated infrastructure (including transformers, access tracks, a sub station and a meteorological mast) for the generation of wind power at Todmorden Moor, Flower Scar Road, Sharneyford for Coronation Power Ltd

Application 07/00351- Upgrade access track to service the proposed Reaps Moss Wind Turbines on land to the south of the A681 between Cloughfoot and Sharneyford for Coronation Power Ltd.

and

Application No 07/00632- Installation and operation of 5 wind turbines and associated infrastructure (including transformers, access tracks and temporary construction compound) for the generation of wind power (as part of a larger scheme for 12 wind turbines) on land at Crook Hill Reddysore Scout Gate Lane Todmorden for Coronation Power Ltd.

It would have refused them on the following grounds:-

A) **Application No 07/00349** -Installation and operation of 5 wind turbines and associated infrastructure (including transformers, access tracks, a sub station and a meteorological mast) for the generation of wind power at Todmorden Moor, Flower Scar Road, Sharneyford for Coronation Power Ltd

1. The submission is considered to be deficient in terms of the hydrology and hydrogeology of the area and its environs and has failed to demonstrate that the development does not significantly harm surface water, drainage, ground water or water supply. The proposed development is considered to be contrary to the Replacement Calderdale Unitary Development Plan Policies EP12 (Protection of Water Resources), Policy EP14 (Protection of Ground Water) and Policy EP30 (Wind Power Developments).
2. The submission is considered to be deficient in terms of noise data and predictions that would enable the impact of noise resulting from the development to be assessed and as such is contrary to the Replacement Calderdale Unitary Development Plan Policy EP30 (Noise Generating Development).
3. The submission is considered to be deficient in terms of its survey of the composition, hydrology and ecology of the area of peat deposits. A detailed scheme of mitigation/ management of the peat deposits has not been submitted and accordingly the development is considered to be contrary to PPS 9 (Biodiversity and Geological Conservation) and PPS22 -Renewable Energy PPS9 and to the Replacement Calderdale Unitary Development Plan Policy GNE2 (Protection of the Environment) and Policy EP28 (Development of Renewable Energy Sources).
4. The site lies within a Special Landscape Area as defined in the Calderdale Replacement Unitary Development Plan whereby development that would adversely affect landscape quality will not be permitted and forms part of the High Moorland Plateau identified in the Landscape Character Assessment. The proposed wind farms at Reaps Moss and Crook Hill together with the existing wind farms at Coal Clough and Scout Moor would result in an unacceptable cumulative impact of wind farms and due to the size, height, siting, man-made form and motion of the proposed wind turbines would together intrude into an area

of open moorland to the detriment of its existing recreational value and visual amenity contrary to the Replacement Calderdale Unitary Development Policies OS8 (Common Land), Policy EP28 (Development of Renewable Energy Sources) and Policy EP30 (Wind Power Developments).

5. The siting of the wind turbines close to Flower Scar Road, which is an adopted highway used by equestrian traffic. The applicant has not demonstrated that noise and flicker resulting from the motion of the wind turbines would not affect horses using the public right of way contrary to the Replacement Calderdale Unitary Development Policy EP30 (Wind Power Development).

B) Application 07/00351- Upgrade access track to service the proposed Reaps Moss Wind Turbines on land to the south of the A681 between Cloughfoot and Sharneyford for Coronation Power Ltd.

1. The upgrading of the access track would have a detrimental impact on the landscape fabric of the hillside above the A681 and detrimental to recreational users of the public right of way contrary to Replacement Calderdale Unitary Development Policies OS8 (Development within or at the Edge of Common Land) Policy T12 (Applications affecting Public Rights of Way) EP28 (Development of Renewable Energy Sources) and Policy EP30 (Wind Power Development).
2. The submission is considered to be deficient in terms of its survey of the composition, hydrology and ecology of the area of peat deposits. A detailed scheme of mitigation/ management of the peat deposits has not been submitted and accordingly the development is considered to be contrary to PPS 9 (Biodiversity and Geological Conservation) and PPS22 -Renewable Energy PPS9 and to the Replacement Calderdale Unitary Development Plan Policy GNE2 (Protection of the Environment) and Policy EP28 (Development of Renewable Energy Sources).

C) Application No 07/00632- Installation and operation of 5 wind turbines and associated infrastructure (including transformers, access tracks and temporary construction compound) for the generation of wind power (as part of a larger scheme for 12 wind turbines) on land at Crook Hill Reddyshore Scout Gate Lane Todmorden for Coronation Power Ltd.

1. The submission is considered to be deficient in terms of the hydrology and hydrogeology of the area and its environs and has failed to demonstrate that the development does not significantly harm surface water, drainage, ground water or water supply. The proposed development is considered to be contrary to the Replacement Calderdale Unitary Development Plan Policies EP12 (Protection of Water Resources), Policy

EP14 (Protection of Ground Water) and Policy EP30 (Wind Power Developments).

2. The submission is considered to be deficient in terms of noise data and predictions that would enable the impact of noise resulting from the development to be assessed and as such is contrary to the Replacement Calderdale Unitary Development Plan Policy EP30 (Noise Generating Development).
3. The submission is considered to be deficient in terms of its survey of the composition, hydrology and ecology of the area of peat deposits. A detailed scheme of mitigation/ management of the peat deposits has not been submitted and accordingly the development is considered to be contrary to PPS 9 (Biodiversity and Geological Conservation) and PPS22 -Renewable Energy PPS9 and to the Replacement Calderdale Unitary Development Plan Policy GNE2 (Protection of the Environment) and Policy EP28 (Development of Renewable Energy Sources).
4. The site lies within a Special Landscape Area as defined in the Calderdale Replacement Unitary Development Plan whereby development that would adversely affect landscape quality will not be permitted and forms part of the High Moorland Plateau identified in the Landscape Character Assessment. The proposed wind farms at Reaps Moss and Todmorden Moor when considered together with the Crook Hill Wind Farm would result in an unacceptable cumulative impact of wind farms and due to the size, height, siting, man-made form and motion of the proposed wind turbines would together intrude into an area of open moorland to the detriment of its existing recreational value and visual amenity contrary to the Replacement Calderdale Unitary Development Policies OS8 (Common Land), Policy EP28 (Development of Renewable Energy Sources) and Policy EP30 (Wind Power Developments).
5. The siting of the wind turbine no 5 close to footpath (No 193) known as Long Causeway is used by equestrian traffic. The applicant has not demonstrated that noise and flicker resulting from the motion of the wind turbines would not affect horses using the public right of way contrary to the Replacement Calderdale Unitary Development Policy EP30 (Wind Power Development).

8.2 That a copy of the Development Control Manager's report be sent to the Secretary of State for Communities and Local Government.

FOR FURTHER INFORMATION ON THIS REPORT CONTACT:

Beverley Smith on Tel No: 01422 392216

DOCUMENTS USED IN THE PREPARATION OF THIS REPORT:

1. Planning Applications Files
2. Replacement Calderdale Unitary Development Plan
3. Planning Policy Guidance and Statements

NON EXEMPT DOCUMENTS ARE AVAILABLE FOR INSPECTION AT:

Planning Services, Northgate House, Halifax.

Twenty-four hours' notice (excluding holidays and weekends) may be required in order to make material available.

Please contact: Mrs Beverley Smith on 01422 392216 to make arrangements for inspection.

Habitat Enhancement Plan for Parrock and Heightside Farms, Bacup

DC21 Limited
Dene House, North Road
Kirkburton
Huddersfield
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10 July 2014

Prepared by:

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1 Introduction

This Habitat Enhancement Plan (HEP) is required due to a planning condition as part of planning permission granted by Rossendale Borough Council for the erection of a single 50 kw wind turbine (34.2m high to blade tip) at each of Heightside and Parrock Farms, Bacup: Application number – Heightside Farm: 2012/0178 Application number – Parrock Farm: 2012/0179

The aim of the HEP is to provide enhanced habitat for the priority bird species Curlew *Numenius arquata*. However, the creation of enhanced habitat for breeding Curlews at both Heightside and Parrock Farms is severely limited due to a lack of suitable habitat on the farms and restrictions placed by current farming practices. As a result of this a single report for both farms will be produced and a single area of habitat enhancement is proposed at Parrock Farm as some form of habitat enhancement for both planning permissions.

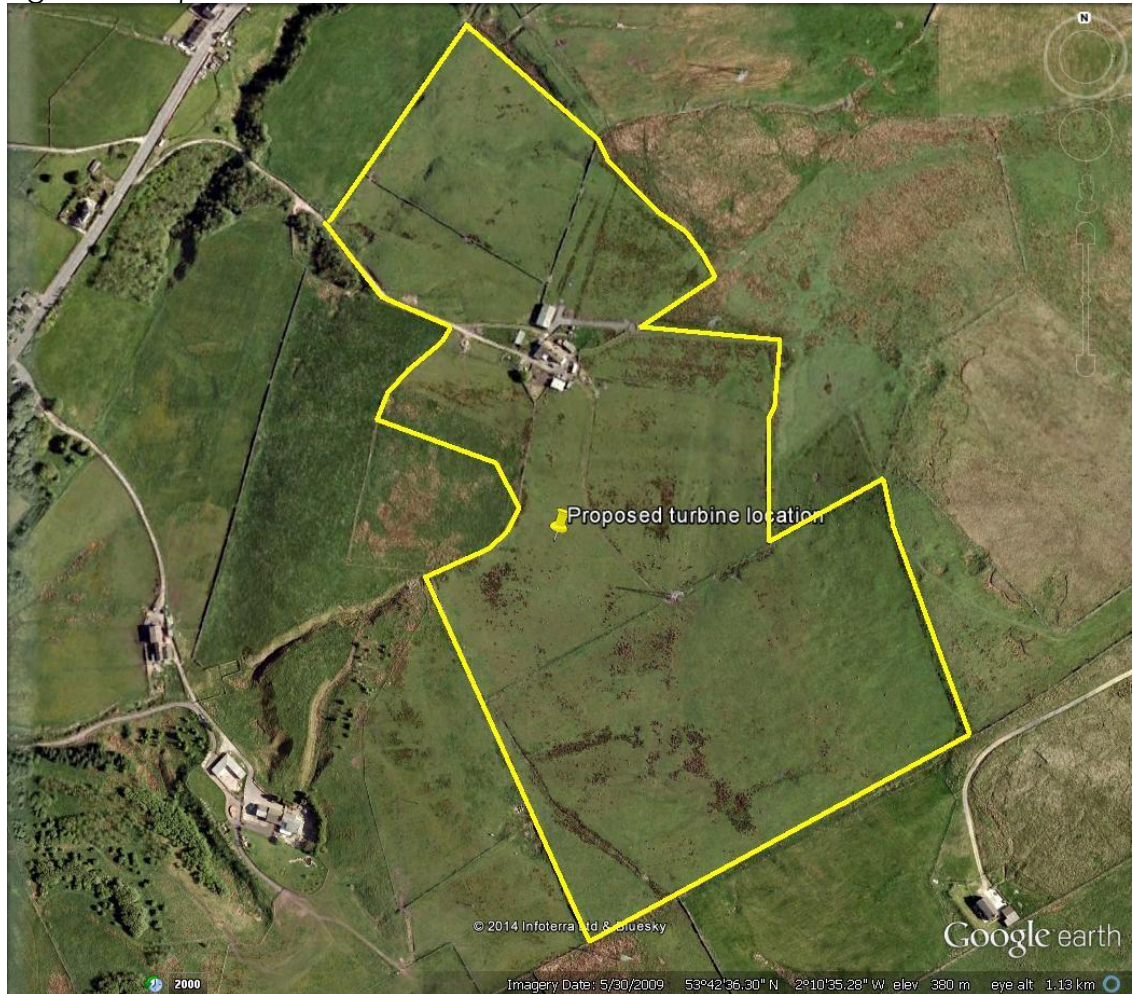
Figure 1. Proposed location of turbine at Heightside Farm.



Key

— Boundary of holding

Figure 2. Proposed location of turbine at Parrock Farm.



Key

— Boundary of holding

1.1 Development Proposal

Planning permission has been granted by Rossendale Borough Council for the erection of a single 50kw wind turbine (34.2m to blade tip) at each of Heightside and Parrock Farms. See Figures 1 and 2 above for the location of the turbines. The approved turbines have the following dimensions: 24.6 metre height to hub; 9.6 metre rotor blade radius and 34.2 metre height to blade tip.

Rossendale Borough Council has granted planning permission subject to a number of conditions and the condition relevant to this report is condition no. 6 which states “no development shall commence without submission to and approval in writing of a Habitat Enhancement Plan by the Local Planning Authority for species identified as potentially vulnerable, particularly Curlew”.

The same condition applies to each of the planning permissions granted for Heightside and Parrock Farms.

1.2 Professional Responsibility

This report reflects the author's objective opinion of the facts found in relation to the instruction received and information available based upon the methodology, assumptions and constraints detailed within this report.

2 Landscape

Both Heightside Farm and Parrock Farm are under the same ownership and management and total approximately 40 hectares. The main farm enterprise is that of haylage production and sheep grazing and as such the grassland is managed fairly intensively.

This area of farmland lies within the Southern Pennines Landscape Character area. This "is a large-scale sweeping landform with an open character created by exposed gritstone moors..." with a "mosaic of mixed moorland and blanket bog with enclosed pasture of varying qualities at lower elevations, largely defined by drystone walls".

3 Habitat Enhancement

3.1 Aims of the Habitat Enhancement Plan

The general aims of a HEP are to enhance the condition and extent of certain habitats in the habitat management area, provide mitigation and/or compensation for any negative aspects of the development on flora and fauna identified in the submission. The fauna identified as potentially vulnerable in this case based upon the original submission to the planning authority is that of the priority bird species Curlew, and as stated previously this HEP has been requested to enhance habitat at Heightside and Parrock Farms for Curlews.

3.2 Desk-based Ecology Assessment

Quants Environmental Ltd completed a desk-based ecology assessment in July 2012. They requested a search of all ecological records from the Lancashire Environment Records Network (LERN) within a 2 km radius of both turbines.

The results from LERN showed several records of notable birds within the local area. There are records of Skylark *Alauda arvensis* Meadow Pipit *Anthus pratensis*, Snipe *Gallinago gallinago*, Curlew and Lapwing *Vanellus vanellus* approximately 800m east of the site and records of Wheatear *Oenanthe oenanthe* and Lapwing approximately 800m south of the site.

Quants stated that “there are several records of notable birds from the wider area, however none of these are specific to the location of the proposed turbine. The area of the proposed turbine could support a range of declining bird species including Skylark and Curlew”. They concluded that “open ground nesting birds such as Skylark, Curlew and Lapwing could potentially nest within the pastoral field in the area of the proposed turbine. It is recommended that any ground works are undertaken outside the bird nesting season of March to August inclusive. If this is not possible, the affected area should be checked for active nests by a suitably qualified ecologist and if active nests are present these should be left undisturbed in situ until the nests are no longer active. Restricting the turbine installation process to outside the main bird nesting season will also limit the potential for disturbance effects on birds breeding in the wider area”.

This is the basis that the condition for a HEP was included in the planning permission and of course the evaluation and recommendations made by Quants were solely based on a desk-based assessment and understandably there are limitations to these types of assessments in terms actual habitat and physical attributes on the ground.

3.3 Site Evaluation for the Habitat Enhancement Plan

A site visit by Seumus Eaves of Seumus Eaves Associates was made on 17th June 2014 to both Heightside and Parrock Farms to survey the area in preparation for the production of the HEP. The first thing that was noticed was the lack of potential for enhancing the habitat for breeding Curlew for several reasons, but primarily:

- Topography
- Location of negative features for breeding waders
- No Curlews present on either holdings
- Intensive nature of farm enterprise.

Each of these points is taken in turn below to explain the limitations they place on enhancing the habitat for Curlews.

3.3.1 Topography

Curlews prefer open landscapes with wide visibility for nest sites and topography can have a substantial effect on the distribution and density of breeding Curlews. Both Heightside and Parrock Farms are situated on slopes leading up to more open moorland and areas of rough grazing. This is a flatter more open landscape and one that looks more suitable for breeding Curlews. To the east and south of Parrock Farm and to the north of Heightside Farm the habitat does

look more suitable for Curlews but these areas are over 300 metres away from the proposed turbines.

3.3.2 *Location of Negative Features for Breeding Waders*

The pastoral field where the approved turbine will be located at Parrock Farm does have some positive features for breeding waders in terms of it being flat and relatively open. However, running over this field is an electricity power line with pylons in the field and just south of this field. It is a well-known fact that these power lines are used as predator perches for nest predators such as *Corvids* and therefore could already be having a displacement effect on breeding waders.

3.3.3 *No Curlews Present*

Curlews usually lay a clutch of four eggs between late April and late June, with any replacement clutches layed 4 – 15 days after any egg loss. Incubation is 27 – 29 days and the fledging period of the young is 32-38 days. This would mean that even if there had been some early nesting Curlews on either farm they would still have had young at the time of the site evaluation on 17th June. Curlews with young are very obvious with the parents behaving aggressively and calling agitatedly on any approach that is deemed too close to young birds.

Of course if any breeding Curlews had lost all their chicks they would not make another breeding attempt and they would move away from the breeding areas and flock with other failed breeders in favoured foraging areas. Therefore a lack of birds present doesn't necessarily mean that there hasn't been a breeding attempt on site, but this is only applicable if the habitat looks favourable for breeding Curlews and this isn't the case at Heightside and Parrock Farms.

3.3.4 *Intensive Nature of Farm Enterprise*

Most of the land at Heightside and Parrock Farms is used to produce haylage for local equine enterprises. Curlews are attracted to breed in hay meadows and silage meadows, but due to the earlier cutting dates of particularly silage fields, and some haylage fields it often means that the chicks are killed and the breeding attempt fails. This can have a disastrous result on local breeding populations as Curlews won't try and nest again if they fail at the chick stage.

Weather depending, during the summer the haylage fields at Heightside and Parrock Farms are usually cut between early and mid-June. This means that even an early nesting Curlew that layed eggs in late April is likely to lose it's young if the eggs remain viable and hatch. However, in wet years the haylage fields aren't sometimes cut until

mid to late July and in these years any Curlews nesting in these areas might fledge some young if it hasn't been too wet.

The issue here of course is that it is possible that Curlews might attempt to breed in some of the meadows at Heightside and Parrock Farms but the likelihood of them being successful and fledging young is low. This raises the question of whether it is the right thing to do to try and attract breeding Curlews on to these farms when the farm enterprise could have a negative effect on nesting attempts. There is also the issue of creating habitat favourable to Curlews that would bring them in closer contact with the turbines and therefore increase the risk of fatal collisions with the turbines.

4 Habitat Enhancement Plan Methodology

At the time of the site evaluation visit on 17th June 2014 Skylark and Meadow Pipit were both recorded displaying to the east of Parrock Farm on an area of moorland fringe known as Tooter Hill. In addition to Curlew, the Skylark is a Section 41: Species of Principal Importance in England species under the Natural Environment and Rural Communities (NERC) Act 2006. The Skylark is red listed under the Birds of Conservation Concern (BOCC), which means it has had a population decline of over 50% in the last 25 years. Curlew and Meadow Pipit are both amber listed on the BOCC list and this means that they have had a population decline of between 25 - 50% in the last 25 years.

At the southern boundary of Parrock Farm is a large field managed as a haylage meadow that slopes uphill from west to east and borders Tooter Hill where the Meadow Pipit and Skylark were recorded displaying. This area also looks suitable for breeding Curlew although none were recorded during the visit. See Figure 3 below.

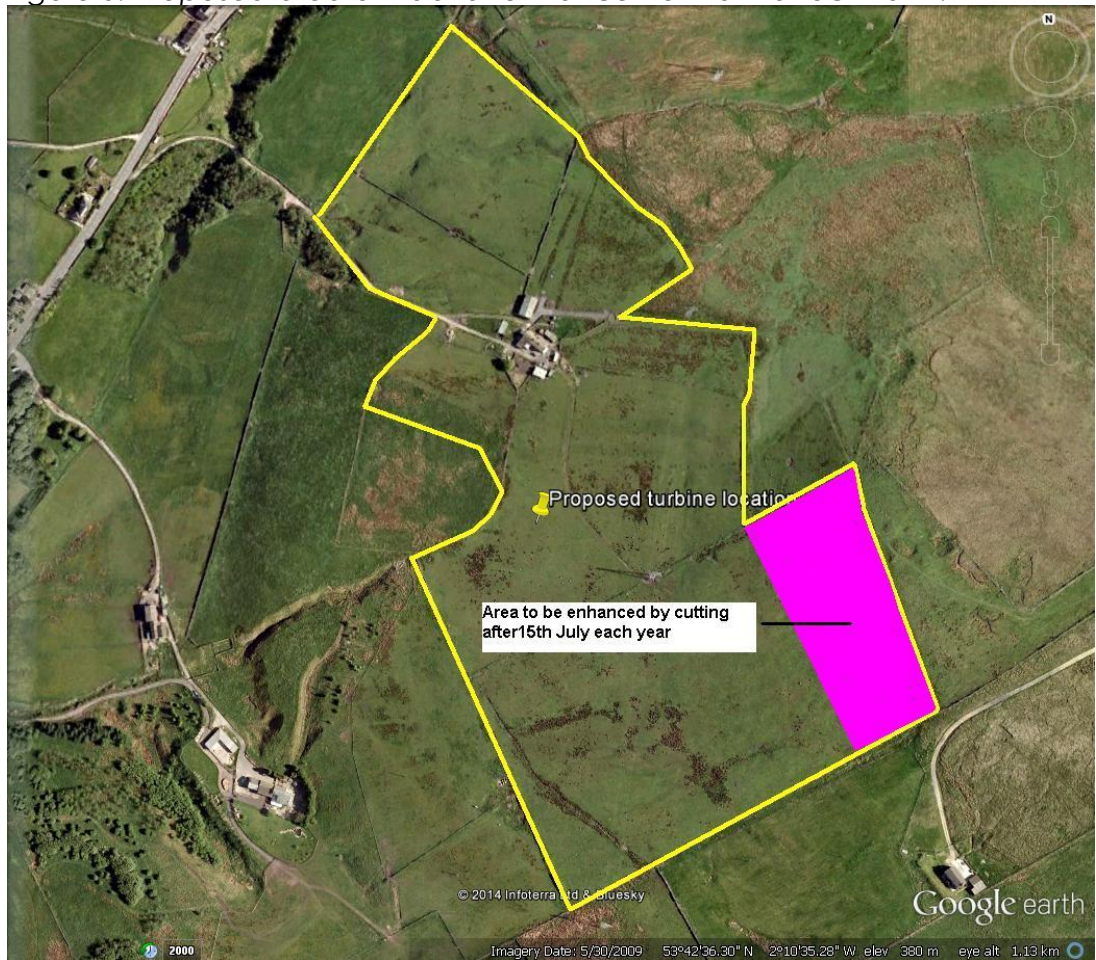
It would be possible to enhance a section of this meadow to provide a nesting and improved foraging area particularly for Meadow Pipit and Skylark and possibly for Curlew.

This field is approximately 5.38 ha in area and at the eastern end of this field where it is steeper, c. 1.5 ha, there is a greater botanical diversity within the sward as very little artificial fertiliser is spread here due to the slope.

If this 1.5 ha could be cut late each year, after 15th July, the botanical diversity would increase further as the broad-leaved plants within the sward will have the opportunity to flower and set seed. This increased botanical diversity will lead to an increase in invertebrates and so in turn will provide an insect chick food for Meadow Pipit and Skylark. It is

also possible that any breeding Curlews on Tooter Hill might forage in this area.

Figure 3. Proposed area of habitat enhancement at Parrock Farm.



You can see from the aerial imagery above that this area ties in nicely with the unimproved habitat of Tooter Hill directly to the east. Unfortunately it isn't possible to create a similar area of habitat enhancement at Heightside Farm due to the more intensive nature of the farming. However, by enhancing the habitat in this area to create 1.5 ha of what would become Upland Hay Meadow BAP habitat would significantly increase the biodiversity of the two farms.

5 Conclusion

The purpose of this report was to produce a HEP for the priority bird species Curlew as this had been stated in a planning condition included in the planning permission granted by Rossendale Borough Council to erect a 50 kw wind turbine at Heightside and Parrock Farms. The potential to enhance the habitat for Curlew at the two farms is low due to a variety of reasons listed under section 3.3 of this report. However, it is possible to enhance an area of one of the haylage meadows to create 1.5 ha of Upland Hay Meadow BAP habitat that would provide nesting and foraging areas for red-listed and NERC Section 41 species Skylark and amber listed Meadow Pipit. Due to the location of this area it might also provide a foraging area for Curlews.

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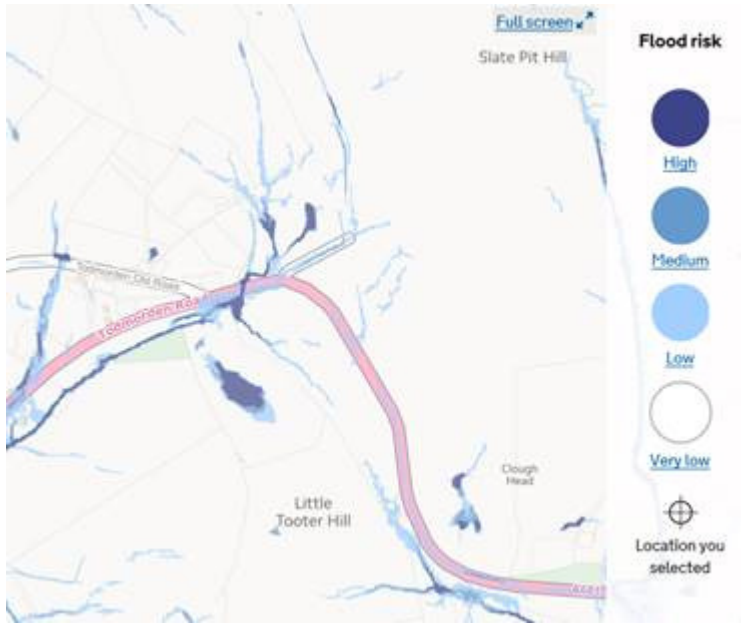
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Validation
Criteria for
Applications submitted to the
Local Planning Authority

Final Version 14th December 2016

Preface

This document has been prepared by Rossendale Borough Council following the introduction of standard application forms (April 2008) and the introduction of the Pre-Application Advice Charging Scheme (introduced July 2014).

This checklist replaces the Validation of Planning and Other Applications document which was published in January 2011 and the Wind Energy Applications Supplementary Validation Policy which was published in September 2012. Following the publication of the National Planning Policy Framework and the Government consultation on streamlining information requirements for planning applications this checklist will be reviewed and updated, where necessary, on a frequent basis.

Introduction

The standard application form covers the following types of application:

- Householder Applications
- Applications for outline, reserved matters and full planning permission
- Listed Building Consent
- Advertisement Consent
- Applications for Lawful Development Certificates
- Prior notification applications
- Applications for Hedgerow Removal Notice
- Applications for removal or variation of a condition
- Applications for approval of details reserved by condition
- Applications for tree work
- Applications for a Non-material Amendments
- Prior approval applications

The information required to make a planning application valid will vary dependent on the type of application. However the information required will consist of:

- National List which are mandatory for all applications.
- Information provided on the standard application form
- Local List which are set out for each of the types of applications depending on the nature of the proposal.

Providing all the required information is included at the outset the application will be classed as 'Valid' and will progress to a decision.

If information is missing, the application will be held as 'Invalid' and delayed until the necessary information is received. If information is not provided within 21 days of us requesting it we will not be able to deal with the application and it will be treated as withdrawn. We will not keep any documents relating to such applications.

If you do not intend to provide all the information required by the Councils local list of validation requirements, you should provide a short written justification as to why it is not appropriate in the particular circumstance.

Pre- Application Discussions

The Council are keen to promote the use of early discussions with agents and developers at pre-application stage as it is considered that early, collaborative discussions between developers, public sector agencies and the communities can help to shape better quality, more accepted schemes. These developments can be brought forward more quickly and deliver improved outcomes for the community. These discussions also avoid wasted effort, time costs and avoid frustration.

Further benefits include:

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful applications
- Raising the quality of development
- Securing satisfaction with the process
- Reducing confrontation in the planning process

We will expect that guidance given by the Council's officers is taken into account in the preparation and working up of your proposals. Where it is evident that pre application advice has not been sought or taken into account in a subsequent planning application, the Council may not be able to negotiate on a scheme and applications are likely to be determined as submitted.

Advice given at pre-application stage will be based on the case officer's professional judgment and assessment of the information provided. Pre application advice whether favourable or not is given on a 'without prejudice' basis since the Council must on submission of an application go through the statutory procedures and formal consultation and assess the outcomes before a decision can be made. Whilst advice can be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre application advice is an extremely important part of the planning process.

Full details of the Council's Pre Application Advice Charging Scheme can be found at https://www.rossendale.gov.uk/site/scripts/google_results.php?q=pre-application

National List and Standard Application Form

The national list is a list of statutory information required to accompany all applications (as specified in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO)). The information required includes:

1. The standard application form

A completed standard application form is required which is available to complete on line.

2. Required Plans

The following plans are required to support planning applications (except where the application is made pursuant to section 73 (determination of applications to develop land without conditions previously attached) or section 73A(2)(c) (planning permission for development already carried out) of the 1990 Act(a)). The plans should accurately show the direction of north (where appropriate):

a) Location Plan (a plan which identifies the land to which the application relates)

The location plan should clearly identify the application site. The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings.) A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

The plan will be required to be based on an up-to-date map at a scale of 1:1250 or 1:2500. In exceptional circumstances plans of other scales may also be required. The plan should include a least two named roads and the surrounding buildings. The buildings should be numbered/ named to ensure that the application site is clearly identified.

b) any other plans, drawings and information necessary to describe the development which is the subject of the application and can include:

- Site Plan
- Block Plan
- Existing and proposed floor plans
- Existing and Proposed Elevations
- Existing and proposed site sections and finished floor and site levels
- Roof plans

3. Ownership Certificates

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 14 of the , the Town and Country Planning (Development Management Procedure) (England) Order 2015 the local planning authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications for planning permission except for approval of reserved matters must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the application site.

Certificate A- This should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.

Certificate B- This should be completed if the applicant is not the sole owner, or if there are agricultural tenants, and the applicant knows the names and addresses of all the other owners and/or agricultural tenants.

Certificate C- This should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants

Certificate D- This should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

4. Notice(s)

An applicant is required to notify owners of the land or buildings to which the application relates, as well as any agricultural tenants, in accordance with article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. When making an application, an applicant is required to sign a certificate confirming the ownership of the land to which the application relates and that the relevant notices have been served.

The applicant is required to publicise, in a newspaper circulating in the locality in which the land to which the application relates is situated, their intended application at least 21 days prior to submission where the names and addresses of the land owners are not known in accordance with article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

5. The correct fee (where one is necessary)

The full fee information can be found at

http://www.planningportal.gov.uk/uploads/english_application_fees.pdf

Any application which is submitted without a fee will be treated as invalid until a fee is received.

The fee can be paid:

- over the phone (01706 238638 or 01706 252521) by debit or credit card (please note there is a 1.8% charge if using a credit card); or
- by cheque - Payable to Rossendale Borough Council – please quote 'Planning Fee' on back of cheque; or
- Via on-line banking
 - A/C Name: Rossendale Borough Council
 - Sort Code: 01-07-29
 - A/C Number: 25503391
 - Please quote: PLANNING FEE

6. Design and Access Statements

In accordance with the DMPO Design and Access Statement will be required to accompany:

In all areas:

- major development ¹
- development is in a conservation area consisting of-
 - (i) the provision of one or more dwellinghouses; or
 - (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more.

The Design and Access Statement shall:

- a) Explain the design principles and concepts that have been applied to the development;
- b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- c) Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- e) Explain how any specific issues which might affect access to the development have been addressed.

Design and Access Statement are not required to accompany applications:

- (a) for permission to develop land without compliance with conditions previously attached made pursuant to section 73 of the 1990 Act(a);
- (b) of the description contained in article 20(1)(b) or (c);
- (c) for engineering or mining operations;
- (d) for a material change in use of the land or buildings;

¹ For the purposes of the Development Management Procedure Order, “major development” means:
(c) the provision of dwellinghouses where —

- (i) the number of dwellinghouses to be provided is 10 or more; or
- (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
(e) development carried out on a site having an area of 1 hectare or more;

The Local List

It should be noted that the Council's Local List of validation requirements is not mutually inclusive and the aim of the Checklist is to set out clearly for anyone submitting an application what is required by the Council to determine an application, which increases the certainty for consultants, developers, neighbours and community groups. The Checklist has been produced in line with national guidance and informed by policy, and therefore items and requirements on the local list are only requested where:

- they are proportionate to the nature, scale and location of the proposed development and
- matters which will be relevant, necessary and material to consideration of the application

Paragraph 193 of the National Planning Policy Framework (the Framework) makes it clear that local planning authorities should only request supporting information that is relevant, necessary and material to the application. This guidance is supported by the National Planning Practice Guidance (NPPG) and is intended to assist applicants when submitting planning applications and to ensure that planning applications can be validated on receipt.

Validation Dispute (article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015)

If the need for a certain document/ plan is disputed (i.e. it is not considered that the particulars or evidence required do not meet the requirements set out in article 34(6)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) then the applicant/ agent may send a notice to the authority. The notice must—

- (i) Specify which particulars or evidence the applicant considers do not meet the requirements set out in article 34(6)(c);
- (ii) Set out the reasons the applicant relies upon in holding that view; and
- (iii) Request the authority to waive the requirement to include those particulars or evidence in the application.

The Local Planning Authority will then assess the justification and determine whether or not the document/ plan is/ are material to consideration of the application.

The Local Planning Authority can require additional information within 28 days of the receipt/ validation of the application.

Planning Obligations

It is advised that the Planning obligations are considered at pre-application stage as the obligations are material planning considerations which could potentially delay the consideration of planning applications. As such whilst it is not a requirement for the validation of a planning application it is considered to be good practice to submit information about a proposed planning obligation alongside an application.

Applicants should be aware that there will be a legal fee which the applicant will need to pay on completion of the Section 106 Agreement/Unilateral Undertaking.

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1. Plans to support an application

The following plans will be required in support of the application. The plans should be provided at the stated scale **including the paper size** (i.e. 1:500 at A1) **preferably in digital format** and should accurately show the direction of north (where appropriate):

Existing and Proposed Site Plan

The site plan(s) should be drawn at a scale of 1:500 or 1:200 and should accurately show:

- a) The direction of north
- b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- c) All the buildings, roads and footpaths on the land adjoining the site including access arrangements
- d) The position of all trees on the site, and those on adjacent land that could influence or be affected by the development.
- e) The extent and type of any hardstanding
- f) Boundary treatment including walls or fencing where this is proposed.
- g) Any footpaths/ rights of way within the application site

Existing and Proposed Block Plan

Block plan(s) of the site is required at a scale of 1:100 or 1:200 showing any site boundaries, the type and height of boundary treatment (e.g. walls, fences etc), the position of any building or structure on the other side of such boundaries.

Existing and proposed floor plans

These should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

The submitted plans should include the dimensions of the proposal annotated onto the plan.

Existing and Proposed Elevations

These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case.

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

The submitted plans should include the dimensions of the proposal annotated onto the plan

Existing and proposed site sections and finished floor and site levels (at a scale of 1:50 or 1:100)

Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified.

Levels should also be taken into account in the formulation of design and access statements.

Roof plans (at a scale of 1:50/ 1:100/ 1:200)

A roof plan is used to show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans. Details such as the roofing material, vents and their location are typically specified on the roof plan.

Additional Plans

For certain proposals, including new housing schemes, the following plans will be required to enable a full assessment of the proposals. The inclusion of these plans can also reduce the number of prior commencement conditions attached to a planning approval:

- Materials plan- detailing the proposed external facing materials and the proposed hardsurfacing materials (please be advised that the Council will require either the use of permeable materials on a permeable base for the construction of driveways or provision for drainage facilities within the site to ensure that surface water does not drain onto the highway.)
- Boundary treatment plan- detailing the proposed walls, fencing etc to be erected on the site along with plans detailing the height and appearance of these boundary treatments. (Please note that for new housing schemes adequate boundary treatment will be required to create private garden space within the cartilage of the dwelling).
- Landscape plan- including full details of all existing trees and those to be removed, all existing and/ or proposed ground cover planting, size, species, density and position of proposed trees and details of all existing and proposed hardstanding/parking areas.
- Street scene plans- detailing the proposed scheme within the existing street scene and plans of proposed street scenes within the development

2. Householder Applications

The Council's Local List includes a list of all potential supporting documents for all types of applications. This list is extensive and the majority of the documents listed will not be applicable to householder applications. To assist with householder applications the checklist at Appendix A has been produced which sets out the documentation required to support a householder planning application.

3. Outline Planning Applications

Outline applications are about establishing whether a particular type of development is acceptable on a site in principle. Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 identifies certain 'reserved matters', which may be set aside at the outline application stage for subsequent approval by the local planning authority. These are:

- layout,
- scale,
- appearance,
- access and
- landscaping.

The following information is required to accompany an outline planning application:

Amount: cannot be reserved within an outline application. The amount of development proposed for each use, how this will be distributed across the site and how the proposal relates to the site's surroundings should be explained within the design and access statement.

Layout: where layout is to be a reserved matter then the information requirements will be judged on a site-by-site basis having regard to the complexity and specific context of a particular application.

PLEASE NOTE: It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application. In respect of layout this can include details of the approximate location of buildings, routes and open spaces proposed (PLEASE NOTE: that plans submitted for illustrative purposes will not form part of the list of approved plans on any planning approval and should be clearly marked 'ILLUSTRATIVE' on the plans)

Scale: Where scale is to be a reserved matter then the information requirements will be judged on a site-by-site basis having regard to the complexity and specific context of a particular application.

PLEASE NOTE: It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application. In respect of scale this can include details of the parameters for the upper and lower limits of the height, width, and length of each building proposed. This is in order to establish a three dimensional building envelope within which the detailed design of the buildings will be constructed.

Landscaping: where landscaping is to be a reserved matter then the application does not need to provide any specific landscaping information. However, the accompanying design and access statement should explain and justify the principles that will inform any future landscaping scheme.

Appearance: where appearance is to be a reserved matter then the accompanying design and access statement should explain and justify the principles behind the intended appearance and explain how these will inform the final design of the development.

Access: the location point of the access(es) are required to be shown to the site. This is to enable an early assessment of whether safe vehicular and pedestrian access will be possible.

4. Environmental Impact Assessment (EIA)

An Environmental Impact Assessment (EIA) should be provided for any major development that falls within Schedule 1 of the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. An EIA may also be required for other developments identified in Schedule 2 where its location and scale corresponds with those criteria listed in the EIA Regulations [**PLEASE NOTE:** Part of Schedule 2, paragraphs 10(a) to 10(c) in Column 1, was amended by virtue of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015].² An assessment will need to be undertaken as to the significance of any impact. This is to enable the likely environmental impacts of the proposed development to be properly considered by the Local Planning Authority. This is a three-stage process.

If you suspect that a proposal may need an EIA you can submit a request to the Local Planning Authority for a Screening Opinion. This request will need to be accompanied by a plan to identify the site, a brief description to the nature and purpose of the development and of its possible effects on the environment and any other information. On receipt of the application for a screening opinion the Local Planning Authority will consult the relevant organisations and respond to the request normally within 21 days. If the Local Planning Authority considers that the proposal could have significant effects on the environment then they will require an EIA to be submitted with the application.

If a proposed development is EIA Development (by virtue of either Schedule 1 or Schedule 2) then a request for a Scoping Opinion can be submitted to the Local Planning Authority. This will seek to provide sufficient information that the scope of an EIA can be agreed, i.e. the significance of the various impacts and the level of detail to be explored. The Local Planning Authority will consult the relevant organisations and respond to the request normally within 5 weeks.

| | |
|---|--|
| “(a) Industrial estate development projects; | The area of the development exceeds 5 hectares. |
| (b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas; | (i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or (ii) the development includes more than 150 dwellings; or (iii) the overall area of the development exceeds 5 hectares. |
| (c) Construction of intermodal transhipment facilities and of intermodal terminals (unless included in Schedule 1); | The area of the development exceeds 0.5 hectare.” |

2

An EIA application should be submitted with a full Environmental Statement (ES) and a non-technical summary. Technical appendices should also be included where relevant. An application proposing EIA Development has a target date for consideration of 16 weeks to allow the Local Planning Authority and all the interested parties greater opportunity to consider the impacts of the proposed development.

PLEASE NOTE: Following the Court of Appeal Judgement *SAVE Britain's Heritage v SSCLG* the demolition of buildings is now classed as 'development'. As a result, where demolition works are likely to have a significant effect on the environment, by virtue of factors such as its nature, size, or location, EIA screening must be carried out to consider whether EIA is required.

5. Ecological Assessments & Wildlife Surveys

An ecological assessment and/or wildlife survey shall be submitted for all proposals where the development of the site might affect protected species and/or habitats, Biological Heritage Sites, Ancient Woodland, woodland areas, any water body, pond ditch, or other similar feature. This includes the conversion of existing buildings. Further advice in respect of the need for surveys can be found at Appendix B.

The report shall include the following:

- Details of the appointed ecologist to demonstrate their competence
- Confirmation that surveys were undertaken or updated within the last 3 years (the need for more recent surveys may become apparent during consultation)
- A detailed method for the ecological assessment/ survey
- Detailed results of the survey/ assessment and an evaluation of the ecological interest
- An assessment of likely impacts
- Proposals to avoid, mitigate or compensate for any ecological impacts
- In the case of developments affecting European Protected Species (e.g. bats, otters, great crested newts, badgers), information required to address the three licensing tests of the Habitats Regulations.

In addition where developments that are proposed adjacent to such a site, but it might have an impact upon it, will also be required to be submitted with a full assessment of the impact of the proposal on the feature of importance.

This requirement cannot be conditioned, as the Local Planning Authority is obliged by the law to make a full assessment of the impact of the proposed development at the time of its consideration. Additionally following a High Court judgement the Council has a legal duty, as part of a planning application, to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
- (b) there must be no satisfactory alternative and
- (c) favourable conservation status of the species must be maintained.

Where any impact is identified, full mitigation measures shall be identified and justified within the Assessment. Additionally a habitat creation and management plan may be required.

6. Archaeological Assessment

Any development which is situated within an area of known to have archaeological interest shall be accompanied by an Archaeological Assessment which sets out a programme of archaeological work including a scheme of investigation. This is to ensure that any archaeological assets are excavated and recorded correctly.

7. Heritage Statement

For planning applications which involve a Listed Building, impact on the setting of a Listed Building and/or involve work within a Conservation Area the planning application will be required to include a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance. (Details of whether a property is within a Conservation Area can be found at <http://planaccess.rossendale.gov.uk:8080/connect/>).

As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest an appropriate desk-based assessment and, where necessary, a field evaluation will be required.

This information together with an assessment of the impact of the proposal will be required as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.

It will not be possible to validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.

8. Applications for Listed Building Consent

Consent will be required from the Local Planning Authority for the following works to a Listed Building:

- Any works of demolition, alteration or extension that would affect the building's special character (Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
- For replacement windows or doors or any other features that will affect the character of the building (e.g. flood resilient doors)

Applications for listed building consent shall be accompanied by:

- A section plan through the building at a scale of 1:1 or 1:2
- Existing and proposed elevation plans at a scale of 1:100 or 1:200
- Detailed plans at a scale of 1:20 showing all new doors, windows, panelling, fireplaces, plaster moulding and other decorative details
- Details of any pre-application discussion
- Structural Survey of the Building (if required)
- Photographs/photomontages
- Statement of Significance of Heritage Assets

9. Structural Surveys

For applications which include the reuse of existing buildings and include elements of demolition and rebuild, the application shall be accompanied by a specialist report on the condition of the building. This report should be undertaken by a qualified structural surveyor, structural engineer and/or timber-frame specialist if appropriate. The report must clearly identify the extent of any required rebuilding and detail, via a method statement, the means by which the retained structure is to be safeguarded.

Applications for demolition which include justification based on the structural integrity of the building/ structure shall also be accompanied by a Structural Survey

10. Proof of Marketing Statement

In accordance with Policy 10 of the Adopted Core Strategy the loss of existing employment sites and buildings to non-employment generating uses will only be supported where:

- a) re-development for employment uses has been adequately demonstrated to the satisfaction of the Council to be economically unviable and the site is unlikely to be used for existing or future employment purposes, or
- b) the access to the site is poor and cannot be adequately improved, or
- c) the current, or any alternative employment, use has a significant adverse impact on the neighbouring land uses, or
- d) the site and/or buildings are significant heritage assets and their re-use or development is the most appropriate means to secure and maintain an acceptable and viable use that is consistent with their conservation

and in all cases

- e) the site has been marketed for 12 months, or less in exceptional circumstances, using a methodology which has first been agreed by the Council, and
- f) the development will have no unacceptable adverse impacts on surrounding land uses.

PLEASE NOTE: The methodology for marketing should first be agreed by the Council and it is advised this is agreed at pre-application stage.

Where the Council considers the loss of a retail facility may have negative impacts for the local community, it will be necessary to provide additional information and market the building for a period of at least 12 months, or less in exceptional circumstances, using a methodology agreed by the Council.

The loss of social infrastructure / cultural facilities such as pubs, post offices, theatres, community halls, youth centres, parks and open space that require a change of use application will be resisted, particularly in local centres and small settlements. All the following factors will be considered when assessing applications:

- The availability of alternatives within 15 minutes travelling time by non-car modes
- The financial viability of the existing use
- The results of marketing the site for existing or other community uses for a minimum period of six months
- Whether it is possible for the community facility to be retained in the same locality, but combined with another use

- Significance of loss on the local community

11. Planning Performance Agreement

The Council encourages the use of a Planning Performance Agreements (PPA) for the larger more complex planning applications. PPAs are about improving the quality of planning applications and the decision making process through collaboration and an agreed approach to project management. By taking this approach it is considered that the Council, the developer and key stakeholders are able to work through a clear framework for the delivery of major projects. The PPA agrees a timeframe for determination and is considered outside the standard 13 week time frame.

The Council are committed to Community Engagement as set out elsewhere in this document and an appropriate level of community consultation would be required as part of any large scale scheme.

The use of the PPA process will ensure that the Council's Elected Members are openly engaged in the PPA process. This will include either:

- (1) Member briefing: where relevant and the issues are sufficiently complex, a Member Briefing will be held for the Portfolio holder, The Leader & Deputy leader of the Council, and Ward Members within whose electoral ward the PPA project is situated. The purpose of the briefing will be to allow Members to gain a full understanding of the project from the applicants' project team and other pertinent issues.
- (2) Liaison with the same group of Members where due to the nature of the PPA project a Member Briefing is not appropriate.

The PPA process will be used to ensure the smooth processing of a scheme from pre-application/ conception stage, through application stage to post-application stage. **PLEASE NOTE:** a PPA will be subject to a separate fee in accordance with Section 93 of the Local Government Act 2003 however it is important to note that works that fall within a Council's statutory duties as part of a planning application will not be subject to PPA charging.

12. Financial Viability Assessment

Where an application submitted which would be contrary to Core Strategy Policies (i.e. a reduced affordable housing contribution) the application will be required to be supported by a financial viability assessment containing the following information:

- Value of the land (2/3 different estate agents valuations)
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units (in the case of affordable housing)
- Open market value of the dwellings/ value of the development
- Developer return
- Details of the proposed obligations/ specific elements of the scheme which are proposed to be included (i.e. Open Space)

The Assessment may include 3 different scenarios to demonstrate the financial impacts of the scheme which include:

1. Details of the scheme with no financial obligations/ elements which increase costs on site
2. Details of the scheme with both the financial obligations and/or specific scheme details which accord fully with Planning Policy
3. Details of the scheme as proposed including proposed financial obligations and specific details of the scheme.

Any financial viability assessment submitted will need to accord with the RICS guidance note 'Financial viability in planning' 1st edition (GN 94/2012)

13. Adoption Statement

It is essential that arrangements for the future management and maintenance of new roads/ drainage facilities within developments, is addressed at the planning stage. As such any development which involves the construction of new roads, alterations/ connections to existing highways, extensions to and/ or connections to services will be required to be accompanied by a statement which details the future arrangements.

The Adoption Statement shall include:

- An Estate Road Phasing and Completion Plan setting out the development phasing and phasing of the construction of the roads (if available).
- Full details of the proposed arrangements for the future management and maintenance of the proposed streets within the development.

It is the Council's preference that developments which involve the construction of new roads shall be accompanied by a Section 38/Section 278 Agreement with Lancashire County Council Highway Authority for the adoption of the highways. Similarly any application which involves connections/extensions to existing sewers/drains shall be accompanied by a Section 104 Agreement with United Utilities.

Any application which is not accompanied by the relevant legal agreements shall have to provide clear details of how the future management and maintenance of the highways and services will be dealt with. This shall include details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

14. Transport Statement, Transport Assessments (TA) and Travel Plan

Where developments will have the potential to have transport implications, the planning application shall be accompanied by a Transport Statement or a Transport Assessment and Travel Plan (dependent on the type and size of the development).

Planning applications for the following types and size of developments shall include either a Transport Statement or Travel Assessment and Travel Plan:

| Land use | Unit measure | Transport Statement | Transport Assessment and Travel Plan |
|--|--------------|---------------------|--------------------------------------|
| Food retail (A1) | GFA | >250 <800sq.m | >800sq.m |
| Non-food retail (A1) | GFA | >800 <1500sq.m | >1500sq.m |
| Financial and professional services (A2) | GFA | >1000 <2500sq.m | >2500sq.m |
| Restaurants and cafes (A3) | GFA | >300 <2500sq.m | >2500sq.m |
| Drinking establishments (A4) | GFA | >300 <600sq.m | >600sq.m |
| Hot food takeaw ay (A5) | GFA | >250 <500sq.m | >500sq.m |
| Business (B1) | GFA | >1500 <2500sq.m | >2500sq.m |
| General industrial (B2) | GFA | >2500 <4000sq.m | >4000sq.m |
| Storage or distribution | GFA | >3000 <5000sq.m | >5000sq.m |
| Hotels (C1) | Bedroom | >75 <100 bedrooms | >100 bedrooms |
| Hospitals and nursing homes (C2) | Beds | >30 <50 beds | >50 beds |
| Residential education (C2) | Students | >50 <150 students | >150 students |
| Institutional hostels (C2) | Residents | >250 <400 residents | >400 residents |
| Dw elling houses (C3) | Unit | >50 <80 units | >80 units |
| Non-residential institutions (D1) | GFA | >500 <1000sq.m | >1000sq.m |
| Assembly and leisure (D2) | GFA | >500 <1500sq.m | >1500sq.m |
| Any development w hich it is considered w ould have a significant impact on the highw ay network | | | |

Full details of what should be included within a Transport Statement and Transport Assessment can be found at:

<https://www.gov.uk/government/publications/guidance-on-transport-assessment>

Lancashire County Council's Travel Plan Advisory Team will be able to advise on the requirements for a Travel Plan (01772 534309)

15. Affordable Housing Statement

For housing schemes which require an element of affordable housing (in accordance with Policy 4 of the Adopted Core Strategy) the planning submission will be required to detail how the required percentage of affordable housing will be achieved on site, the tenure of the proposed affordable units, the number of bedrooms of the proposed affordable units and details of the Registered Provider / Housing Association who will manage the affordable units (if applicable). The scheme should demonstrate how the split responds to local needs.

Unless otherwise agreed with the Council, a relaxation of the Policy requirements of Policy 4 of the Adopted Core Strategy will only be considered if it is demonstrated that this would result in the development being financially unviable based on the findings of an economic viability assessment submitted to and approved by the Council. The Assessment should include the following:

- Value of the land (2/3 different estate agents valuations)
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units
- Open market value of the dwellings
- Developer return
- Details of the percentage of affordable units which can be accommodated on the site

Where the Council is not in agreement with the findings of the assessment an independent auditor will be appointed, at the cost of the applicant, to undertake a site-specific economic viability assessment.

Presumption will be for on-site provision however in certain circumstances the Council acknowledges that some locations are unsuitable for affordable housing and in those cases financial contributions, instead of on-site affordable housing, may be considered acceptable.

16. Coal Mining Risk Assessment (CMRA)

All non-householder applications which fall within the Coal Mining Development Referral Area (advice can be sought from the Local Planning Office) require a Coal Mining Risk Assessment. Further guidance can be found at <http://coal.decc.gov.uk/en/coal/cms/services/planning/strategy/strategy.aspx>

The Assessment shall be prepared by a suitably qualified and competent person and should contain:

- Site specific coal mining information (including past/ present/ future underground mining, shallow coal workings, mine entries (shafts or adits), mine gas, within an area which has a current licence to extract coal, geological features, any recorded surface hazards, or within a former or present surface mining [old opencast] area).
- Identify what risks these coal mining issues, including cumulative effects, pose to the proposed development
- Identify how coal mining issues have influenced the proposed development and whether any other mitigation measures are required to manage those issues and/or whether any changes have been incorporated into the development
- Any development that involves intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or mine entries will require the prior written permission of The Coal Authority

If an ES is required (please see above) then the CMRA should be included within the ES.

PLEASE NOTE: There may be exemptions made for the nature of development, where the engineering operations are minimal and therefore would not require a Coal Authority Permit for ground works that intersect coal/ workings. Examples of such exemptions include:

- Change of use (land/ buildings) where no other built development is proposed;
- Temporary structures with no ground works;
- Means of enclosure;
- Street type furniture;
- Alterations to existing non-residential buildings that create no new floor space;
- Non-commercial private/ domestic stables

17. Land Stability Report

A Land Stability Report is required where development is proposed on or adjacent to unstable or potentially unstable land. The report should establish the nature and extent of the instability and any gas emissions that might be associated with any land filling.

18. Statement of Community Involvement

Planning applications for major development should include a Statement of Community Involvement [**PLEASE NOTE:** Other types of application may benefit from pre-application community involvement and this should be discussed at pre-

application stage]. The aim of the Statement of Community Involvement is to ensure that all sections of the community, from individual members of the public through to representative organisations, have the opportunity to participate in the preparation of planning proposals for the Borough's towns, villages and countryside.

Developers are encouraged to incorporate community involvement into their development programme to allow for enough time to be devoted to involve the community in a particular scheme. Options for involvement include

- Arrange a meeting with relevant Ward Councillors and Parish/ Town Council;
- Circulate a letter and statement in the locality explaining proposals with plans or a diagram;
- Circulate a specially prepared leaflet;
- Arrange an exhibition and invite local people;
- Arrange a press release/advertisement in local newspapers;
- Arrange a public meeting;
- Arrange a meeting with particular groups in the community.

The Localism Act 2011 proposed mandatory pre-application consultation with local communities for major applications and although to date this has not been activated (apart for Wind Energy Proposals as set out above) more formal pre-application consultation is encouraged where the proposal constitutes "major development". "Major development" is defined as:

- the provision of dwellinghouses where —
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development will provide 10 or more dwellinghouses;
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- development carried out on a site having an area of 1 hectare or more.

The omission of pre-application consultation may result in a major planning application being invalid on receipt where there is likely to be significant public interest in the proposals.

For small-scale proposals such as house extensions or advertisements applicants are encouraged to discuss their proposals with the occupiers of neighbouring property(ies) who will be affected and to take account of their concerns where possible. This can reduce the need for changes after the application has been submitted to the Council, increase the prospect of planning permission being granted and speed up the time taken for proposals to be dealt with.

19. Flood Risk Assessment

Planning applications for development proposals of one hectare or greater in Flood Zone 1 and all proposals for new developments located in Flood Zones 2 and 3, should be accompanied by a Flood Risk Assessment (FRA). Further information on whether your site is located within a Flood Zone can be sought from the Local Planning Authority

For householder applications located within a Flood Risk Zone the planning application shall be accompanied by a simple flood risk assessment. The relevant

form which will constitute the required simple FRA can be found at <http://www.environment-agency.gov.uk/research/planning/93498.aspx>

20. Drainage

If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s) along with full details of the proposed drainage arrangements within the site.

It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers. Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage.

Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory.

If the proposed development results in any changes or replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.

Applications should include details of the disposal of surface water run-off. Where it is proposed to drain this to existing drains the location of those drains should be indicated and where Sustainable Drainage Solutions (SuDS) are proposed there should be sufficient engineering, geotechnical and hydrological information provided to demonstrate the feasibility and suitability of the proposed solution

21. Land Contamination Assessment

Where there is reason(s) to suspect contamination of land, controlled waters, property or ecological systems (such as the existence of former industrial uses, infilled ground, or other indications of potential contamination) and for particularly sensitive end-uses such as a day nursery or housing likely to be used by families with children, a planning application shall be accompanied by either a Desk study or a Land Contamination Assessment.

Initially a desk study should be undertaken of the readily-available records assessing the previous uses of the site and their potential for contamination in relation to the proposed development. If the potential for contamination is confirmed, further studies by the intending developer to assess the risks and identify and appraise the options for remediation will be required.

Where the potential for contamination is confirmed a Land Contamination Assessment shall be submitted which includes: an assessment of ground contamination (The objectives of the investigation shall be, but not limited to,

identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary), and any necessary remediation proposals to render the site capable of development (the remediation proposals shall include an implementation timetable and monitoring proposals). Upon completion of the remediation works, a validation report containing any validation sampling results shall be submitted to and approved in writing by the Local Planning Authority.

For small scale housing developments (no more than 3 houses) the Assessment form found at Appendix C can be should be completed and submitted as part of the planning application

22. Noise Impact Assessment

Proposals which are likely to generate noise located close to noise sensitive areas (e.g. close to residential areas) are required to be accompanied by a Noise Impact Assessment. The assessment shall indicate the levels of noise expected to be created and methods for mitigating any impact.

Similarly proposals for noise sensitive developments within areas of noisy development (e.g. adjacent to a railway line/ motorway) will be required to detail measures to protect the new development from noise.

For developments located close to existing residential dwellinghouses the planning application shall be accompanied by full details of the proposed construction hours, full details of the access arrangements during construction and full details of the site compound and parking for construction traffic during the construction period.

23. Parking Provision Statement

Planning applications for new development shall be accompanied by a Parking Provision Statement (which can be incorporated into the Planning or Transport Statement) detailing how the scheme shall accommodate adequate parking provision. The document shall include details of the existing and/or proposed parking layout including manoeuvring areas along with details of the access including any proposed access alterations.

The Council's parking requirements associated with proposed developments can be found within Appendix One of the Adopted Core Strategy 2011 (http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted). The standards are for guidance purposes however the Local Planning Authority will also take into account the accessibility of the development, the type, mix and use of development, the availability of and opportunities for public transport, local car ownership levels; and an overall need to reduce the use of high-emission vehicles

For new housing developments 1 bedroom dwellings shall incorporate 1 off road parking space, 2/3 bedroom dwellings shall accommodate 2 off road parking spaces and 4+ bedroom properties shall accommodate 3 off road parking spaces. Details on adequate parking provision can be found in Manual for Streets 2. For garage accommodation to 'count' as a parking space it should measure 6x3 metres and driveways to the front of garages shall measure 6 metres in length to 'count' as a parking space.

For householder developments which result in additional bedroom accommodation adequate parking shall be provided within the curtilage of the site in accordance with the above requirements.

24. Planning Statement

For major planning applications a Planning Statement will be required as part of the submission. Planning Statement's may also be useful for minor planning applications, where the development is likely to be controversial or to enable the case for the development to be put forward, this can be identified at pre-application stage. The Statement shall provide an explanation of and justification for the proposals in the context of relevant national and local planning policies affecting the site. The Statement shall include: an assessment of the site and its context, a description of the development proposal, an assessment of the planning policy context and an appraisal of the proposed development against relevant planning policies affecting the site

25. Tree Survey

For proposals which have the potential to impact on trees (either within the application site or adjacent to the application site) the planning application shall be accompanied by a Tree Survey.

The survey shall indicate on a plan all of the trees and vegetation present within/ adjacent to the application site, shall indicate the species and height of the trees/ vegetation plus canopy diameter, shall indicate which trees/ vegetation will be retained as part of the development and shall indicate, including justification, which trees/vegetation are proposed to be removed.

The survey shall also incorporate a tree constraints plan, a tree retention plan and a root protection plan in accordance with BS5837:2005.

26. Tree Works

For applications which relate to works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area the following information will be required:

- Sufficient evidence to support the case for works to trees protected by a TPO in the form of a report from a qualified expert or diagnostic information (**PLEASE NOTE:** failure to provide sufficient information may result in the application being invalidated/ rejected/ refused.)
- A sketch plan clearly identifying the trees subject to the application (the plan should also identify other trees on the site clearly marked that they are not subject to the application). The sketch plan should include the site boundaries, the adjacent properties (including house names/ numbers), distances between the trees and nearby features on the site, an arrow indicating north, the position of the trees in relation to nearby buildings and the individual trees/ groups of trees should be numbered. (please see appendix D for a suitable example).
- If individual trees cannot be clearly identified (i.e. they are part of a woodland/ group on trees) the approximate location should be marked on the plan and identified as part of a site visit with the case/ tree officer.
- Photographs can be utilised to identify the trees subject to the application and/ or specific features of the trees which directly relate to the application.
- Full details of the condition of the trees and/ or the damage they are causing

- The presence and impact of pests, diseases or fungi that require work to be carried out to the trees should be described in written evidence or diagnostic information from an arboriculturist or other appropriate expert. Arboricultural evidence must be provided to support applications that suggest the tree has defects that may be of concern to the future or future safe retention of the tree or parts of the tree.

Full details as to whether a tree is subject to a TPO can be found at:

http://www.rossendale.gov.uk/info/508/tree_preservation_orders/259/tree_preservation_orders

27. Waste Management Strategy (Bin store/refuse disposal/recycling details)

All proposals which will include the creation new dwellings or extensions to existing ones, or new retail, business, industrial developments will be required to submit details of the proposed facilities for the storage & collection of refuse, as well as for the provision of recycling facilities. Hot food takeaways should indicate the provision of litter bins along with a regime for litter picking associated with the hot food takeaway use.

28. Landscape

The Council requires the inclusion of basic information, including provision of levels at an early stage. Landscape strategies may be required for especially complex or phased developments where an overview or framework is needed.

It is recommended that landscape strategies are included either as supporting information or as part of Design and Access Statements or EIAs.

For sites that are considered to be particularly sensitive in landscape or visual terms Landscape and Visual Impact Assessment (LVIA) will be required. For example:

- where large scale developments are proposed, particularly vertical developments;
- where developments are within areas with a national or international landscape or landscape heritage designation (eg AONB);
- where developments may affect the settings of the above areas; or
- where developments will be particularly visible from publicly accessible viewpoints.

LVIAs should be carried out by qualified landscape professionals in accordance with the Landscape Institute and Institute of Environmental Management and Assessment's Guidelines for Landscape and Visual Assessment (GLVIA) 3rd Edition (2013).

29. Certificate of Lawfulness

The burden of proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

In accordance with article 39 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as a minimum this should include:

- a) a plan identifying the land to which the application relates drawn to an identified scale and showing the direction of north;

- b) such evidence verifying the information included in the application as the applicant can provide; and
- c) a statement setting out the applicant's interest in the land, the name and address of any other person known to the applicant to have an interest in the land and whether any such other person has been notified of the application.

This evidence required in respect of criteria (b) above may include the following:

- Existing and Proposed floor plans (for all applications involving use of a building) to a scale not less than 1:100
- Existing and proposed extensions (for all proposed building works) to a scale not less than 1:100
- Sworn affidavit(s) from people with personal knowledge of the existing use or works carried out
- Description of all uses of land within the site (if relevant)
- Supporting Planning Statement (to include statement of grounds on which the Certificate is sought)

30. Access Ramp Details

Applications which include a new external access ramp shall include floor plans detailing the position and gradient of the ramp along with a plan detailing any handrails/ barriers and anti-skating measures.

31. Flues & Ventilation extraction details

All applications which involve the sale or preparation of cooked food, launderettes and other uses which require air conditioning or extraction and filtration equipment shall be accompanied by full details of the proposed equipment. The details shall include the manufacturers specifications, plans detailing the location of the equipment and the dimensions of the proposed equipment.

32. Shopfront Details

Applications for new shopfronts shall be accompanied by:

- A section plan detailing the projection of any signage, canopies and roller shutters,
- Elevation plans detailing the existing and proposed shopfront, at a scale of 1:10 or 1:20, and
- A section plan of proposed shopfront, at a scale of 1:1 or 1:2

Advice and guidance in respect of new shopfronts can be found in the Council's Shop Front Design Supplementary Planning Document (http://www.rossendale.gov.uk/info/856/local_development_framework/300/extra_guidance_spds/6)

33. Telecommunications Development

Applications incorporating telecommunications shall be accompanied by:

- Standard application forms
- Layout Plan (scale 1:100/1:200) detailing the position of the structure
- Elevation Plan (scale 1:50/ 1:100) detailing height and design of the structure
- Section through structure (scale 1:10/1:20) detailing width of structure
- Elevation and layout plan (scale 1:100/1:200) of associated equipment
- Certificate/ Statement confirming compliance with ICNIRP and diagram indicating beam of greatest intensity
- Existing and proposed coverage maps

- Details of alternative sites rejected (including existing masts, structures and other buildings) with justification for rejecting them.

34. Lighting Assessment

Planning applications which include new external lighting shall be accompanied by a Lighting Assessment.

A lighting scheme should include the following:

- Plans detailing the location of the lighting
- Specific Site survey – including District Ambient Brightness Category
- Calculations – determining Glare, Intensity and Spill and recommendations to control these
- Risk assessment – in relation to crime and disorder and impact on light sensitive premises
- Schedule of installation
- Equipment design – must be identified & used to determine aim, glare and overspill
- Measured luminance of the proposed scheme
- Hours of illumination

35. Sequential Assessment and Impact Assessment

A sequential assessment will be required for main town centre uses that are not proposed in an existing centre and are not in accordance with an up-to-date Local Plan. Proposals for main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available will out of centre sites be considered.

The assessment shall demonstrate:

- that sites have been assessed for their availability, suitability and viability.
- that all in-centre options have been thoroughly assessed before less central sites are considered
- that there are no town centre sites to accommodate a proposed development, (in these circumstances preference will be given to edge of centre locations which are well connected to the centre by means of easy pedestrian access)

For proposals on the edge of existing centre developers shall demonstrate flexibility in terms of:

- scale: reducing the floorspace of their development;
- format: more innovative site layouts and store configurations such as multi- storey developments with smaller footprints;
- car parking provision; reduced or reconfigured car parking areas; and
- the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites.

PLEASE NOTE: This sequential approach will not be applied to applications for small scale rural offices or other small scale rural development.

Applications for retail, office and leisure development outside of town centres, which are not in accordance with an up-to-date Local Plan, will be required to be supported by an impact assessment if the development is over 2,500 sq m.

The assessment shall include:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

36. Air Quality Assessment

Regard must be had for the impact on Air Quality as a result of the development and where the development will worsen the air quality for those already living in the area mitigation measures will be required. Any such application shall be accompanied by an Air Quality Assessment setting out the identified impacts and the suggested mitigation measures.

Central Government recently released the damage costs associated with Nitrogen Dioxide levels, with the document “Valuing Impacts on Air Quality – Updates in valuing changes in emissions of Oxides of Nitrogen (NOX) and concentrations of Nitrogen Dioxide (NO2) (September 2015). Within this document it is suggested that there are health effects associated with the Nitrogen Dioxide levels below those targets set by the National Air Quality Objectives.

Additionally in accordance with National Guidance the Council is keen to promote the use of alternative fuels for transport purposes.

One suggested form of mitigation is the inclusion of electric vehicle charging within schemes for new residential dwellings.

37. Demolition of Buildings (including conservation areas)

Following the Court of Appeal Judgement *SAVE Britain’s Heritage v SSCLG*, the demolition of buildings is now classed as ‘development’. As such an application is required to the planning authority to ascertain whether the authority requires prior approval of the method of demolition along with details of the future use/ restoration of the site.

Applications for prior approval shall be accompanied by:

- Details of the method of demolition
- Details of the proposed restoration of the site
- Confirmation from a licenced Ecologist that the demolition will not adversely impact on any ecological assets or protected species
- Confirmation from an accredited archaeologist that the demolition will not adversely impact on any items of archaeological significance at / adjacent to the site.

If you live in a conservation area, you will need planning permission for relevant demolition in a conservation area to do the following:

- Demolish a building with a volume of more than 115 cubic metres.
- To demolish a gate, fence, wall or railing over 1 metre high next to a highway (including a public footpath or bridleway) or public open space; or over 2 metres high elsewhere
- Any building erected since 1 January 1914 and in use, or last used, for the purposes of agriculture or forestry.

The application shall be accompanied by:

- Floor Plans and Elevations of the building/ structure to be demolished
- A structural survey.
- An Ecological survey and report (to include where necessary a bat survey).
- A tree survey/Arboricultural implication where trees exist on the site or are immediately adjacent to areas of work.

38. Agricultural applications

Applications for new agricultural buildings/ horticultural enterprises/ agricultural workers dwellings will be required to be accompanied by the following information in respect of the existing and proposed site arrangements:

- Full details of all the land which forms part of the agricultural holding
- Full details of the business enterprise
- Full details of the employees of the business
- Financial details directly linked to the proposed development
- Full details of existing farm buildings and their uses

The Council have produced a pro-forma document which can be found at Appendix E which should be completed and attached to any application for new agricultural buildings/ agricultural workers dwellings (including prior notification applications)

39. S73 Applications and Minor Non-material amendments

Applications for removal/ variation of condition(s) (submitted under S73 of the Town and Country Planning Act 1990) or applications for minor non-material amendments will be required to be accompanied by the following information:

- The description of the development on the application forms (question 5 on the application forms for removal or variation of a condition and question 7 on the application forms for a non-material amendment) shall list all of the amendments proposed.
- A supporting statement which specifically details all of the amendments proposed.
- A copy of the originally approved plan(s) and a copy of the amended plan(s) with the amendments clearly identified on the plan(s).

40. Mineral resource assessment

Proposals located with a mineral safeguarding area should be accompanied by a minerals resource assessment. This is to ensure sufficient information is available on mineral resources to enable Rossendale Borough Council to determine the applications conformity to Joint Lancashire Minerals and Waste Local Plan Policy M2 – Safeguarding Minerals.

The mineral resource assessment should specify whether there are minerals present and, if so, whether it is practicable or sustainable to extract them.

Information could be provided on:

- the depth of overburden,
- the quantity and quality of any mineral present,
- the height of the water table,
- the proximity and nature of any surrounding land uses,
- the size of the site.

The level of detail should be appropriate to the scale and nature of the proposed development. Details of whether a site is located within a mineral safeguarding

area can be downloaded at <http://www.lancashire.gov.uk/council/planning/local-planning-policy-for-minerals-and-waste.aspx#policiesmaps>

41. Householder Larger Home Rear Extensions Prior Approval Application

Permitted development rights are a right to make certain changes to a building or land without the need to apply for planning permission. These derive from a general planning permission granted from Parliament, rather than from permission granted by the local planning authority.

Legislative changes came into force on 30th May 2013 which extended permitted development rights to make it easier for homeowners to construct larger rear extensions without the need for planning consent, although homeowners must first establish if the prior approval of the Local Planning Authority is required.

To accompany such a prior approval application the following information is required:

- a) a written description of the proposed development including—
 - (i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
 - (ii) the maximum height of the enlarged part of the dwellinghouse; and
 - (iii) the height of the eaves of the enlarged part of the dwellinghouse;
- b) a plan indicating the site and showing the proposed development- a block plan, preferably at a scale of 1:200/ 1:500 or with the written dimensions on the plans, should be provided detailing the existing dwellinghouse and the proposed extension including the distances to the boundaries.
- c) the addresses of any adjoining premises;
- d) the developer's contact address; and
- e) the developer's email address if the developer is content to receive communications electronically

42. Prior Approval Applications- Part 3, Classes C, J, M, N, O, P, PA, Q, R, and S of the Town and Country Planning (General Permitted Development) Order

The Town and Country Planning (General Permitted Development) Order 2015 includes provisions to change the use of a building without the need to apply to the Local Planning Authority for planning permission (Part 3 of the GPDO, Classes C, J, M, N, O, P, PA, Q, R, and S) however prior to undertaking the development a developer is required to make an application to a local planning authority for a determination as to whether the prior approval of the authority will be required.

The application must be accompanied by—

- a written description of the proposed development, which, in relation to development proposed under Class C, M, N or Q of this Part, must include any building or other operations;
- a plan indicating the site and showing the proposed development- floor plans and elevations of the existing and proposed development, preferably at a scale of 1:50/ 1:100 or with the written dimensions on the plans, should be provided.
- in relation to development proposed under Classes M, N, O, P, PA and Q of this Part, a statement specifying the net increase in dwellinghouses proposed by the development
- the developer's contact address;

- the developer's email address if the developer is content to receive communications electronically;
- a site specific flood risk assessment (where the site is in an area within Flood Zone 2 or Flood Zone 3; or in an area within Flood Zone 1 which has critical drainage problems)
- The required fee.

PLEASE NOTE: The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include—

- (a) assessments of impacts or risks;
- (b) statements setting out how impacts or risks are to be mitigated; or
- (c) details of proposed building or other operations.

43. Wind Energy Applications³

All wind energy applications will be required to meet the requirements listed within Appendix F. Additional information may also be requested by Rossendale Borough Council prior to the validation of wind energy applications depending on the specific details and nature of the application or the nature or character of the area within which the application site is situated. Applicants or their agents are advised to seek advice on the need for such additional information from the Council at pre-submission stage.

PLEASE NOTE: In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 applicants/ developers carry out consultation on a proposed application for planning permission, prior to the submission of the planning application to the Local Authority, for any development involving an installation for the harnessing of wind power for energy production where—

- (a) the development involves the installation of more than 2 turbines; or**
- (b) the hub height of any turbine exceeds 15 metres.**

(The above requirements do not apply to applications made pursuant to section 73 of the 1990 Act or applications of the description contained in article 20(1)(b) or (c) (consultations before the grant of a replacement planning permission subject to a new time limit))

The application for planning permission to the Local Planning Authority must be accompanied by particulars of—

- (a) how the applicant complied with section 61W(1) of the 1990 Act;**
- (b) any responses to the consultation that were received by the applicant; and**
- (c) the account taken of those responses by the applicant.**

Please note that turbine height should be taken as the maximum height to the blade tip, rather than just the height of the mast or tower.

The following information expands on some of the requirements of the validation checklist listed in Appendix F which are specific to these types of applications:

FEE: To calculate the fee, you must work out the total land area over which the blades of the turbine(s) can rotate (the total swept area), plus the area of any ancillary structures, engineering works and newly constructed access roads. As the fee for wind turbine developments is based on the area covered by the sweep of the turbine blades, the red line on the site location plan only needs to encompass this along with the ancillary works and new access tracks, rather than the whole site (please see appendix F)

Transport Statement shall include:

- The proposed total number of lorry and crane movements and routes of travel
- Details of what measures will be required to accommodate oversize loads on the road network
- Details of the proposed engineering design and construction of access tracks, including details of their permanence or removal once the wind turbine(s) are erected, and source of materials.

³ PLEASE NOTE: All references to distances from the wind turbine etc. within this section are applicable unless a different approach is fully justified by the applicant.

- Details of crane hard standings
- Details of any concrete mixing to be carried out on site, and details of disposal of excess concrete and washing out of equipment
- Location and design of construction compound where appropriate
- Design and location of any electricity transmission equipment
- Proposed hours of construction

Landscape and Visual Impact Assessment

A landscape and visual impact assessment which demonstrates how visual impacts have been minimised / mitigated and how the proposed turbine(s) will fit into the landscape. The assessment should include details of the following:

- Alternative sites which have been considered for the development
- Alternative turbine amounts / layouts / configurations which have been considered
- Alternative turbine heights / models / appearances which have been considered
- Alternative access arrangements / routes which have been considered
- Landscaping arrangements which have been considered to mitigate the visual / landscape impact of the proposed turbine(s)

For the above, it should be clearly demonstrated why the chosen arrangements represent the best option in terms of visual and landscape impact minimisation. The cumulative visual impact of the proposed turbine(s) with other existing operational or permitted turbines, or turbines currently subject to a planning application should be fully addressed in the Landscape and Visual Impact Assessment.

Landscape and visual impact assessments should make reference to the Landscape Capacity Study for Wind Energy Developments in the South Pennines (Julie Martin Associates, 2010) – which is available for download on the Council's website:

http://www.rossendale.gov.uk/downloads/WEB_Landscape_Capacity_Study_for_Wind_Energy_Developments_in_the_South_Pennines.pdf

Heritage Statement (which can be incorporated into the required Planning Statement):

Applications shall include an assessment of the impacts of the proposed turbine(s) on significant cultural, recreational or heritage assets which could potentially be affected. This should include any potential sub-surface archaeological issues. For turbines with a total height of under 40m, this should cover assets within a minimum radius of ten times turbine height (the Council reserves the right to request an assessment of the impacts on significant assets outside this radius if it is deemed necessary). For proposed turbines with a total height of 40m or above, the assessment should extend to significant assets within a radius of 5km of the nearest boundary of the site. For schemes of greater than 100 metre total height the 5km distance may be extended.

Photomontage and/or Wireframe Diagrams: The Council will expect all wind turbine applications to be accompanied by a representative range of photomontages and/or wireframe diagrams to demonstrate how the proposed turbine(s), ancillary equipment and access roads will fit into the landscape. Photomontages and wireframe diagrams should be created by a suitably qualified

person or organisation. Locations for photomontage and wireframe diagram viewpoints should be agreed with the Council at the pre-submission stage.

Zone Theoretical Visibility Maps: Unless the application is for a single turbine with a height of 25m or less (which is not within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application), the Council will expect applications to be accompanied by two Ordnance Survey based maps showing the Zone Theoretical Visibility (ZTV) of the proposed turbine(s):

- The first of the maps should show the ZTV of the proposed turbine(s) only.
- The second map should show the cumulative ZTV of the proposed turbine(s) along with any other operational and permitted turbines (and those currently subject to a planning application). Applicants should contact the Council to obtain an up to date list of such turbines.

The radius of the ZTV maps required depends on the proposed height of the turbine(s) in the application and other factors- please see Appendix F.

Public Rights of Way Map: The Council will expect a plan to be submitted which identifies all Public Rights of Way within a radius of 10 times turbine height from the centre of the turbine. The impact on locally and sub-regionally significant or recreational routes or long distance trails should be fully addressed where the turbine(s) will be located within 1km of such a route. Such routes could include the Pennine Bridleway, The Rossendale Way, The Burnley Way, etc. Other routes exist however, and applicants are advised to contact the Council's Development Control department for clarification where they are unsure if such a route exists in proximity to the proposed turbine(s).

Noise & Shadow Flicker Assessment: For all wind energy applications the Council will expect that a plan is submitted which identifies any occupied buildings situated within a radius of ten times turbine height from the centre of the proposed turbine. In exceptional circumstances a greater distance may be prescribed. Site-specific noise assessments for all buildings within the identified radius should be carried out and full details and recommendations included within a report accompanying the planning application. The report should demonstrate that any noise is compliant with ETSU-R-97, as amended. Depending on the size of the proposed turbine(s) and the proposed location, submission of manufacturers' standard noise output specifications for a given turbine model may or may not be sufficient, as such specifications do not generally address site-specific conditions. Applicants should contact the Council at pre-application stage to confirm the likely requirements for information relating to noise.

In terms of shadow flicker effect, the Council will expect a report to be submitted which demonstrate that the impact on occupied properties within a radius of 10 times turbine height and if necessary any mitigating measures. The effects of Shadow flicker on the users of bridleways within a 10 times turbine height radius should also be addressed. Such reports should be carried out by a suitably qualified person or organisation, and set out clear recommendations.

Peat and Hydrology Assessment: Peat is recognised as an important store of carbon, which if damaged can dry out - leading to oxidization of stored carbon, resulting in the release of carbon dioxide into the atmosphere. Poor siting of turbines risks damaging peat and undermining the role of wind turbines in providing energy with low carbon emissions. Peat also plays an important role in

retaining water on the Borough's moorlands, helping to prevent flooding further down in the valleys following periods of heavy rainfall.

In order to conserve the Borough's peatlands. Applications for single wind turbines over a height of 25m (or multiple turbines of any height) to identify whether peat exists on the site and demonstrate how the turbine(s) has been sited to avoid it – including details of measures proposed to avoid damage to underlying peat by any proposed access tracks. Where peat is identified on site, the Council reserves the right to request further investigation to determine its extent.

Applications will also need to demonstrate how the construction of any access tracks or trenches for cables will be achieved without substantially altering the hydrological regime of the site – i.e. how tracks, trenches and any other associated infrastructure have been designed and sited to avoid draining peat and avoid creating new channels for surface water to run off the site. Disturbance to underlying peat by wind turbines has the potential to cause adverse impacts on the quantity, quality and colour of water supplies which are replenished by water draining from moorlands. Where underlying peat is identified on site, the Council will expect applications to demonstrate how adverse impacts on the quantity, quality and colour of any potentially affected water supplies will be avoided.

Details of Decommissioning Bond / Arrangements: An indication of how decommissioning will be undertaken shall be provided. For all single wind turbines over a height of 40m (or multiple turbines of any height), the Council will expect that evidence is provided to demonstrate that a bond has been put in place with the Local Authority to cover the entire costs of decommissioning and removing the wind turbine(s) from site once they have reached the end of their 25 year operational period. This should be done through a Unilateral Undertaking. This is necessary to prevent redundant wind turbines from remaining in the landscape once the end of their operating life has been reached, and acts as a safeguard in case of any financial constraints which may prevent the owner / operator of the turbine(s) from carrying out decommissioning works in future.

Details of proposed Community Benefits: Applicants for wind energy developments with a total generating capacity of 250kW or above should indicate how consideration has been given to compensating the community for the negative effects of the proposal. Provision of a community benefit scheme to compensate the communities likely to be most heavily impacted by proposed turbines will be expected for proposals generating 1Mw of power or greater, in line with Policy 20 of the Council's Core Strategy.

Details of impacts on communications / broadcast equipment: The Council will consult the Ministry of Defence (Defence Infrastructure Organisation) and National Air Traffic Services (NATS) on wind turbine applications. As such, there is no requirement for applicants to consult with these two bodies prior to submission of an application. However, it is the responsibility of the applicant to demonstrate that the proposed turbine(s) will not cause any interference to the operation of any communications or broadcast equipment, through consultation with the operators of any masts or antennae which may be subject to adverse effects from the proposed turbine(s). Consultation responses from any such individuals or organisations should be submitted to the Council alongside the planning application.

Applicants should also demonstrate that any possible effects on telecommunications equipment, including television reception, have been considered and if necessary mitigation measures taken.

Appendix A

Householder Applications Checklist

| National Requirements | Yes | N/A |
|---|--------------------------|--------------------------|
| Standard Application Form | <input type="checkbox"/> | |
| Completed Ownership Certificate (one copy) | <input type="checkbox"/> | |
| Notice (A copy of the notice served on the owner(s) of the application site) | <input type="checkbox"/> | <input type="checkbox"/> |
| The appropriate fee | <input type="checkbox"/> | <input type="checkbox"/> |
| Design and Access Statement | <input type="checkbox"/> | <input type="checkbox"/> |
| Location Plan (at a scale of 1:1250 or 1:2500) | <input type="checkbox"/> | |
| Plans, drawings and information necessary to describe the development which is the subject of the application: | | |
| Site Plan (at a scale of 1:200 or 1:500) | <input type="checkbox"/> | <input type="checkbox"/> |
| Block Plan (at a scale of 1:100 or 1:200) | <input type="checkbox"/> | <input type="checkbox"/> |
| Elevations (at a scale of 1:50/ 1:100) | | |
| Existing front elevation | <input type="checkbox"/> | <input type="checkbox"/> |
| Existing rear elevation | <input type="checkbox"/> | <input type="checkbox"/> |
| Existing side elevation(s) | <input type="checkbox"/> | <input type="checkbox"/> |
| Proposed front elevation | <input type="checkbox"/> | <input type="checkbox"/> |
| Proposed rear elevation | <input type="checkbox"/> | <input type="checkbox"/> |
| Proposed side elevation(s) | <input type="checkbox"/> | <input type="checkbox"/> |
| Floor Plans (at a scale of 1:50/1:100) | | |
| Existing floor plans (all floors) | <input type="checkbox"/> | <input type="checkbox"/> |
| Proposed floor plans (all floors) | <input type="checkbox"/> | <input type="checkbox"/> |
| Section, Finished Floor and site levels (at a scale of 1:50/ 1:100) | | |
| Existing Site Sections | <input type="checkbox"/> | <input type="checkbox"/> |
| Existing Finished Floor Levels | <input type="checkbox"/> | <input type="checkbox"/> |
| Proposed Site Sections | <input type="checkbox"/> | <input type="checkbox"/> |
| Proposed Finished Floor Levels | <input type="checkbox"/> | <input type="checkbox"/> |
| Roof Plans (at a scale of 1:50/1:100) | | |
| Existing roof plans | <input type="checkbox"/> | <input type="checkbox"/> |
| Proposed roof plans | <input type="checkbox"/> | <input type="checkbox"/> |

| Local Requirements | Yes | No* | N/A |
|---|--------------------------|--------------------------|--------------------------|
| Heritage Statement | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Structural Surveys | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Flood Risk Assessment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tree Survey | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Facilities for the storage & collection of refuse | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Domestic microgeneration equipment/ wind turbines: | | | |
| Manufacturers specification | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Site plan (scale 1:100/ 1:200) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Elevational plans (scale 1:50/1:100) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Roof plans (scale 1:50/1:100) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Additional Plans | | | |
| Boundary treatment plan | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Landscape plan | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Street Scene Plans | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

*All relevant documents on the Local Requirements list will be required to be submitted with each application, unless it has been identified at pre-application stage that a document is not required. If the need for a certain document/ plan is disputed a statement should be provided setting out why this is the case.

Appendix B

Timetable for works involving protected species, habitats and vegetation

Part 1 Local Requirements For Protected Species

If the application involves any of the development proposals shown in Table 1 (Column 1), a protected species survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in this table. The Survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

The Assessment must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain.

The information provided in response to the above requirements are consistent with those required for an application to Natural England for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

Exceptions for When a Full Species Survey and Assessment may not be Required:

- a) Following consultation by the applicant at the pre-application stage, the LPA has stated in writing that no protected species surveys and assessments are required.
- b) If it is clear that no protected species are present, despite the guidance in the above table indicating that they are likely, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation).
- c) If it is clear that the development proposal will not affect any protected species present, then only limited information needs to be submitted. This information should, however,
 - (i) demonstrate that there will be no significant affect on any protected species present and
 - (ii) include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm

protected species should they subsequently be found or disturbed.

In some situations, it may be appropriate for an applicant to provide a protected species survey and report for only one or a few of the species shown in the Table above *e.g.* those that are likely to be affected by a particular activity. Applicants should make clear which species are included in the report and which are not because exceptions apply.

TABLE 1

| Proposals for Development that will trigger a Protected Species Survey | Species likely to be affected and for which a survey will be required | | | | | | | | | |
|--|---|-----------|----------------|---------------------|--------|------------|--------|----------|------------|--------|
| | Bats | Barn Owls | Breeding Birds | Great Crested Newts | Otters | Water Vole | Badger | Reptiles | Amphibians | Plants |
| <p>Proposed development which includes conversion, modification, demolition or removal of buildings (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:</p> <ul style="list-style-type: none"> • agricultural buildings (<i>e.g.</i> farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams; • buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water; • pre-1960 detached buildings and structures within 200m of woodland and/or water; • pre-1914 buildings within 400m of woodland and/or water; • pre-1914 buildings with gable ends or slate roofs, regardless of location; • located within, or immediately adjacent to woodland and/or immediately adjacent to water; • Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost | • | • | • | | | | | | | |

| | | | | | | | | | | |
|---|---|---|---|--|--|--|---|--|--|---|
| assessment (see Chapter 8 for details) the site appears to be particularly suited to bats. | | | | | | | | | | |
| <p>Development affecting built structures:</p> <ul style="list-style-type: none"> tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; unused industrial chimneys that are unlined and brick/stone construction; bridge structures, aqueducts and viaducts (especially over water and wet ground). | • | | | | | | | | | |
| <p>Floodlighting of:</p> <ul style="list-style-type: none"> churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water; any building meeting the criteria listed in (1) above. | • | • | • | | | | | | | |
| <p>Felling, removal or lopping of:</p> <ul style="list-style-type: none"> woodland; field hedgerows and/or lines of trees with connectivity to woodland or water bodies; old and veteran trees that are more than 100 years old; mature trees with obvious holes, cracks or cavities, or which are covered with mature ivy (including large dead trees). | • | | • | | | | • | | | • |

| | | | | | | | | | | |
|--|--------|-----------|----------------|---------------------|--------|------------|--------|----------|------------|--------|
| Proposals affecting water bodies: <ul style="list-style-type: none"> in or within 200m of rivers, streams, canals, lakes, reed beds or other aquatic habitats. | • | | • | | • | • | | | • | • |
| Proposals located in or immediately adjacent to: <ul style="list-style-type: none"> quarries or gravel pits; natural cliff faces and rock outcrops with crevices or caves and swallets. | • • | | • • | | | | | • • | | |
| Proposals for wind farm developments of multiple wind turbines and single wind turbines | • | | | | | | | | | |
| Proposed development affecting any type of buildings, structures, feature or location where protected species are known to be present | • | • | • | • | • | • | • | • | • | • |
| | Bats | Barn Owls | Breeding Birds | Great Crested Newts | Otters | Water Vole | Badger | Reptiles | Amphibians | Plants |

Part 2 Local Requirements for Designated Sites and Priority Habitats

If the application is likely to affect any of the designated sites, priority habitats or biodiversity features listed in Table 2 a survey and assessment for the relevant feature must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in these tables. The Survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological or geological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which habitats and features are present on and where appropriate around the site;
- Identify the extent/area/length present;
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The Assessment should identify and describe potential development impacts likely to harm designated sites, priority habitats, other listed biodiversity features or geological features (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites priority habitats, other biodiversity features or geological features. The Assessment should give an indication of likely change in the area (hectares) of priority habitat on the site after development e.g. whether there will be a net loss or gain. An ecological/geological survey and assessment may form part of a wider Environmental Impact Assessment.

Exceptions When a Full Survey and Assessment May Not Be Required

International and National Sites: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.

Regional and Local Sites and Priority Habitats: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with the Local Planning Authority's ecologist (where employed), or ecological advisor and/or the local Wildlife Trust that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other priority habitats or listed features.

Table 2

| | |
|--|--|
| <p>1. Designated Sites</p> <p>Nationally designated sites</p> <p>Regionally/ Locally designated sites</p> | <p>Sites of Special Scientific Interest (SSSI)</p> <p>Historic Parks and Gardens</p> <p>Biological Heritage Site (BHS)</p> <p>Geological Heritage Site</p> <p>Ancient Woodland</p> <p>Ancient Woodland buffer zone</p> |
| <p>2. Priority Habitats</p> <hr/> <p>Arable field margins</p> <hr/> <p>Traditional orchards</p> <hr/> <p>Hedgerows</p> <hr/> <p>Aquifer-fed naturally fluctuating water bodies</p> <hr/> <p>Eutrophic standing waters</p> <hr/> <p>Mesotrophic lakes</p> <hr/> <p>Oligotrophic and dystrophic lakes</p> <hr/> <p>Ponds</p> <hr/> <p>Rivers</p> <hr/> <p>Lowland calcareous grassland</p> <hr/> <p>Lowland dry acid grassland</p> <hr/> <p>Lowland meadows</p> <hr/> <p>Purple moor-grass and rush pastures</p> <hr/> <p>Upland calcareous grassland</p> <hr/> <p>Upland hay meadows</p> <hr/> <p>Lowland heathland</p> <hr/> <p>Mountain heaths and willow scrub</p> <hr/> <p>Upland heathland</p> <hr/> <p>Calaminarian grasslands</p> <hr/> <p>Inland rock outcrop and scree habitats</p> <hr/> <p>Limestone pavements</p> <hr/> <p>Open mosaic habitats on previously developed land</p> <hr/> <p>Blanket bog</p> <hr/> <p>Lowland fens</p> <hr/> <p>Lowland raised bog</p> <hr/> <p>Reedbeds</p> <hr/> <p>Upland flushes, fens and swamps</p> <hr/> <p>Lowland beech and yew woodland</p> <hr/> <p>Lowland mixed deciduous woodland</p> <hr/> <p>Upland mixed ashwoods</p> <hr/> <p>Upland oakwood</p> <hr/> <p>Wet woodland</p> <hr/> <p>Wood-pasture and parkland</p> | |

Table 3 Ecological Survey Seasons

Optimal Time 

Extending Into 

| | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
|----------------------------------|--------------|--------------|----------------|----------------|----------------|------|----------------|-----|----------------|----------------|----------------|-----|
| Badgers | | Optimal Time | | | Extending Into | | | | | Optimal Time | Extending Into | |
| Bats (Hibernation Roosts) | Optimal Time | | | | | | | | | | Optimal Time | |
| Bats (Summer Roosts) | | | | Extending Into | Optimal Time | | | | Extending Into | | | |
| Bats (Foraging/ Commuting) | | | | Extending Into | Optimal Time | | | | Extending Into | | | |
| Birds (Breeding) | | | Optimal Time | | | | Extending Into | | | | | |
| Birds (Over-Wintering) | Optimal Time | | | | | | | | | | Optimal Time | |
| Great Crested Newts | | | TERRESTRIAL | | | | | | | Extending Into | | |
| | | | AQUATIC | | | | | | | | | |
| Otters | Optimal Time | | | | | | | | | | | |
| Reptiles | | | | Optimal Time | | | | | Optimal Time | | | |
| Water Voles | | | Extending Into | Optimal Time | | | | | Extending Into | | | |
| White Clawed Crayfish | | | | | | | Optimal Time | | | | | |

| | | | | | | |
|-------------------------|--|--|-------|--|--|--|
| Habitats/ Vegetation | | | WOODS | | | |
|-------------------------|--|--|-------|--|--|--|

Points to note regarding surveys are as follows:

- For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in Table 3
- Surveys conducted outside of optimal times (Table 3) may be unreliable. For certain species (e.g. Great Crested Newt) surveys over the winter period are unlikely to yield any useful information. Similarly negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work maybe required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.
- Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, e.g. heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.
- Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (e.g. a bat roost is protected whether any bats are present or not).
- Local Biological / Environmental Records Centre may have useful existing information and records.
- Competent ecologists should carry out any surveys. Where surveys involve disturbance, capture or handling of a protected species, then only a licensed person can undertake such surveys (e.g. issued by Natural England). Surveys should follow published national or local methodologies.

Appendix C

Small scale residential development Contamination Assessment Form

Site Description (including grid reference)

Include details of layout and ground covering, any evidence of former buildings or site activities, any evidence of made/ filled ground, any signs of subsidence or contamination (e.g. ground staining/ discolouration, odours, vegetation distress/ dieback)

| |
|--|
| |
|--|

Site History (tick all that apply)

| | Domestic | Agricultural | Commercial | Industrial | Other (give details) |
|-------------------------------|----------|--------------|------------|------------|----------------------|
| Proposed Land Use | | | | | |
| Current Land Use | | | | | |
| Past Land Use- last 150 years | | | | | |

| If the past land use has changed, please give date of changes (please use category types from previous table) | From | To | Land Use |
|---|------|----|----------|
| | | | |
| | | | |
| | | | |

| | | |
|--|------------|-----------|
| What have the existing buildings on site been used for? | | |
| Are there any buildings constructed from suspected asbestos containing material? | Yes | No |

| | | |
|---|------------|-----------|
| | Yes | No |
| Have any fuels been stored onsite? | | |
| Have there been any fuel/chemical spills or leaks? | | |
| If 'Yes' to either of the above, please state fuel./chemical, storage method and location, and details of any spillages | | |

| | | | | |
|---|----------|----|------------|----|
| Have there been any pollution incidents, either reported or unreported? | Reported | | Unreported | |
| | Yes | No | Yes | No |

| | |
|---|--|
| Provide details of any surface water present onsite (including drains, ponds, streams and rivers) | |
| Provide details of any groundwater or surface water abstractions (including wells and boreholes) | |

| | | |
|--|------------|-----------|
| | Yes | No |
| Have any waste disposal activities (including the burning of waste) been carried out on site? | | |
| Have any waste disposal activities been carried out on surrounding land within 250m of the site? | | |
| Is there any evidence of demolition activities (e.g. rubble) onsite? | | |
| If 'Yes' to any of the above, please provide details | | |

Adjacent Land Use

| | Domestic | Agricultural | Commercial | Industrial | Other (give details) |
|-------------------------------|----------|--------------|------------|------------|----------------------|
| Current Land Use | | | | | |
| Past Land Use- last 150 years | | | | | |

| | |
|---|--|
| Provide details of any surface water present onsite (including drains, ponds, streams and rivers) | |
| Provide details of any groundwater or surface water abstractions (including wells and boreholes) | |

Previous Land Contamination Reports

| | | |
|--|-----------------------------|----|
| Have any land contamination reports previously been completed for the site | Yes (please provide a copy) | No |
|--|-----------------------------|----|

Imported Soil

| | | |
|--|--|----|
| Do you intend to import and soil or soil forming materials onto the site for use in garden areas, soft landscaped areas or to raise ground levels? | Yes (if so please refer to the YAHPAC guidance on Verification Requirements for Cover Systems) | No |
|--|--|----|

Suspected Contamination

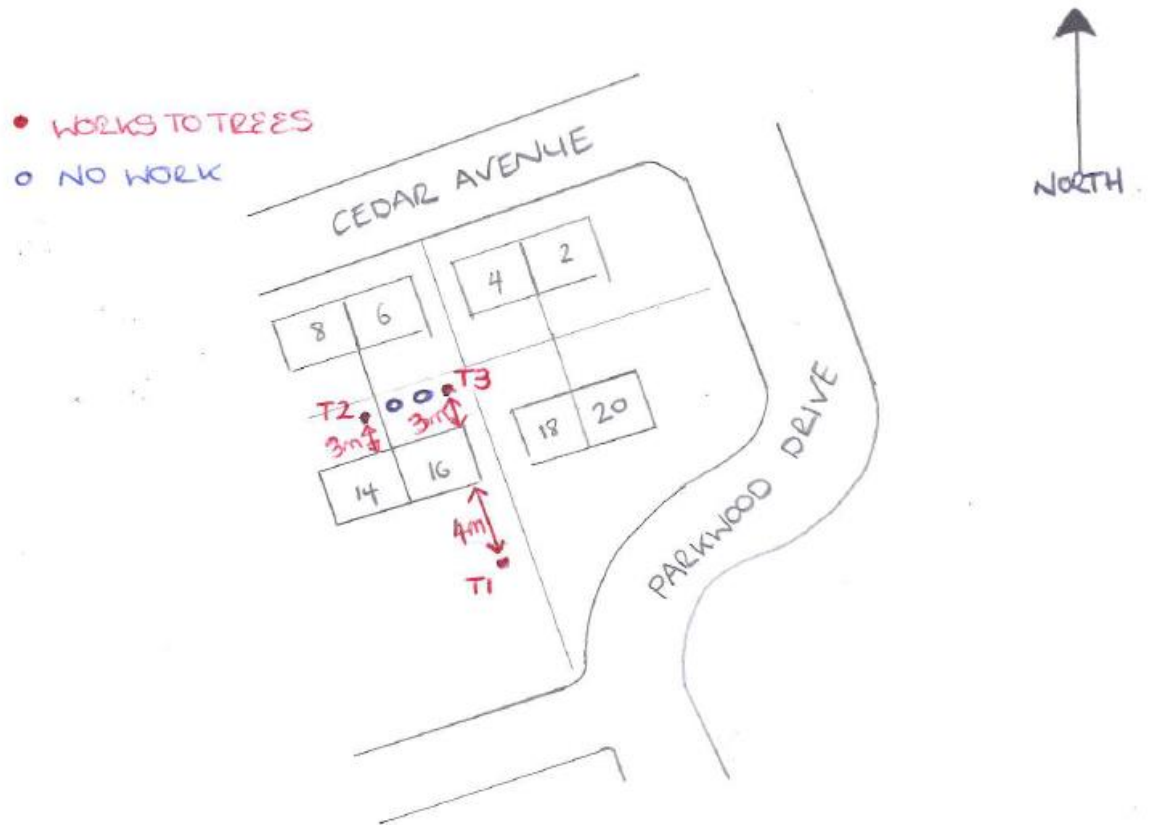
| | | |
|--|-----|----|
| Based on the information you have provided in this form, do you think that contamination could be present at the site? | Yes | No |
| If 'yes' please provide details | | |

| |
|--|
| Please provide details of the sources of information you have used to complete this form |
| |

Signed..... Date.....

Appendix D

Example sketch plan for applications with works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area



Appendix E

Additional information for new agricultural buildings/ horticultural enterprises/
agricultural workers dwelling

**ADDITIONAL INFORMATION
REQUIRED FOR NEW
AGRICULTURAL BUILDINGS,
HORTICULTURAL ENTERPRISES
AND AGRICULTURAL WORKERS
DWELLINGS**



| | |
|--|--|
| Applicant Name | |
| Application Site | |
| Proposed Development | |
| Planning History (Previous Applications) | |

1. Land

| Land | Total Area in Hectares | Agricultural Land Classification |
|------------|------------------------|----------------------------------|
| Owned | | |
| Rented | | |
| Short-term | | |

Land Use (In hectares) : Pasture _____ Meadow _____ Crop _____

2. Enterprise

Dairy (Pedigree/ Commercial)

| Type | Number | Milk Quota |
|-----------------|--------|------------|
| Dairy Cows | | |
| In-calf heifers | | |
| Bulling heifers | | |
| Calving | | |
| Young Stock | | |

Beef Breeding

| Type | Number |
|--------------|--------|
| Suckler Cows | |
| Calving | |
| Heifers | |
| Calves | |

Beef Rearing

| Type | Number | Age | Age at Purchase | Age at Sale |
|--------------|--------|-----|-----------------|-------------|
| Store Cattle | | | | |
| Calves | | | | |
| Bulls | | | | |

Sheep (Pedigree/ Commercial)

| Type | Number |
|---------------|--------|
| Breeding ewes | |
| Lambs | |
| Store Sheep | |

Other Stock

| Type | Number |
|------|--------|
| | |
| | |
| | |
| | |

Details of other site operations (e.g. storage of hay etc.)

3. Labour and Accommodation

| Name | Age | Basis Full-time/ part- time/ casual | Hours of Work | Main Duties | Address and length of time at address |
|------|-----|--|------------------|-------------|--|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| Property | Number | Address(es) | Number of years in |
|----------|--------|-------------|--------------------|
|----------|--------|-------------|--------------------|

| | | | |
|---|--|--|------------------|
| | | | ownership |
| Existing dwellings | | | |
| Other properties (incl occupiers) | | | |
| Previously owned properties | | | |
| Available properties in the locality | | | |

(Continue on separate sheet if necessary)

4. Agricultural Machinery

Existing

| Type | Size | Details of storage/ garaging |
|------|------|------------------------------|
| | | |
| | | |
| | | |
| | | |

Proposed

| Type | Size | Details of storage/ garaging | Justification of need |
|------|------|------------------------------|-----------------------|
| | | | |
| | | | |
| | | | |
| | | | |

5. Proposed Development Justification

Need

Siting

Design

Future Plans

6. Financial Details

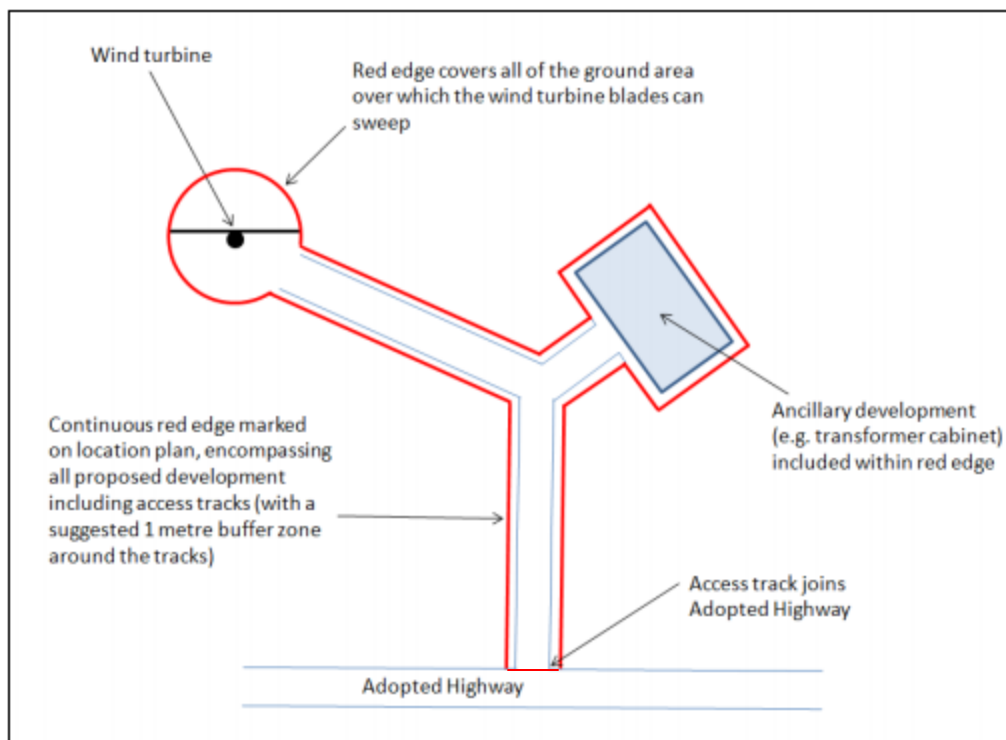
Appendix F

Wind Energy Applications

Applicants should ensure that applications include each of the items contained in the following table:

| | |
|-----|--|
| 1. | A completed application form and the correct certificates |
| 2. | The correct planning application fee |
| 3. | Location Plan at 1:1250 or 1:2500 scale |
| 4. | Site / Block Plan at 1:250 or 1:500 scale |
| 5. | Elevation Plans of Turbines and Ancillary Equipment at 1:50 or 1:100 scale |
| 6. | Transport Statement |
| 7. | Landscape and Visual Impact Assessment |
| 8. | Planning Statement/ Heritage Statement |
| 9. | Photomontage and/or Wireframe Diagrams |
| 10. | Zone of Theoretical Visibility (ZTV) Maps |
| 11. | Public Rights of Way Map |
| 12. | Ecological Assessment |
| 13. | Noise & Shadow Flicker Assessment |
| 14. | Peat and Hydrology Assessment |
| 15. | Pre-application Community Consultation (IF REQUIRED) |
| 16. | Coal Mining Risk Assessment (IF REQUIRED) |
| 17. | Details of Decommissioning Bond / Arrangements (IF REQUIRED) |
| 18. | Details of proposed Community Benefits (IF REQUIRED) |
| 19. | Environmental Statement / Environmental Impact Assessment (IF REQUIRED) |
| 20. | Details of impacts on communications / broadcast equipment (IF REQUIRED) |

Example of a Correctly Drawn Red Edge on Location Plan



ZTV Maps

The radius of the ZTV maps required depends on the proposed height of the turbine(s) in the application and other factors. The following table sets out the Council's general requirements:

| Turbine Height (to blade tip) | Number of Turbines | Is the site within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application? | Required Radius of ZTV Maps |
|--------------------------------------|---------------------------|--|------------------------------------|
| 0-25m | 1 | No | Not required |
| 0-25m | 1 | Yes | 2km |
| 0-25m | 2-5 | No | 10km |
| 0-25m | 2-5 | Yes | 15km |
| 0-25m | 6-10 | No | 20km |
| 0-25m | 6-10 | Yes | 20km |
| 0-25m | 10+ | No | 20km |
| 0-25m | 10+ | Yes | 30km |
| 26-60m | 1 | No | 20km |
| 26-60m | 1 | Yes | 30km |
| 26-60m | 2+ | No | 30km |
| 26-60m | 2+ | Yes | 30km |
| Over 60m | 1 | No | 30km |
| Over 60m | 1 | Yes | 30km |
| Over 60m | 2+ | No | 30km |
| Over 60m | 2+ | Yes | 30km |

Response 12

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------------|
| Title | Mr |
| First Name | Peter |
| Last Name | Connor |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 66 Bacup Road |
| Address Line 2 | Todmorden |
| Address Line 3 | Lancs |
| Address Line 4 | - |
| Post Code | OL147PJ |
| Telephone Number (optional) | ██████████ |
| Email Address | ████████████████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | X | |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This site has previously been rejected on two occasions due to the unsuitability of the location. I am objecting on the grounds that this is a totally unsuitable site due to the location.

I refer to the Communities and Local Government Good Practice Guide to Designing Gypsy and Traveller Sites, Section 3

Location.

3.1 Selecting the right location for a site is a key element in supporting good community relations and maximising its success. As with any other form of housing, poorly located sites, with no easy access to major roads or public transport services, will have a detrimental effect on the ability of residents to:

- Seek or retain employment
- Attend school, further education or training
- Obtain access to health services and shopping facilities.

The buses Monday to Friday only run every two to two and a half hours, the last bus of the day running at 17:31. There are no buses on Sundays and there are no buses to the nearest Rossendale High School.

There are no trains from Bacup and the station at Todmorden is a 90 minute walk away.

3.2 Easy access to local services, and to social contact with other residents in the community, should help deal with the myths and stereotypes which can cause community tension and instead encourage a greater sense of community with shared interests.

The nearest Medical Centres are at Bacup and Todmorden but both are under resourced and face shortages of medical staff. There are no shops within the local area. The site is isolated and therefore would not provide the suggested social contact with local residents.

3.4 Office of the Deputy Prime Minister (now Communities and Local Government) Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites provides advice on site location and selection. It identifies factors which are important for the sustainability of a site, for instance:

- Ground conditions and levels of land
- Not locating sites in areas of high flooding risk (for medium and low risk areas see paras 3.21–3.23).

This site has been turned down on two previous occasions due to the high flooding risk. The quarry at Sharneyford is currently flooded with gallons of rainwater and is fulfilling a requirement as a vital flood plain. Developing this site and changing the composition of the land surface will cause a greater risk of flooding to the village of Cloughfoot and the residential areas on Bacup and Todmorden roads.

3.5 It should also provide visual and acoustic privacy, and have characteristics which are sympathetic to the local environment. When selecting locations for permanent sites, consideration needs to be given to the relatively high density of children likely to be on the site.

Sharneyford Primary School has 67 pupils at present. The total capacity of the school being 70 pupils. There is insufficient provision for any increase in numbers due to children from the site.

3.7 Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments.

There are relatively few houses in the area, which is not conducive to building community relationships.

Bacup councillor, Andrew Walmsley said, "I don't feel it is an appropriate location. The location is pretty wild at the top of Sharneyford, this site has flooding issues and it's a site that has been returned to its natural habitat."

I feel that this area is totally unsuitable due to its isolated location; it suffers from high winds, heavy rain and flooding. The road across this area is often impassable during the winter months. This moor is a wildlife haven and is home to a wide variety of birds and wildlife.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

This site should not be considered as outlined above. A different site needs to be found.

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: Screenshot_20200225-152708_Gallery.jpg - [Download](#)

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: Screenshot_20200225-152719_Gallery.jpg - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Peter | Connor | 25/02/20 |

Details



Details



Response 13

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------------|
| Title | Mrs |
| First Name | Sharon |
| Last Name | Connor |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 66 Bacup Road |
| Address Line 2 | Todmorden |
| Address Line 3 | Lancs |
| Address Line 4 | - |
| Post Code | OL147PJ |
| Telephone Number (optional) | ██████████ |
| Email Address | ████████████████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | X | |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Further to your proposed gypsy and traveller site at Sharneyford, Todmorden, as a resident of Bacup Road. Todmorden, I am writing to you to register my objections.

This site has previously been rejected on two occasions due to the unsuitability of the location. I am objecting on the grounds that this is a totally unsuitable site due to the location.

I refer to the Communities and Local Government Good Practice Guide to Designing Gypsy and Traveller Sites, Section 3 Location.

3.1 Selecting the right location for a site is a key element in supporting good community relations and maximising its success. As with any other form of housing, poorly located sites, with no easy access to major roads or public transport services, will have a detrimental effect on the ability of residents to:

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- Attend school, further education or training
- Obtain access to health services and shopping facilities.

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There are no trains from Bacup and the station at Todmorden is a 90 minute walk away.

3.2 Easy access to local services, and to social contact with other residents in the community, should help deal with the myths and stereotypes which can cause community tension and instead encourage a greater sense of community with shared interests.

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3.4 Office of the Deputy Prime Minister (now Communities and Local Government) Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites provides advice on site location and selection. It identifies factors which are important for the sustainability of a site, for instance:

- Ground conditions and levels of land
- Not locating sites in areas of high flooding risk (for medium and low risk areas see paras 3.21–3.23).

This site has been turned down on two previous occasions due to the high flooding risk. The quarry at Sharneyford is currently flooded with gallons of rainwater and is fulfilling a requirement as a vital flood plain. Developing this site and changing the composition of the land surface will cause a greater risk of flooding to the village of Cloughfoot and the residential areas on Bacup and Todmorden roads.

3.5 It should also provide visual and acoustic privacy, and have characteristics which are sympathetic to the local environment. When selecting locations for permanent sites, consideration needs to be given to the relatively high density of children likely to be on the site.

Sharneyford Primary School has 67 pupils at present. The total capacity of the school being 70 pupils. There is insufficient provision for any increase in numbers due to children from the site.

3.7 Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments.

There are relatively few houses in the area, which is not conducive to building community relationships.

Bacup councillor, Andrew Walmsley said, "I don't feel it is an appropriate location. The location is pretty wild at the top of Sharneyford, this site has flooding issues and it's a site that has been returned to its natural habitat."

I feel that this area is totally unsuitable due to its isolated location; it suffers from high winds, heavy rain and flooding. The road across this area is often impassable during the winter months. This moor is a wildlife haven and is home to a wide variety of birds and wildlife.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

To find a new site as this site is not and will never be suitable.

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: Screenshot_20200225-152719_Gallery.jpg - [Download](#)
- File: Screenshot_20200225-152708_Gallery.jpg - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Sharon | Connor | 25/02/20 |

Details



Details



Response 14

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|----------------------|
| Title | Mrs |
| First Name | Diane |
| Last Name | Hull |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 64 Bacup Road |
| Address Line 2 | Todmorden |
| Address Line 3 | Lancs |
| Address Line 4 | - |
| Post Code | OL147PJ |
| Telephone Number (optional) | ██████████ |
| Email Address | ████████████████████ |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | X | |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Further to your proposed gypsy and traveller site at Sharneyford, Todmorden, as a resident of Bacup Road. Todmorden, I am writing to you to register my objections.

This site has previously been rejected on two occasions due to the unsuitability of the location. I am objecting on the grounds that this is a totally unsuitable site due to the location.

I refer to the Communities and Local Government Good Practice Guide to Designing Gypsy and Traveller Sites, Section 3 Location.

3.1 Selecting the right location for a site is a key element in supporting good community relations and maximising its success. As with any other form of housing, poorly located sites, with no easy access to major roads or public transport services, will have a detrimental effect on the ability of residents to:

- Seek or retain employment
- Attend school, further education or training
- Obtain access to health services and shopping facilities.

The buses Monday to Friday only run every two to two and a half hours, the last bus of the day running at 17:31. There are no buses on Sundays and there are no buses to the nearest Rossendale High School.

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The nearest Medical Centres are at Bacup and Todmorden but both are under resourced and face shortages of medical staff. There are no shops within the local area. The site is isolated and therefore would not provide the suggested social contact with local residents.

3.4 Office of the Deputy Prime Minister (now Communities and Local Government) Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites provides advice on site location and selection. It identifies factors which are important for the sustainability of a site, for instance:

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3.5 It should also provide visual and acoustic privacy, and have characteristics which are sympathetic to the local environment. When selecting locations for permanent sites, consideration needs to be given to the relatively high density of children likely to be on the site.

Sharneyford Primary School has 67 pupils at present. The total capacity of the school being 70 pupils. There is insufficient provision for any increase in numbers due to children from the site.

3.7 Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments.

There are relatively few houses in the area, which is not conducive to building community relationships.

Bacup councillor, Andrew Walmsley said, "I don't feel it is an appropriate location. The location is pretty wild at the top of Sharneyford, this site has flooding issues and it's a site that has been returned to its natural habitat."

I feel that this area is totally unsuitable due to its isolated location; it suffers from high winds, heavy rain and flooding. The road across this area is often impassable during the winter months. This moor is a wildlife haven and is home to a wide variety of birds and wildlife.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

A new site needs to be found as this location is completely unsuitable.

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: Screenshot_20200225-152719_Gallery.jpg - [Download](#)
- File: Screenshot_20200225-152708_Gallery.jpg - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Diane | Hull | 25/02/20 |

Details



Details



Response 15

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|---------------|
| Title | Miss |
| First Name | Shemiele |
| Last Name | Kelly |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 60 Bacup Road |
| Address Line 2 | Todmorden |
| Address Line 3 | Lancs |
| Address Line 4 | - |
| Post Code | OL147PJ |
| Telephone Number (optional) | - |
| Email Address | [REDACTED] |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | X | |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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I refer to the Communities and Local Government Good Practice Guide to Designing Gypsy and Traveller Sites, Section 3 Location.

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- Obtain access to health services and shopping facilities.

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Sharneyford Primary School has 67 pupils at present. The total capacity of the school being 70 pupils. There is insufficient provision for any increase in numbers due to children from the site.

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There are relatively few houses in the area, which is not conducive to building community relationships.

Bacup councillor, Andrew Walmsley said, "I don't feel it is an appropriate location. The location is pretty wild at the top of Sharneyford, this site has flooding issues and it's a site that has been returned to its natural habitat."

I feel that this area is totally unsuitable due to its isolated location; it suffers from high winds, heavy rain and flooding. The road across this area is often impassable during the winter months. This moor is a wildlife haven and is home to a wide variety of birds and wildlife.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

A new location needs to be found

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: Screenshot_20200225-152719_Gallery.jpg - [Download](#)
- File: Screenshot_20200225-152708_Gallery.jpg - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Shemiele | Kelly | 25/02/20 |

Details



Details



Response 16

Part A - Personal Details

Q1. Personal Details* *Please note that your contact details will be stored within a database or file by Rossendale Borough Council. Our privacy notice is available to view here. If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | |
|--------------------------------------|---------------|
| Title | Mr |
| First Name | Alistair |
| Last Name | Towers |
| Job Title (where relevant) | - |
| Organisation (where relevant) | - |
| Address Line 1 | 60 Bacup Road |
| Address Line 2 | Todmorden |
| Address Line 3 | Lancs |
| Address Line 4 | - |
| Post Code | OL147PJ |
| Telephone Number (optional) | - |
| Email Address | [REDACTED] |

Q3. Do you wish to be notified when the recommended action of the Inspectors regarding the Local Plan has been published?

Yes

Q4. Do you wish to be notified when the Rossendale Local Plan is adopted?

Yes

Part B - Comments on proposed Gypsy and Traveller Transit Site

Q5. Do you consider the proposed Gypsy and Traveller Transit Site to:

| | Yes | No |
|--|-----|----|
| (1) be Legally Compliant | X | |
| (2) be Sound | | X |
| (3) comply with the Duty to co-operate | X | |

Q6. Please give details of why you consider the proposed Gypsy and Traveller Transit Site is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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I refer to the Communities and Local Government Good Practice Guide to Designing Gypsy and Traveller Sites, Section 3
Location.

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- Attend school, further education or training
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I feel that this area is totally unsuitable due to its isolated location; it suffers from high winds, heavy rain and flooding. The road across this area is often impassable during the winter months. This moor is a wildlife haven and is home to a wide variety of birds and wildlife.

Q7. Please set out what modification(s) you consider necessary to make the proposed Gypsy and Traveller Transit Site legally compliant or sound.

A new site needs to be found.

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

Q8. Please upload below any supporting information you may have. (Optional, Max 5 files, Max 10MB each)

- File: Screenshot_20200225-152719_Gallery.jpg - [Download](#)
- File: Screenshot_20200225-152708_Gallery.jpg - [Download](#)

Q9. Signature

| | First Name | Last Name | Date |
|--|-------------------|------------------|-------------|
| | Alistair | Towers | 25/02/20 |

Details



Details



[REDACTED]

From: Keith Davies <[REDACTED]>
Sent: 25 February 2020 22:36
To: Forward Planning
Subject: Tooter Quarry

Dear Sir/Madam

I would like to strongly object to the proposal to develop a Gypsy travellers site at Tooter Quarry, Todmorden road.

My concerns for this land to be developed are.

The land and area is a wet land that retains a lot of water and this lessons flooding to the area. With climate change its only going to get wetter in the future so these areas should not be [developed.it](#) states in the documents from 2015 when the site was visited that the area is at a higher risk of flooding, and taking away this Natural wet land to replace with building materials will increase this risk.

Furthermore the site is open to extreme weather conditions and is an unacceptable area for anyone to live there especially in caravans.

Archaeologists state that the site is located on a long lost Neolithic settlement. This should be of great importance to the area of Rossendale and should be protected.

The site doesn't have any amenities, there is no water, no foul waste and no electric and not close to doctors or shops.

The site is outside the settlement of Urban boundary and as such shouldn't be developed. your policy SD2 urban boundary and green belt space states that.

The site contains or adjoins a listed building, the planning policy cannot respect the character and distinctiveness of the local landscape and local housing [stock.it](#) does not safeguard and enhance the historic environment and will do harm to the area. It will have an adverse impact on the neighbouring properties and school

[REDACTED]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

From: Sue Lord [REDACTED]
Sent: 25 February 2020 17:57
To: Michael Atherton
Subject: Tooter Hull Quarry

I strongly object to the demise of the quarry to build a Travellers site.

If you fill in this quarry, the overflow of water will affect Todmorden dramatically.
We are suffering enough with floods as it is, so do not need any more homes being flooded and people's lives and homes to be devastated.
Thank you
Susan Kershaw
Todmorden resident

[REDACTED]

From: Michael Atherton
Sent: 26 February 2020 16:00
To: DG - Forward Planning
Subject: FW: Tooting Quarry Proposed Travellers Site

From: chris.hayes [REDACTED]
Sent: 25 February 2020 23:03
To: Michael Atherton
Subject: Fwd: Tooting Quarry Proposed Travellers Site

Sorry Typo, I mean Tooter Quarry.

Mr C Hayes
The Cottage
Station Parade
Portsmouth
Todmorden
OL14 8PU

[REDACTED]
----- Original message -----

From: Chris Hayes [REDACTED] >
Date: 25/02/2020 23:58 (GMT+01:00)
To: [REDACTED]
Subject: Tooting Quarry Proposed Travellers Site

Dear Sirs,

I object to the proposed Travellers site as its acts as a floodplain & temporary water relief area that prevents flood water running down the Bacup Road into Walsden Water and contributing to Todmorden and the Calder Valley flooding.

Mr C Hayes
The Cottage
Station Parade
Portsmouth
Todmorden
OL14 8PU

[REDACTED]

From: Michael Atherton
Sent: 26 February 2020 16:01
To: DG - Forward Planning
Subject: FW: Tooter quarry Todmorden

-----Original Message-----

From: Kathleen Hall [REDACTED]
Sent: 25 February 2020 23:25
To: Michael Atherton
Subject: Tooter quarry Todmorden

I would like to lodge an objection to the proposed works to be done on the above quarry in relation to filing it in and using it for housing for travellers.

This quarry is a flood plain which collects excess rainwater during heavy rain. As Todmorden is in a danger area for flooding and has been badly affected by flooding in recent years I think it would be a major mistake which would cause further devastation to the Todmorden area if this quarry was now filled in.

Future projections are that flooding is going to become more prevalent due to global warming and the recommendations are that we should be extending and building additional flood defences and definitely not getting rid of anything that is helping our flood defences to protect the area surrounding this quarry.

Regards

Kathy Hall
1 Hazel Grove. Bacup

Sent from my iPhone

[REDACTED]

From: Michael Atherton
Sent: 26 February 2020 16:02
To: DG - Forward Planning
Subject: FW: Plans for traveller camp

-----Original Message-----

From: Dawn Gwyther [REDACTED]
Sent: 25 February 2020 17:26
To: Michael Atherton
Subject: Plans for traveller camp

I'm a Todmorden resident and have just been made aware of this in regards to flooding! The floods are awful and the amount of water that comes down off the hill is unbelievable. Where the proposed traveller camp is there's huge amounts of water stored on the ground which in effect holds a lot of water coming down into Todmorden. If you flatten and build on the land Todmorden will be flooded just from a light rain shower. People in Todmorden haven't been told about this and I've just found out by chance. Surely there can be another plot of land that doesn't hold water back from Todmorden. I don't know if you've contacted the council from Todmorden to run this plan by them which I think you should. So I ask you to find another plot of land more suitable for the travellers as this will be water logged none stop PLUS Todmorden will be under water because of this.

Dawn.

Sent from my iPhone

[REDACTED]

From: Michael Atherton
Sent: 25 February 2020 17:26
To: DG - Forward Planning
Subject: FW: Tooting Hill Reservoir

[REDACTED]

From: Lisa Ansell [REDACTED]
Sent: 25 February 2020 17:23
To: Michael Atherton; Craig Whittaker
Subject: Tooting Hill Reservoir

I have copied my local MP into this email. I am a Todmorden Resident covered by Calderdale Council and am impacted by the plans to fill the Tooting Hill Reservoir. We are a town who suffer regularly with floods that used to be considered once in a generation events. We are currently in the middle of several weeks of storms which have caused water levels as serious as the Boxing Day Floods and this action by Lancashire Council would severely impact Todmorden. With many other residents I am deeply concerned we have not been considered or consulted, because of the boundary between Lancashire and Calderdale Council.

Kind Regards

Lisa Muggeridge
4 Crescent Street
Todmorden
OL14 5HA

10 Higher Change
Tadmorden Rd.

BACUP OL13 9UB

re - Tooter Quarry

Dear Sir

I am very concerned to
hear that Tooter Quarry is
being re-considered as a
site for transient travellers.

Three years ago the
site was being considered

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and was turned down as being
most . unsuitable, so as far
as I can see nothing has
changed, so therefore the site
is still very much not
suitable to be even considered

Your faithful

P.A. King (Mrs)

From: Mark Chapleo
Sent: 17 December 2019 22:27
To: Anne Stora
Subject: Travellers site tooter quarry sharnyford

Dear Madam

I want to object to the travellers site at tooter quarry at sharnyford because of the health and safety side of things . Being unsafe for the volume of water and the welfare of the animals and birds and residents that use the quarry as a relaxing spot to feed and chill out. Me and my family use it as a relaxing place most weekends on our walks. Having more vehicles up this road is a concern for the local community and having a school on the same stretch of road that the traveller's will have to use to gain access to the site . There is no way that this site will benefit in any way possible for this to be a good site for the travelling community to use it as a stop off place. It will be unmanned and will end up being a dumping ground for human waste and rubbish being left behind . Which could effectively damage the eco system and put strain on the residents of this community in a big way.

Yours faithfully

Mr Chapleo

From: Rachel O'Leary
Sent: 18 December 2019 20:01
To: Anne Storah
Subject: Tooter Quarry

Dear Mrs Storah

I am a resident of Todmorden Road in Bacup. I work as a civil servant supporting the public trained in supporting vulnerable people and communities.

I am mailing to make you aware that I object to Tooters quarry being used as a transient travellers site. Tooter Quarry HS16.1.

A large number of Todmorden Road residents met last night in relation to this and we are raising questions at the meeting on Monday.

Our main concerns after reading the National Planning Policy Framework are:

The unique mosses and biodiversity of this site will be lost to concrete.

The volume of plots and potential visitors will out number the residents.

The school is full so there has been no provision regarding this minority communities needs for their children.

There is no access to public transport or amenities up there. The bus provider are ceasing.

The site leads onto a national speed limit road.

The site takes large volumes of flood water off the moor which prevents flooding the town centre.

The cost of this to the tax payer, to purchase the site.

The cost to supply water as there is no piped water so far up.

The cost of draining the sites ponds.

The cost of the concrete and tarmac.

The cost of construction of drainage which will then impact the already overloaded system.

The cost to cleaning up the site when it floods with the moor water and risk to the safety of the travelling community residing in this flood basin.

There are so many other options available like at the front of the police station in Waterfoot. The old petrol station on Burnley Road Bacup. Where utilities are already in place close to the main road, surface in place, and the travelling community will have access to amenities and have opportunities to integrate into our community in line with the Government guidelines. But the site will have to be managed and monitored, how can this be monitored on the edge of a moor miles away from any town?

The tooters quarry site does not meet the needs that the government requires when setting this provision in each town.

Burnley council have upheld the appeal against the rural site at Hapton due to its isolated location and poor road access.

Rochdale council have had a high court ruling to ban travellers, so I believe for our reputation we need to get this right in Rossendale.

We need you to understand the cost on the public purse and our reputation by placing this minority community on the edge of our county border in an already flooded environment with high winds, where caravans have previously blown away, cut off in winter.

Please find this as my formal objection both environmentally and morally.

Please reply with a receipt confirming you have received this email.

Kind Regards

Rachel O'Leary