

# **Appendix 2: Draft Duty to Cooperate and Statement of Common Ground – updated May 2019**

# **ROSSENDALE LOCAL PLAN**

## **DUTY TO CO-OPERATE STATEMENT INCORPORATING DRAFT STATEMENT OF COMMON GROUND**



**Updated May 2019**

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## **1. INTRODUCTION**

- 1 This document is prepared to accompany the Submission (Reg. 22) version of the Rossendale Local Plan 2019 to 2034.
- 2 It is produced in accordance with s.110 of the Localism Act of 2011, which places a statutory duty on Local Planning Authorities, County Councils and other public bodies to engage constructively, actively and on an on-going basis to ensure the effectiveness of Local Plans in respect of strategic cross-boundary matters. The purpose of the legislation is to ensure that these matters of co-operation are taken into account in the decision-making process. The Duty to Cooperate does not require a duty to agree yet nevertheless it is expected that all necessary cooperation on strategic cross-boundary matters will have been achieved prior to submission of Local Plans.
- 3 The revised National Planning Policy Framework (NPPF), which was published in July last year, introduced Statements of Common Ground, which authorities should produce, maintain, and update throughout the plan-making process. The purpose of this is to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant organisations.
- 4 This paper reflects the work done up to Submission stage of the Rossendale Local Plan. As joint working continues to develop and new guidance published then this document will be updated as necessary.

## **2. BACKGROUND**

- 5 The former National Planning Policy Framework (NPPF, known also as the Framework, was published in 2012) explained the Duty and further details were set out in the accompanying National Planning Practice Guidance (NPPG). The Government published a revised version of the NPPF on 24<sup>th</sup> July 2018 which has updated the Duty to Co-operate and introduced a requirement for Statements of Common Ground to be prepared to document any cross boundary matters and provide progress on how these matters are being dealt with. Further guidance was issued in the National Planning Practice Guidance (dated 13.09.2018).
- 6 This is an update of the initial Statement of Common Ground, which was produced by Rossendale Borough Council in respect of the Publication version of the Local Plan and which also documents activity in respect of the Duty to Cooperate.
- 7 The Duty to Co-operate applies not just to local authorities but to other public bodies as prescribed in the Town and Country Planning (Local Planning) (England) Regulations of 2012 as amended by the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 to take account of changes in the National Health Service. These organisations are listed in the Regulations as:

## 8 ***Prescribed Bodies***

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

9 These bodies listed above are considered to play a key role in delivering local aspirations so cooperation between them and the Local Planning Authorities (LPAs) is necessary to ensure Local Plans are as effective as possible on strategic cross-boundary matters. This cooperation needs to be proportionate to ensure maximum effectiveness.

10 Local Enterprise Partnerships and Local Nature Partnerships are not themselves subject to the requirements of the Duty to Cooperate but LPAs must cooperate with them and have regard to their activities in preparing their Local Plans, where those activities are relevant to local plan making. Local Enterprise Partnerships have a key role to play in delivering local growth by directing strategic regeneration funds and in providing economic leadership through their Strategic Economic Plans. Local Nature Partnerships work strategically to help their local areas manage the natural environment and they are encouraged to work at a broader 'landscape scale'. Local planning authorities should seek opportunities to work collaboratively with Local Nature Partnerships to deliver a strategic approach to encouraging biodiversity.

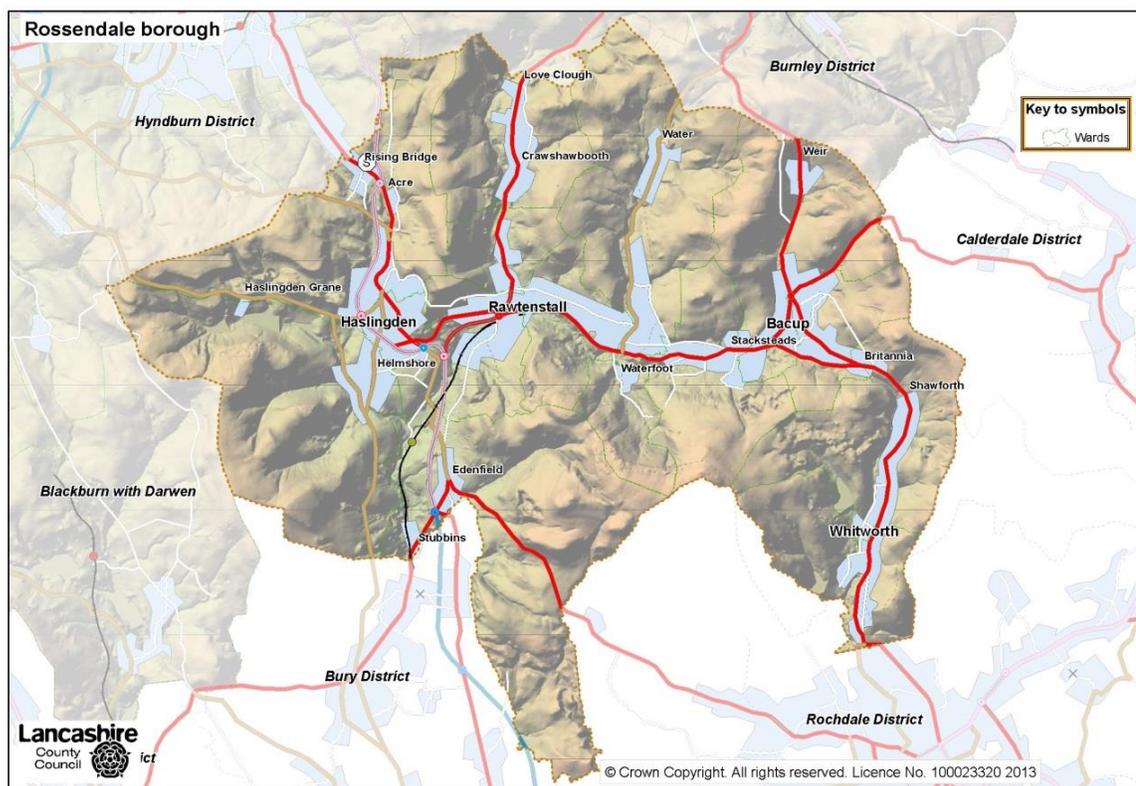
11 Cooperation must take place through Local Plan preparation, from the initial scoping and evidence gathering stages. This cooperation should continue until plans are submitted for examination and beyond into delivery and review. Compliance with the Duty cannot be corrected after submission for examination. Failure to demonstrate compliance can lead to the Plan needing to be withdrawn.

### 3 ROSSENDALE CONTEXT AND APPROACH TO CO-OPERATION

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

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

#### Map showing Rossendale's context



13 Discussions with relevant local planning authorities and other statutory agencies have taken place throughout the preparation of the Local Plan with many of these arrangements already in place. These discussions have included formal meetings of local authority groupings as well as meetings with individual local authorities and other public bodies, and attendance at events such as workshops in connection with key pieces of Evidence Base, such as the Strategic Housing Market Area Assessment.

- 14 Officers attend quarterly meetings of the Lancashire Development Plan Officers Group (DPOG) which comprises all the districts in Lancashire, the two unitary authorities (Blackpool and Blackburn) and Lancashire County Council (LCC). The Lancashire Local Economic Partnership (LEP) and LCC Public Health also attend. Progress on Local Plans is a standing agenda item and specific items can be put on the agenda for discussion, and presentations are invited from key organisations.
- 15 The table below shows the status of Development Plan Documents (DPDs), excluding Area Action Plans and Neighbourhood Plans within neighbouring authorities as of March 2019. **Table showing the stages of plan-making for adjoining authorities.**

AUTHORITY	TYPE OF DEVELOPMENT PLAN		
	Core Strategy	Allocations and Other DPDs	Single Local Plan
Burnley			Adopted August 2018
Hyndburn	Adopted 2012	Development Management DPD adopted 2018	Core Strategy Review and Site Allocations DPD Publication (Reg19) expected Spring 2020 (Currently consulting on Reg 18 to 8.04.19)
Pendle	Adopted 2015	Site Allocations Reg. 18 consultation expected 2018	At Reg 18 stage of Local Plan Part 2, updating the Evidence Base.
Blackburn with Darwen	Adopted Jan 2011	Site Allocations and DM Policies (Local Plan Pt 2) adopted Dec 2015	Publication (Reg. 19) expected June 2020. Currently consulting on Reg 18 (until April 2019).
Bury			Reg. 18 consultation due to be published winter 2018/spring 2019, dependent on GMSF
Rochdale	Adopted Oct 2016	Reg. 19 consultation – Sept 2018	
Greater Manchester Combined Authority			Greater Manchester Spatial Framework (GMSF) Revised draft consultation January 2019
Association of Greater Manchester Authorities (AGMA)			GM Joint Waste Plan – adopted April 2012 GM Joint Minerals Plan – adopted April 2013
Calderdale			Submitted (including Minerals and Waste) and CIL on 11.01.19
Lancashire County Council and Blackburn with Darwen BC and Blackpool BC	Joint Lancashire Minerals and Waste Core Strategy adopted 2009.	Joint Lancashire Site Allocations and Development Control Policies (adopted 2013).	Consultation taken place on Reg 19 Draft.
Key	Stage completed	Next stage	Current stage

#### **4 STRATEGIC ISSUES**

- 16 Strategic issues are listed in paragraph 20 of the NPPF as are those which require effective co-operation and may have cross boundary implications. These are identified as:
- The homes and jobs needed in the area
  - Retail, leisure and other commercial developments
  - Infrastructure for transport, telecommunications, security, water supply wastewater flood risk, and the provision of minerals and energy (including heat)
  - Community facilities
  - Conservation and enhancement of the natural, built and historic environment and climate change mitigation and adaptation.
- 17 Under the Duty to Cooperate local planning authorities should collaborate to identify relevant strategic matters which should be addressed in the plans. Such joint working should help to determine where additional infrastructure is needed and whether and where development needs can be met.
- 18 It is the role of the Statement of Common Ground to demonstrate effective co-operation from early plan making stages with concrete actions and outcomes as the plan progresses.
- 19 Statements of common ground should document the cross-boundary matters being addressed and show how progress is being made to address these matters through cooperation.

## **5 JOINT WORKING – SPECIFIC ISSUES**

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

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

- 21 The South Pennines Wind Energy Group was established as a response to the pressure for this type of development with its cross border implications for the South Pennine Landscape area. A Memorandum of Understanding was agreed by a number of the South Pennine Authorities and can be found at Appendix 1. The Group is currently considering broader landscape issues, including the proposed Regional Park and a Visitor Management Plan to address concerns relating to impacts on the South Pennines SPA/SAC/SSSI.
- 22 Several studies have been undertaken on behalf of South Pennine Authorities to address the cumulative impact of wind turbines on the landscape and cross boundary impacts. An initial study was undertaken in 2010 and extended in a further study in 2014. A separate study undertaken in 2013 addressed the impact of wind turbines up to 60m in height. Whilst the local authorities involved in individual studies varied, overall the authorities of Barnsley, Blackburn, Burnley, Bury, Oldham, Calderdale, Hyndburn, Kirklees, Pendle, Rochdale and Rossendale contribute. A common database and associated mapping of wind turbines is kept up-to-date.
- 23 Rossendale was one of a number of South Pennine authorities who commissioned the Renewable and Low Carbon Energy Study undertaken by Maslen Environmental to assess the potential for Renewable and Low Carbon Energy in the constituent local authorities.
- 24 Although not itself within the designated Special Projection Area (SPA), it is recognised that Rossendale's upland areas, which have extensive areas of deep peat, have an important role to play in relation to the SPA, including the breeding ground for important species of birds. This is considered in more detail in the Habitats Regulations Assessment but nevertheless this is an important area for co-operation with adjoining districts, Pennine Prospects, which is the Local Nature Partnership (LNP), and Natural England. Discussion is taking place across the South Pennines about the need for a Visitor Management Plan to avoid damaging the habitat and the species within it. This will involve working with other parties involved in the South Pennines Group including the LNP, Natural England and other local authorities.

## Transport

- 25 At the local level the Highways Authority, which is Lancashire County Council, has engaged with the Council to discuss high-level local access requirements. A Highways Capacity Study has been undertaken to identify the impacts on the road infrastructure of the proposed allocations. The work was undertaken by Mott Macdonald and the study was overseen by a Steering Group comprising RBC as well as LCC and Highways England, given their responsibility for the A56 which runs north to south in the west of the Borough. Taking forward the recommendations will require working with partners such as the Fire Service, as one solution, albeit costly, is to relocate the Fire Station away from the Gyrotory to improve traffic flows at this pinch point in Rawtenstall.
- 26 A Study has also been undertaken to look at Access to Employment Sites again by Mott Macdonald and engagement has continued with LCC Highways and Highways England.
- 27 The East Lancashire Highways and Transport Masterplan was published in February 2014 prepared by Lancashire County Council and Blackburn with Darwen, which as a unitary authority is itself responsible for highways and transport within the Borough. One key aspect of this study was the potential rail link into Rossendale, a key aspiration of Rossendale Borough Council. The Study highlights the challenge of running a regular main line and heritage services to operate on the same infrastructure.
- 28 This Study identified the need for further work to look at the A56/M66 Rawtenstall to Manchester Gateway to consider how links to Greater Manchester and the wider motorway network can be facilitated. As well as looking at roads in Rossendale and Greater Manchester this will also consider how a rail link could provide benefits to Rossendale and to the wider East Lancashire area and will consider what form such a link could take, as there are a number of potential solutions involving rail provision in that corridor.
- 29 The A56/M66 Gateway Study reported in 2016 that that attention should be focused on measures that will underpin and support the operation of the existing X41/X43 express bus services within the corridor. Potential options range from upgrading the M66 to a 'Smart' motorway to the introduction of bus priority measures between the M60 and Manchester city centre or diverting the X43 on to another route to improve both journey times and journey time reliability.
- 30 Work is continuing on providing a business case for a rail link using the heritage line of the East Lancashire Railway, which is seen as a long term project and discussions are on-going with Greater Manchester Combined Authority (GMCA), who are currently preparing the Greater Manchester Spatial Framework (GMSF), the adjoining authorities in Greater Manchester (Bury MBC and Rochdale MBC), Lancashire County Council and other interested parties including Network Rail, Transport for the North, and the East Lancashire Railway etc. Five options have been identified in a Report produced by CEBR and Rossendale Borough Council

is looking to work with partner organisations to prepare a business case for this work. A Steering Group comprising of local MPs, councillors, and local authority officers has been established to take forward this work known as the Valley-City Link.

- 31 Rossendale Borough Council continues to engage with the Highway Authority and Highways England in order to address highway capacity concerns and identify solutions to ensure that the additional development over the plan period can be delivered and accommodated by the existing road network and with no undue impacts on the operation and maintenance of these roads. The A56 is maintained by Highways England as it links the M65 to the M66 motorways. Engagement with neighbouring authorities, notably Transport for Greater Manchester (TfGM) is also taking place and regular meetings are held, attended by LCC too, to discuss issues and update on studies. Rossendale BC has recently responded to the consultation on the emerging Greater Manchester Spatial Framework (GMSF), which builds on a series of meetings that have taken place between all the authorities.
- 32 The Valley of Stone Cycleway is progressing well, led by Lancashire County Council, and is linking up with routes outside of the Borough.

### **Heritage Assessment**

- 33 Undertaken in-house by the Borough's Conservation Officer, a heritage impact assessment of all proposed allocations has been undertaken. The methodology for the study was agreed with Historic England and meetings have taken place with Historic England throughout the preparation of the Local Plan

### **Playing Pitch Strategy**

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

### **Proposed Sports Facilities Strategy**

- 35 A series of discussions have taken place between Sport England, the Council and Rossendale Leisure Trust on the need to prepare an assessment of sports

facilities to provide further evidence in support of Local Plan Policy LT1 (Protection of Playing Pitches, Existing Open Space, Sport and Recreation Facilities). This included a meeting held between the three bodies on 11<sup>th</sup> December 2018 where Sport England provided further guidance and discussed preliminary modelling work that they had helpfully carried out in relation to this. Sport England welcomes the fact that work is now on-going to develop a brief to undertake an assessment and eventual Sport Facilities Strategy for Rossendale. This will be in line with the separate Statement of Common Ground at Appendix 2. This will include an assessment of surpluses and deficiencies in existing facilities, need and demand for facilities and lead to a strategy for future investment and development decisions.

### **Minerals and Waste**

36 The County Council is the Minerals and Waste Planning Authority for the Local Plan area. The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD was adopted in February 2009. The Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies was adopted in September 2013. Work is underway to prepare a review of draft revised Joint Lancashire Minerals and Waste Local Plan, with a consultation on a draft plan held in late 2018. The parties have agreed that:

- Minerals and waste operations are necessary to support the growth aspirations of the draft Plan. The infrastructure requirements (new minerals or waste capacity required) resulting from the growth proposed in the draft Plan can be accommodated within the existing Minerals and Waste Local Plan policies and will be taken into account through the Minerals and Waste Local Plan review.
- Mineral safeguarding areas are established by Policy M2 of the Minerals and Waste Local Plan and defined on the policies map for the plan area. The County Council is responsible for allocating mineral safeguarding areas. Where mineral safeguarding areas coincide with allocations proposed in the Plan, these have been considered through the site appraisal process; this is a matter for the Borough Council as the decision maker in this matter.

### **Flood Risk**

37 Rossendale falls within two river catchments – the Irwell and the Spodden. The Irwell flows from the north east of Rossendale, almost on the boundary with Burnley above Bacup, through Rossendale and Bury to Manchester and Salford. The River Spodden also flows through Rossendale, rising in the hills at Shawforth, above Whitworth and south through Rossendale to Rochdale where it merges with the River Roche.

- 38 Lancashire County Council performs the role of Lead Local Flood Authority, whilst the district falls within two Environment Agency areas, given that the river catchments align with Greater Manchester whilst the district and responsibility as Lead Local Flood Authority falls within Lancashire. Rossendale is involved in several related groups/initiatives including the Irwell Catchment Partnership and Making Space for Water and Slow the Flow, which looks to address flood risk issues. The Environment Agency also attends these groups.
- 39 In response to concerns raised by the Environment Agency, and on their recommendation, a Topic Paper has been prepared addressing flood risk within Rossendale and this is included within the Submission Documents. Rossendale Borough Council will continue working with the Environment Agency and the Lancashire Lead Local Flood Authority.
- 40 Discussions regularly take place with United Utilities regarding development sites and potential issues and constraints on sites.

## **6 AGREED POSITIONS WITH ADJOINING AUTHORITIES AND OTHER ORGANISATIONS**

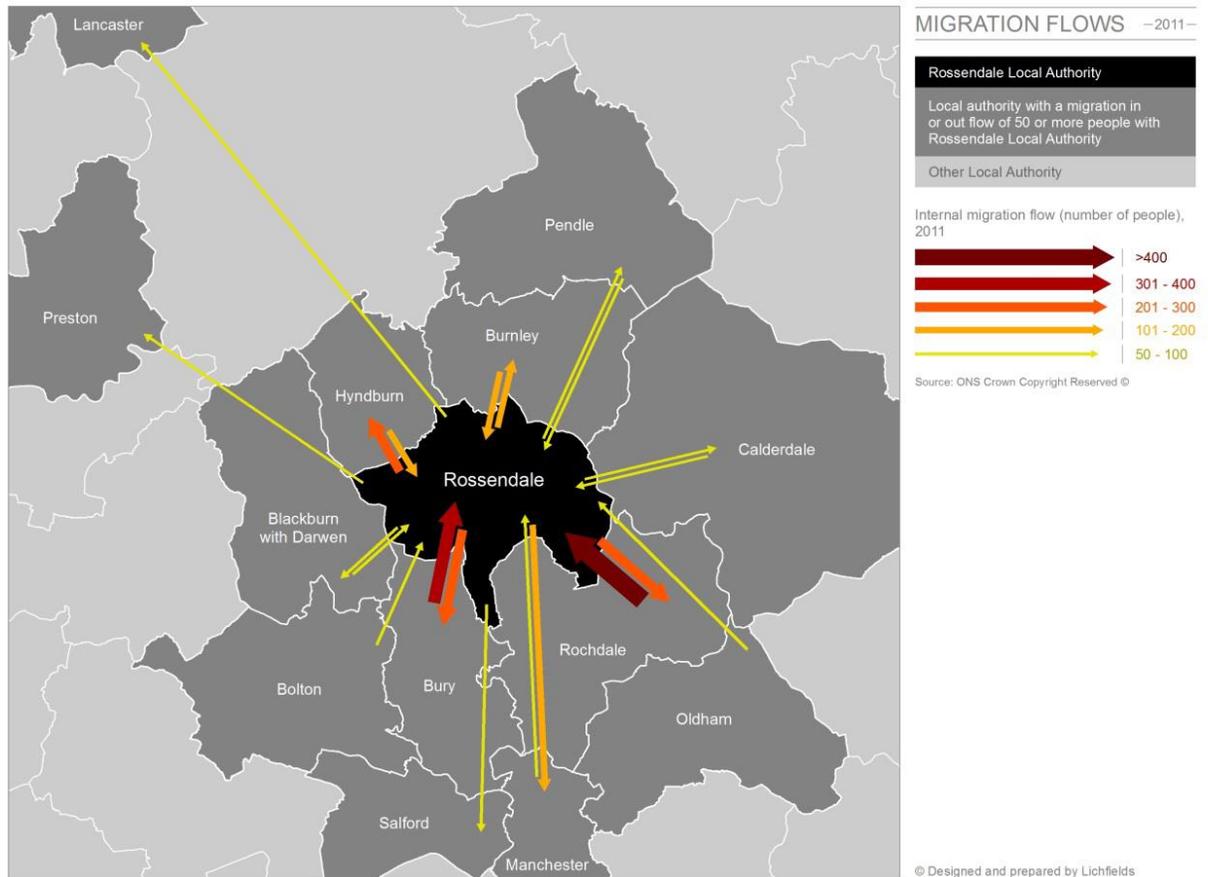
- 41 This section addresses joint working under the relevant policy areas of the Local Plan with all relevant organisations including local authorities within and beyond Rossendale and other prescribed bodies.
- 42 Meetings have regularly taken place throughout the plan preparation process and adjoining authorities have routinely been approached to consider cross-boundary issues in appropriate studies which contribute to the Evidence Base.

### **Context**

#### **Housing Market Areas and Objectively Assessed Housing Need**

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

59 Nevertheless Rossendale has strong links and high inter-dependency with the adjoining Boroughs. These are particularly apparent with Rochdale and Bury, reducing in order of magnitude starting with Hyndburn and Burnley. This is shown in the map below, taken from the Rossendale SHMA.



Extract from Rossendale SHMA

60. The table overleaf outlines the housing requirements for the adjoining authorities. This table explains the OAN figure arrived from the most recent SHMA and compares this to the recent Local Housing Need figure calculated by the most recent Standard Methodology.

## Housing Requirements for Adjoining Authorities

District	Objectively Assessed Need For Housing	Local Housing Need Figure (Feb 2019)	Local Plan target	Plan Status	Plan period
<b>Rossendale</b>	265 <sup>1</sup>	204	212	Reg 19 Local Plan	2019-2034
<b>Burnley</b>	209 <sup>2</sup>	62	194	Adopted Local Plan (2018)	2012 - 2032
<b>Hyndburn</b>	n/a	60	213	Adopted Core Strategy (2012)	2011-2026
<b>Blackburn with Darwen</b>	n/a	157	624	Core Strategy (2011)	2011-2026
<b>Pendle</b>	n/a	146	298	Adopted Core Strategy (2015)	2015-2030
<b>Calderdale</b>	1,000 <sup>3</sup>	802	840	Reg 22 Local Plan	Local Plan 2018/19 to 2032/33
<b>Rochdale</b>	640 <sup>4</sup>	514	460	Adopted Core Strategy  Reg 18 consultation GMSF	Core Strategy 2012-2028  2018-2037
<b>Bury</b>	498 <sup>5</sup>	608	498	Reg 18 consultation GMSF	2018-2037

## Employment Land Requirements

- 61 As noted above it has been investigated with all adjoining authorities as to whether Rossendale can take any of their requirements, or whether they can take any of Rossendale's. It has been established that no other authority can take any of Rossendale's needs. The Employment Land Review defined the Functional Economic Market Area (FEMA) in which Rossendale sits.

<sup>1</sup> Rossendale SHMA (2017)

<sup>2</sup> Burnley and Pendle SHMA (2016)

<sup>3</sup> Calderdale SHMA (2018 Update)

<sup>4</sup> As set out in the emerging GMSF (Reg 18 consultation)

<sup>5</sup> As set out in the emerging GMSF (Reg 18 consultation)

- 62 The Rossendale Borough boundary overlaps with multiple TTWAs and residents commute into other FEMAs. More than a quarter or 8,903 of Rossendale's working residents commute to the ten local authorities that make up Greater Manchester (see Figure 4.3). There are also significant flows of at least 1,000 commuters from Rossendale travelling to Burnley, Hyndburn and Blackburn with Darwen. The patterns of in-commuting follow similar trends; most people commute into Rossendale from the surrounding Boroughs of Hyndburn and Bury. This suggests that, again, Rossendale Borough in isolation does not comprise its own FEMA, but instead overlaps with adjoining TTWAs.
- 63 The Borough is split, forming part of both the wider Blackburn and Manchester TTWAs and their corresponding economic geographies. This means that the patterns of economic activity and demand for premises in the Borough are likely to be focused to the west by the Blackburn TTWA and to the south by the Manchester TTWA. The Employment Land Study recommends new sites and regeneration opportunities in these areas will ensure that Rossendale's blurred FEMA is reflected as closely as possible.
- 64 Other neighbouring authorities were consulted as part of this study and have had the opportunity to comment on the findings. No issues have been raised.

### **Other Strategic Policies**

- 65 In respect primarily of Leisure and Retail policies a study was undertaken by White Young Green, looking at town centres, as well as retail, leisure and tourism within Rossendale. No issues affecting adjoining areas have been identified in the Study nor commented on in any Duty to Co-operate discussions. Infrastructure provision is discussed later in this chapter as well as in more detail in the Infrastructure Delivery Plan. In respect of policies affecting the natural, built and historic environment and climate change mitigation and adaptation discussions have taken place with statutory consultees. Discussions with adjoining authorities take place through the existing groups and networks in place such as the South Pennines Group, Making Space for Water etc. No key concerns have been raised.

### **Local Authority Responses - meeting Rossendale's Development Needs**

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

- 44 All adjoining authorities have been asked if they could consider taking any of Rossendale's housing requirement, or if they were expecting Rossendale to meet their housing needs. No authority came back to Rossendale specifically asking this Council to meet their development requirements, neither have they offered to meet any of Rossendale's needs. This applies to housing and employment land.
- 45 **The Greater Manchester Combined Authority** has contacted all authorities that adjoin the conurbation asking if any other districts consider themselves to be in a position to be able to accommodate any of Greater Manchester's requirements for additional development up to 3036 (email of 03.07.18). The intention of their email was to identify how GM's strategy in terms of housing, employment and potential Green Belt requirements would be affected. A later email (25.07.18) responded to specific points and confirmed that GM's Economic Strategy was founded on the Functional Economic Market Area (FEMA) coinciding with the administrative boundary for GM and as such did not accommodate any land to meet Rossendale's requirements for B1, B2 and B8 employment land.
- 46 Rossendale responded to these emails reiterating the position that it is unable to accommodate any other district's development requirements.
- 47 In respect of Gypsy and Traveller accommodation, the 2014 Gypsy and Traveller Accommodation Assessment (GTAA) for Greater Manchester identified the need for 91 Gypsy and Traveller pitches, 235 Travelling Showpeople requirements, and 59 Transitional pitches by 2035. It is not considered that GM can accommodate any additional provision on top of this (email from GMCA of 25.07.18)
- 48 **Rochdale MBC's** position has been set out in the response from the Combined Authority. Meetings have taken place between Rochdale and Rossendale on numerous occasions to discuss the various development Plan documents of both authorities, including Rochdale's emerging Site Allocations DPD in February 2018. These meetings often took place with adjoining authorities for Rochdale and which overlap with Rossendale – namely Bury and Calderdale.
- 49 **Bury MBC's** position has reiterated that of the Combined Authority noting that GM authorities do not require surrounding local authorities to meet any of the conurbation's needs for housing, employment or Gypsies and Travellers, nor is it expected that GM can meet the needs of surrounding districts. Bury specifically referred to the proposed Green Belt release in the south west of Rossendale for development, stating that they would await the Reg. 19 Local Plan to see if they wish to comment, particularly in respect of any concerns to the supply of housing and employment land in the north of Bury (email of 26.07.18).
- 50 An update of Bury's position during the recent GMSF consultation has been received and explains that this district is unable to meet its own Objectively Assessed Needs for Housing (which is 11,552 additional new homes over the GMSF period of 2018-2037, or 608 pa). As a result Bury MBC confirms it has

been agreed that other districts within Greater Manchester (including Rochdale MBC) will meet some 18% of Bury's housing needs, thus ensuring that all housing needs will be met in Greater Manchester with no expectation that any of Bury's needs are to be met in adjoining areas, including Rossendale (email dated 19.02.19). The Borough's target is therefore 9,470 with an annual average of 498. Bury's email further discusses affordable housing, stating:

*The Council is currently delivering affordable housing through planning policy requirements set out in our Supplementary Planning Document 5 (<https://www.bury.gov.uk/index.aspx?articleid=10740>) and NPPF para. 64, in addition to developments by Registered Providers and Council schemes. We are intending to revise this SPD and will include an Affordable Housing policy in our Local Plan, which is at an early stage.*

*However, we do not currently have an up-to-date Local Plan policy for delivering affordable housing, and we are also at an early stage in preparing the GMSF. Whilst we have a draft GM Strategic Housing Market Assessment in place which identifies targets for affordable housing, these are subject to further work to establish deliverability up to the Publication GMSF and Local Plan stages.*

- 51 There are many movements between Rossendale and the two northern Greater Manchester districts of Bury and Rochdale and issues of cross-over in terms of education and health provision have been identified and are discussed in the Infrastructure Delivery Plan, with steps being taken to ensure adequate provision is made.
- 52 **Blackburn with Darwen** is currently in the early stages of working on a new Local Plan, consulting on a Reg 18 Draft of an emerging Local Plan. As confirmed in an email of 13.07.18, they do not consider there will be any need for Rossendale to accommodate any of Blackburn with Darwen's needs for employment or housing land or vice versa,.
- 53 **Calderdale MBC** has just submitted its Local Plan for examination (11.01.19). Essentially a self-contained housing market, Calderdale plans to meet its own development needs. Calderdale's Duty to Cooperate Statement, justifies why Calderdale is not in a position to meet any of Kirklees requirements. It is agreed that links between Rossendale and Calderdale are fairly limited. In Calderdale's Duty to Cooperate Statement it notes that both authorities acknowledge lack of cross boundary relationships but are exploring education capacities in an area adjacent administrative boundary.
- 54 Any HRA/SPA issues (such as the need to prepare a South Pennines Visitor Management Plan) will be addressed through the South Pennines Renewables and Landscape Group, which is also attended by the South Pennines Local Nature Partnership, and officers from Burnley, Hyndburn, Pendle, Blackburn with

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

- 55 **Burnley BC**, having recently just adopted a Local Plan, does not see itself in a position to meet any of Rossendale's needs, nor does it see the need for other authorities to meet any of its own needs, given the very recent adoption date.
- 56 **Hyndburn** has clarified (email dated 31.07.18) that it is unable to meet any of Rossendale's employment requirement and states that doing so would likely require an argument to be made to justify exceptional circumstances to release land in the Green Belt. Given the early stage of plan preparation Hyndburn considers itself unable to comment on whether or not it can take on any of Rossendale's housing requirement at this current time. Hyndburn will be undertaking an update of its 2014 Gypsy and Traveller Accommodation Assessment (GTAA), with outputs expected spring/summer 2019. Until this study reports back, Hyndburn does not consider it can accommodate Rossendale's requirements for a transit site.

## **OTHER ORGANISATIONS**

- 66 As noted above the Duty to Cooperate does not solely apply to local authorities but to other organisations too. Of relevance to Rossendale are: the Environment Agency; Historic England; Natural England; Homes England; and the Clinical Commissioning Group. **Highways England** has been involved in the preparation of the Local Plan and particularly in sitting with the Council and LCC Highways on the Steering Group for the Highways Infrastructure Study and the Access to Employment Sites Study. Highways England's responsibilities relate to the A56, both as the authority responsible for this dual carriageway and as the adjacent landowner for stretches of the road. Highways England is raising concerns about the access to the employment allocation at Carrs via Commerce Street, and as land owner have stated the land is not available for development, and so consider that this option should be removed from the Access to Employment Sites study.
- 67 The **Environment Agency** (EA) has been involved in several meetings with Rossendale and, as a result of their concerns, a number of sites have not been allocated, where the risk of flooding cannot be ameliorated. Discussions have also taken place within other groups attended by both Rossendale and the EA, including Making Space for Water, the county-wide Tactical Flood Group, as well as the Irwell Catchment Partnership. These discussions led to consideration by both organisations of designating Rossendale as an Area with Critical Drainage Problems (ACDP) where there is a need for surface water to be managed to a higher standard than normal to ensure any new development would contribute to a reduction in flooding risks. However, on further consideration the Environment Agency does not see this to be the most appropriate option. Given the importance of flooding issues within Rossendale, and on the advice of the EA, a specific Topic Paper has been produced to explain how this issue has been

addressed in the Local Plan and particularly in relation to specific proposed allocations. The Environment Agency's concern about one particular site (H10) can be addressed by a redraft of the boundary to exclude the land at risk of flooding.

- 68 **Historic England** has been actively engaged in assisting with preparation of the Local Plan and has provided advice to the Council in respect of assessment methodology and policy wording. It is expected that this will continue throughout the plan-making process.
- 69 **Natural England** - as well as providing input to the Local Plan, Natural England has been engaged in the Sustainability Appraisal and Habitat Regulations Assessment, mainly via telephone conversations. Natural England's main concern has been the impact of development on the South Pennines SPA, and a number of sites are no longer being considered for development, partly because they are located close to moorland within the buffer for the South Pennines Special Protection Area, as well as being in Green Belt. Natural England is also concerned about visitor pressure on this protected habitat and would want to see a Visitor Management Study undertaken to address this and identify mitigation. This issue is being looked at by the South Pennines authorities.
- 70 **Homes England** has met regularly with Rossendale Borough Council and is supporting the Council with accelerating development on some proposed housing sites. It is expected that this work will continue and will help especially with the delivery of affordable housing. Email confirmation has been received (19.03.19)
- 71 **NHS East Lancashire Clinical Commissioning Group** has raised concerns about the additional number of patients requiring medical and dental services that could be expected from the proposed additional housing and the existing capacity of staff including clinicians to treat this increase. All nine GP practices in Rossendale are willing to expand but are concerned about the costs of this, despite some assistance from Government funding. Also attracting and retaining health professionals can be difficult. Discussions are ongoing and this is referred to in the Infrastructure Delivery Plan. In addition to the CCG, discussions have taken place with **Public Health** Lancashire who suggested some amendments to policy wording at the Reg 18 Stage, which have been taken on board.
- 72 **A Neighbourhood Forum** was designated for Edenfield in April 2018. The Forum is collecting evidence to aid understanding of development pressures throughout Rossendale, liaising with the Council on the Local Plan as it relates to Edenfield and the preparation of the emerging Neighbourhood Plan.

## **INFRASTRUCTURE PROVIDERS (including Health and Education)**

- 73 Throughout the preparation of the emerging Local Plan and its associated Draft Infrastructure Delivery Plan the Council has been involved in discussions with a number of organisations with regard to the provision and maintenance of infrastructure. This has involved meetings, written consultation, and the provision of information. The Submission Local Plan will be accompanied by an updated Infrastructure Delivery Plan and associated Schedule, which has been prepared for the Council by Arup, who have documented the liaison work with the various agencies involved in delivering and maintaining identified infrastructure and key services within Rossendale.
- 74 **Highways Infrastructure**  
RBC continues to liaise with Lancashire County Council who, as Highway Authority, is responsible for the Local Road Network (LRN) and with Highways England, which has responsibility for the A56 which runs from Rising Bridge to join the M66 in Bury. Mott Macdonald has been commissioned by RBC to undertake two studies – a Highway Capacity Study, which was undertaken on the advice of the Highway Authority, and an Employment Sites Access Study, which looks at how access into the proposed sites can be achieved. It is expected that discussions with both parties will continue with LCC providing advice on local and strategic access / transport issues and Highways England commenting in respect of impacts to the A56 and the wider highways network. Other agencies will need to be involved in helping to deliver the highways improvements set out in the Capacity Study, particularly the Fire Service, who have concerns about how possible improvements at the Gyrotory could affect their performance.
- 74 **Flood Risk and Flood Protection**  
Flooding and the risk of flooding are very sensitive within Rossendale, an area which was badly affected by the Boxing Day floods of 2015. The Strategic Flood Risk Assessment was prepared and comments received from the Environment Agency. Ongoing discussions are continuing with both the Environment Agency and with Lancashire County Council as the Lead Local Flood Authority. United Utilities has also been actively engaged and a number of meetings have taken place to discuss sites, policies and key infrastructure.
- 75 **Education**  
Lancashire County Council is the Local Education Area for Rossendale. Several discussions have taken place with LCC who are aware of the sites being proposed across the school planning areas. School Planning continue to look at the solutions across Rossendale as urgent and work is continuing with colleagues from pupil access to recognise opportunities. The Strategy for the provision of school places 2017/18 to 2019/20 identifies the Rawtenstall School Planning area as a hotspot, based on the applications recorded in Rossendale's 5 Year Housing Land Supply document. Further details are set out in the Infrastructure Delivery Plan.

- 76 Contact has been made with Calderdale's Education officers who noted that cross border pupil movements are available to Lancashire Education. They concluded that we should be working 'on the basis of no spare capacity' as Calderdale's own emerging Local Plan is likely to generate additional demand in the Todmorden area (which is adjacent to the east of Rossendale).
- 77 There are cross border movements between Rossendale and Bury and Rochdale and discussions will continue between the districts and the situation monitored. Bury is not currently proposing to put in any additional capacity in the north of the borough they are able to accommodate all their resident pupils with forecasts for the area set to decrease. Rochdale sees greatest movements between Bolton and Oldham (particularly to faith schools) rather than with Rossendale.

### **Health**

- 78 Discussions have taken place with the East Lancashire Clinical Commissioning Group (ELCCG) throughout the preparation of the Plan and contact has also been made with the CCGs in adjoining areas. The ELCCG is concerned about the impact of development particularly on the delivery of GP services. Through the work undertaken in respect of the Infrastructure Delivery Plan both the CCG and the Borough Council are identifying where additional or alternative service provision can be met and how it can be financed in order to reduce the number of patients to each GP ratio.
- 79 Calderdale Commissioning Group are not aware of any under-utilised health capacity in Todmorden, which adjoins Rossendale. The number of patients from Rossendale who attended Calderdale and Huddersfield Foundation Trust is very small (approximately five outpatients per year) and almost exclusively for Neurology & Rheumatology.
- 80 Heywood Middleton and Rochdale CCG is likewise facing challenges and is concerned that adding more patients through new development could destabilise existing GP practices, which have GP:patient ratios in excess of the 1: 1600 ratio as set out in the British Medical Association's 'Safe Working in General Practice'. They recognise that phasing would help. The main concern is housing delivery identified for Whitworth in particular and a request has been made for developer contributions.
- 81 Discussions have taken place with Sport England and a position agreed as set out in para 35 and detailed in Appendix 2, where there is a commitment to work together in undertaking further work.
- 82 LCC Public Health have provided useful comments to the Local Plan particularly in relation to Policy R5 Hot Food Takeaways. They have also advised that LCC have now published a Public Health Advisory Note on Hot Food Takeaways which provides further guidance. Changes were made to the policy for the Regulation 19 consultation and the Council will continue to work with LCC and

other authorities on the approach to improving health outcomes, including those relating to obesity.

### **Other Organisations Providing Infrastructure**

- 83 Discussions have taken place with other organisations who are responsible for infrastructure who are not on the list of prescribed bodies. This includes United Utilities, Electricity North West, and the Coal Authority.
- 84 Discussions have also taken place with Lancashire Fire and Rescue Service (LFRS) and these are expected to continue further to ensure Rawtenstall Fire Station is provided for adequately within the Local Plan given the potential transport implications and its location on the large roundabout in Rawtenstall (known as the Gyrotory). At the request of LFRS the following paragraph is inserted to add further detail about these discussions

*The text is limited and does not consider the wider implications in terms of LFRS, namely that there is no current or proposed business need to relocate the Fire Station, outside of the Rossendale Local Plan. There is no recognition of the estimated cost associated with any proposed relocation of the site. (In the region of £4.5 million, not including land costs.) None of which would factored into any budgetary planning that LFRS would undertake. Therefore our expectation should you go ahead with your plans, would be in RBC identifying a suitable alternative location and additionally meeting the full cost of providing a new facility.*

Lancashire Constabulary and the North West Ambulance Service have been contacted and raised no concerns.

### **Ongoing Work**

- 85 It is expected that discussions will need to continue with a number of organisations / service providers, including adjoining authorities, while the Local Plan progresses through to examination and beyond. This is in part due to different stages in plan-making amongst other authorities as well as issues around development and deliverability for the latter stages of the plan period.
- 86 Infrastructure capacity (mainly roads, health and education) needs to be addressed, particularly in the latter stages of the plan period as detailed in the Infrastructure Delivery Plan. Opportunities will need to be taken to increase provision as necessary through the Local Plan and other means, continuing to work with key partners.
- 87 This document updates the earlier version which accompanied the Local Plan submission and in particular highlights comments that were received after submission.

## **APPENDIX 1 – Memorandum of Understanding – South Pennines**

### **South Pennine Memorandum of Understanding on Renewable Technologies**

#### **PURPOSE**

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

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

#### **PARTIES TO THE MEMORANDUM**

The Memorandum is agreed by the following Local Authorities:

*Barnsley MBC*  
*Burnley BC*  
*Bury MBC*  
*Craven BC*  
*Calderdale MBC*  
*High Peak BC*  
*Hyndburn BC*  
*Kirklees MBC*  
*Lancashire CC*  
*Oldham MBC*  
*Pendle BC*  
*Rochdale MBC*  
*Rossendale BC*

#### **OBJECTIVES**

The Memorandum has the following broad objectives:

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

## TOPIC ISSUES

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

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

- Development of mutually consistent databases on planning applications to enable “cumulative impact” issues to be addressed particularly on wind energy but also other technologies
- Consistent application of landscape character assessments such as the “Julie Martin Study” (or successor documents); the Peak District National Park Landscape Strategy and Action Plan and, as appropriate, other evidence base documents or cross-border landscape studies, when assessing planning proposals
- Joint procurement of evidence base documents and professional expertise where this would bring economies of scale and be mutually beneficial
- An approach to Planning Policy development and Development Management that takes into account as appropriate cross border effects on:
  - Landscape and visual impact
  - Cumulative impact
  - Historic landscape character
  - Ecology including flora, fauna and peat
  - Water supply, hydrogeology and flood risk
  - Recreational assets, bridleways and footpaths
  - Green infrastructure
  - Noise
  - Cultural and built heritage
  - Shadow Flicker
  - Socio-economic benefits
  - Access and grid connections
  - Telecommunications and radar

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

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

## MECHANISMS FOR CO-OPERATION

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

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

- Consultations on wind energy planning applications, Screening Opinions and Environmental Scoping opinions with neighbouring planning authorities will occur in the following circumstances:
  - Affected neighbouring authorities where the Zone of Visual Influence shows an impact on land outside the host authority area
  - Where there are significant impacts on Recreational Trails of sub-regional or greater significance
- Consultations on non-wind renewable energy applications and Environmental Scoping Opinions will be considered on a case by case basis
- Liaison on development of Planning Policy documents and SPD's
- Sharing of development management policies and validation requirements to facilitate a standardised approach to planning applications across the South Pennines

## **LIMITATIONS**

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

Signed:

### **Annex One – Background Context**

## **BACKGROUND**

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

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

## Appendix 2 – Statement of Common Ground – Sport England

This Statement of Common Ground identifies areas of agreement between Sport England and Rossendale Borough Council (RBC) in relation to Sport England's representations on the Rossendale Draft Local Plan Pre-Submission Version. It identifies the issues raised by Sport England in the representations to this Plan.

RBC has consulted with Sport England on the development of the Local Plan in accordance with the Town and Country Planning (Local Development) (England) Regulations.

Sport England support the Local Plan and Policy LT1 and its approach to protecting and securing open space and playing pitch/leisure provision but raised some concerns in their representation in relation to the lack of an evidence base to support the future implementation of the policy, which is summarised as follows:

*Policy LT1 strongly reflects NPPF para 97 and Sport England's policy on playing fields; however the policy is lacking as it is not supported by an evidence base on built sports facilities. Without up to date evidence, it is not possible to ascertain whether facilities are surplus to requirements or sufficient to meet needs and an assessment of both is needed to ensure this policy can work effectively. This will help to ensure the plan is 'justified' and 'consistent' with NPPF para 96.*

*Thanks to a series of helpful discussions with the council and the leisure trust, both sides now understand the need for this evidence and Sport England has offered to support the council in developing this. So as not to impede the progress of the local plan and to achieve a positive outcome and working relationship, the council has now committed to resolve the deficit in the evidence base shortly after adoption of the plan. To ensure this happens Sport England propose the following addition of a new paragraph of supporting text to Policy LT1:*

*"Given the important role indoor sports facilities play in promoting the physical and mental well-being of the community, the Council will work closely with Sport England and other partners to ensure that any future decision on the provision of all sports facilities is based on a robust and up-to-date evidence base. To assist with this, it is the intention of the Council to produce an Indoor Sports Strategy during the next 12 -24 months to help underpin effective policy application".*

RBC agreed response with Sport England:

Subject to the outcome of the Local Plan examination and approval of the Inspector, the above wording is to be included in Policy LT1. RBC and RLT will now work to secure agreement and, if necessary, funding to carry out a Borough-wide sports facility assessment with a view to developing a Sports Facility Strategy. RBC and RLT are grateful for Sport England's advice and accept their offer for further assistance in carrying out the assessment. This assessment will be undertaken within 12-24 months following the adoption of the Local Plan.

### APPENDIX 3 – Duty to Cooperate Log – Regular meetings

Group	Organisations involved	Topic / Policy Areas	Input into the Local Plan?	Comments
South Pennine Authorities Renewable Energy Group (Meeting s held 28pprox.. twice a year)	Bradford, Calderdale, Kirklees, Lancashire County Council, Pendle, Rochdale, Burnley	<ul style="list-style-type: none"> <li>wind / renewable energy proposals, status and monitoring</li> <li>DPD consultations</li> <li>Joint Wind Energy Capacity / Landscape impact assessment</li> <li>establish database to monitor wind energy proposals in the South Pennines</li> <li>Looking to undertake visitor management study</li> </ul>	Improved understanding, commissioned evidence and informed policies on wind energy. The remit of this group has broadened to look at issues on landscape, habitat and the Special Protection Area	Use of jointly commissioned 'Julie Martin' study. Gathering and sharing of evidence to monitor cumulative impact of wind energy developments. Discussion on general planning policy matters
Making Space for Water group (Meetings held 28pprox. quarterly)	Environment Agency Lancashire County Council United Utilities	<ul style="list-style-type: none"> <li>Update from LCC, UU, EA and RBC re local flood sites</li> <li>Update from planning re current developments with potential flood risk issues.</li> </ul>	Informed SFRA and flood risk policies.	Meetings led by LCC as Lead Local Flood Authority to establish locally agreed data in relation to non-riverine flooding in the Borough.
Irwell Catchment Group	Environment Agency, Bury, Manchester	Understanding of water quality, management issues along the river	Inform green infrastructure / flooding issues	Meetings held every 6-weeks

Group	Organisations involved	Topic / Policy Areas	Input into the Local Plan?	Comments
Lancashire Conservation Officers Group (Meetings held 29 approx. quarterly)	All districts and Historic England	<ul style="list-style-type: none"> <li>• ongoing policy and DM issues in relation to heritage matters</li> <li>• ensuring that renovations and redevelopment takes into account biodiversity in a heritage sensitive manner</li> </ul>	Helped with developing policies in relation to management of historic environment and implementation of policies in relation to biodiversity	LCOG meets quarterly.
Environment Agency Meetings	Environment Agency	<ul style="list-style-type: none"> <li>• Baseline information for IDP and SFRA</li> <li>• Input to SFRA</li> <li>• Discussion of development proposals</li> </ul>	Development of flood risk policy and possible site allocations	
Pennine Lancashire Playing Pitch Strategy meetings regular during update, now annually)	Burnley BC, Pendle BC, Sport England	<ul style="list-style-type: none"> <li>• Joint Playing Pitch Strategy commissioned and completed.</li> </ul>	Key part of Local Plan evidence base	No cross-boundary issues
Lancashire Development Planning Officers Group DPOG (quarterly)	Lancashire County Council, Blackburn with Darwen Council, Blackpool Council, LEP, 12 district Councils	<ul style="list-style-type: none"> <li>• Plan-making progress is a standing item on the agendas. Specific topics are included on the agendas as necessary and hear presentations e.g. recent meetings have involved LCC public health and transport planning colleagues.</li> </ul>	General best practice, advice on key issues	Often leads to smaller single-focus short term groupings established
M66 / A56 Corridor Working Group	LCC, Transdev, Transport for GM, Highways England	To understand and address transport issues along this corridor and identify solutions	Assistance in the formulation of strategy and costing of proposals	
Coal Authority / LCC Minerals and Waste		To understand requirements of the Coal Authority and LCC in respect of local plan matters – policy and allocations	Changes to wording and the Policies Map	

## APPENDIX 4

### Minutes of the duty to co-operate meeting held 6 June 2018

#### Duty to Co-operate Meeting

Wednesday 6<sup>th</sup> June 2018 @ 2.00pm

Room 110, Futures Park, Bacup, OL13 0BB

Present		Apologies	
Blackburn with Darwen BC	Duncan McCorquodale	Calderdale MBC	Phil Ratcliffe
Burnley BC	Elizabeth Murphy	LCC Highways	Kelly Holt
Pendle BC	John Halton	Lancashire LEP	Emma Prideaux
Hyndburn BC	Darren Tweed	Cadent	Vicky Stirling
LCC Minerals and Waste	Richard Sharples	Highways England	Warren Hilton
LCC Flood Team	Diane Taylor	Coal Authority	Melanie Lindsley
LCC Flood Team	Kevin Kellett	Clinical Commissioning Group	Andy Laverty
LCC Education	Andrew Curtis	Historic England	Ian Smith
Bury MBC	Michael Whitehead	Lancashire Constabulary	Nicola Ogden
Rochdale MBC	Wayne Poole	Lancashire Constabulary	Chrissie Marshall
Greater Manchester Combined Authority	Rebecca Friday	Environment Agency	Catherine Nield
Rossendale Fire Service	Gary Hargreaves	Sport England	Helen Ledger
Electricity North West	Gavin Anderson	Natural England	Alex Rowe
Rossendale BC	Nicola Hopkins		
Rossendale BC	Anne Stora		
Rossendale BC	Adrian Smith		
Rossendale BC	Nat Davies		

Item		Action
1	<p><b>Apologies and Matters Arising from previous meeting</b></p> <p>Apologies noted</p>	N/A
2	<p><b>Rossendale's Local Plan timetable</b></p> <p>RBC planning to consult on the emerging Local Plan (regulation 19) in August 2018, with a proposed submission to the planning inspectorate in January/February 2019, an examination in public in June 2019 and an adoption by the Council in March 2020.</p>	N/A
3	<p><b>Strategic issues</b></p> <p><b>Homes</b>  The local housing need for Rossendale is 212 dwellings per annum without considering any economic uplift. The population is likely to grow less in the coming years, but the affordability ratio is worsening, so it might not reduce the local housing need. The current delivery of houses in the Borough is less than 212 dwellings per year. The Council does not currently have a five year housing land supply. The housing trajectory is currently considered “uniform” across the Local Plan period. It was mentioned that the draft NPPF mentions a stepped trajectory. Some sites previously proposed for allocation in regulation 18 will be not going forward to regulation 19. Some Green belt release is proposed. The spatial distribution of new houses is not focussed only on Rawtenstall due to access issues to sites. There is a lack of viability in Bacup while the corridor of the M66/A56 is attractive to developers. The Waterfoot area has flood risk challenges.</p> <p><b>Jobs</b>  The employment land target is 27ha. The Council is struggling to find enough suitable sites.</p> <p><b>Retail</b>  Rawtenstall has a good offer for retail. The second phase of the Spinning Point application in the town centre of Rawtenstall has been approved including leisure and retail uses. There is enough supply of convenience goods and comparison goods within the Borough. In terms of tourism, there is a need for a hotel. The Adrenaline Valley project will be supported.</p> <p><b>Infrastructure</b>  The Borough faces infrastructure challenges.</p> <p><u>Transport</u>  There is traffic congestion within the Borough with one road going</p>	

<p>west to east. The Highways Capacity Study is looking at the impact of the site allocations on the highway network. The Rawtenstall gyratory will be severely impacted by new development and the study proposed options to improve the junction. One of the preferred options proposes the removal of the Fire Station by 2024. The commuter rail link from Manchester to Rawtenstall using ELR is a long term project. Further works and studies are needed including the submission of a business case.</p> <p>The Valley of Stone cycleway is on-going and will link Rawtenstall to Whitworth.</p> <p><u>Telecommunications</u> No current issues.</p> <p><u>Waste</u> The waste and minerals allocations are dealt within the Lancashire Waste and Minerals Plan. The Mineral Safeguarding Area will be added to the Policies Map.</p> <p><u>Electricity</u> GA confirmed the Borough is well provided for capacity wise. The new development sites proposed are not an issue. Replacement schemes of existing infrastructure will take place in the coming years. There has been a rise in planning application for electricity storage.</p> <p><u>Flood risk</u> LCC knows the flooding hot spots in the Borough. The fast water run-off is a strategic issue across the Borough due to its topography. There will be works at Irwell Vale's Water Treatment Works station. There will be a new Defra funding available for schemes. Collaboration of Rossendale, Bury and Rochdale to the Irwell Catchment Partnership. A new Strategic Flood Risk study is being undertaken by JBA for the GMSF.</p> <p><u>Fire</u> No specific issues. There will be budget cuts. No strategy policy required for safety of buildings.</p> <p><u>Education</u> There is capacity for primary and secondary schools within the Borough, although all secondary schools are at capacity except Fearn's College. A new pupil forecast will be run by the end of the year. There is potential to unlock capacity at existing schools. Expansion of schools is preferred instead of creating new schools.</p> <p><u>Health</u> The doctor surgeries will be full within the next 5 years.</p>	<p>GA to check Infrastructure Delivery Plan for comments</p> <p>GH to take info on possible impact of Rawtenstall Fire Station to colleagues and report back</p> <p>AC to liaise with RBC</p>
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4	<p><b>Any other strategic issues</b></p> <p><u>Wind energy and HRA</u></p> <p>The Habitat Regulation Assessment undertaken by Lepus for Rossendale Borough Council highlights the need for a Visitor Management Plan regarding the South Pennine Moors SAC and South Pennine Moors Phase 2 SPA. The Borough will look as Suitable Alternative Greenspace (SANG).</p> <p>There is a strong objection within the Borough to new wind turbines. Natural England comment on the draft Local Plan recommended avoiding deep peat areas. The wind turbine areas of search are likely to be reduced. Burnley drew the areas of search using Julie Martin’s study and excluding the European sites. Bury is considering using high wind speed and the Julie Martin study. Rochdale identifies the whole Borough as suitable for small scale win turbine.</p> <p>Electricity North West commented that wind turbine schemes applications have reduced and the applications are now mainly for gas or storage. They are however seeing a number of schemes for battery storage, usually within 2 or 3 big containers.</p> <p><u>Unmet housing need</u></p> <p>The Council will not take unmet housing needs from neighbouring authorities and is planning to meet its local housing need.</p> <p><u>Design</u></p> <p>The revised NPPF provides emphasis on design. EM indicated the specific site design policies were withdrawn from Burnley Local Plan following the Examination In Public. The general design policies and the adaptability standard were kept in.</p>	RBC to work with neighbours & Pennine Prospects
5	<p><b>Local issues including site allocations</b></p> <p><u>Gypsies and Travellers</u></p> <p>There is a need for a Gypsies and Travellers transit site to accommodate 4 pitches within the Borough. WP indicated Rochdale has to provide sites as a result of injunctions that prevent any Gypsies stopping there.</p>	
6	<p><b>Evidence Base</b></p> <p>The Highways Capacity Study will be published in July.</p>	
7	<p><b>Duty to Co-operate issues</b></p> <p>The revised NPPF and draft guidance provides some guidance on the duty to co-operate Statement of Common Grounds. RF indicated the approach GMCA is taking to recording any “Duty to co-operate” activities within a report that forms part of the Evidence Base rather than a policy document. GMCA is planning to issue one overall Statement of Common Ground.</p> <p>The Lancashire Minerals and Waste Local Plan duty to co-operate has 3 annexes, one for joint working partners, one for districts and one for neighbouring authorities.</p>	RBC to provide Statement of Common Ground for signing
8	<p><b>Update on local Plans and Infrastructure Providers Business Plans</b></p> <p>Rochdale will be consulting in August on its regulation 18 site allocations which are predominantly brownfield sites within the urban area.</p>	

	Blackburn with Darwen has an adopted Core Strategy and Site Allocations and is currently working on Issues and Options. Pendle is working on the Preferred Options. Burnley is expecting the Inspector's report by the end of June.	
9	<b>Any Other Business</b> LCC Public Health would like a meeting with Rossendale following the comments they made on the draft Local Plan (regulation 18).	RBC to set up meeting

## **APPENDIX 5 Note of Meeting Held about GMSF – 30.01.19**

### **Greater Manchester's Plan for Homes, Jobs and the Environment: Revised Greater Manchester Spatial Framework**

#### **GM Statement of Common Ground Event**

**30<sup>th</sup> January 2019**

Duty to Co-operate Meeting with Rossendale and GM Colleagues.

#### **Attendees**

Anne Storah - Rossendale

Nat Davies – Rossendale

Michael Whitehead – Bury

Richard Clowes – TfGM

David Nixon – TfGM

Fran Comyn – Rochdale

#### **General Update**

Rosendale Local Plan reached Publication in October 2018 and progress is now being made to submit in February 2019.

#### **Rossendale rail link**

This is a critical issue for Rossendale and they want a reference to the rail link in GMSF. Rossendale will share the CEBR Study with GMCA – it covers the combined passenger/ heritage service and would support GMSF level development. Highway infrastructure study on the website, Bury, Rochdale, TfGM need to look at the study and come to a collective view. Rossendale are concerned that Bury and Rochdale have a preferred solution that excludes Rawtenstall. ELR, their charitable objectives preclude them from having any discussions.

Metrolink extension to Middleton – Park and Ride but this won't address car usage on the M66.

Highways England – looking to convert A56 to Expressway – no timetable to do that work, increase capacity but fewer access points locally.

Action – Circulate CEBR and arrange a meeting with Cath Burns, TfGM, Rochdale and Bury. Anne Storah to send.

#### **Housing Numbers**

Bury raised an issue around Rossendale's Local Housing Need approach.

Action : Bury and Rossendale to meet.

## **Statement of Common Ground**

Anne S to circulate Rossendale's draft Statement of Common Ground.

Infrastructure Framework : send link to Anne S.

## APPENDIX 6 List of Organisations

The following includes the other authorities and organisations involved in preparing the Local Plan. Please note all signatories are officers.

Organisation	Agreement Secured and Date	Comments
Blackburn with Darwen MBC		
Burnley BC		
Bury MBC		
Cadent		
Calderdale MBC		
Clinical Commissioning Group	n/a	Unable to confirm in the time
Coal Authority		
East Lancashire CCG		
Electricity North West		
Environment Agency	Philip Carter (Planning Specialist, Cumbria & Lancashire Area) – 25/03/19	Change made to para 67 re. ACDP designation
Greater Manchester Combined Authority		
Highways England		
Homes England	Neil Iredale, Specialist - Planning	Agrees to the wording in para 70
Hyndburn BC	Darren Tweed, Planning Policy, 25.03.19	Caveated that this is based on officer comments
Lancashire Constabulary		
Lancashire County Council Flood Team		
Lancashire County Council – Highway Authority		
Lancashire County Council – Minerals and Waste	Richard Sharples, Planning Officer 22.03.19	Provided revised wording re. Minerals and Waste and referred to discussions with Public Health
Lancashire County Council Education Authority	Andrew Curtis Infrastructure Planning 25/03/2019	Change para 75 to update with the date of the current Education Strategy.
Lancashire County Council – Public Health		
Lancashire LEP	No response received	
Natural England	Janet Baguley (Lead Adviser Sustainable Development) 27/03/2019	No additional comments Further to the Preliminary Questions received from the Local Plan Inspectors (May 2019) NE confirm that they are satisfied with the additional information provided in the Revised

		HRA (March 2019) and its conclusions and have no additional comments to make.
Pendle BC		
Rochdale MBC		
Lancashire Fire and Rescue Service	Unable to consider sign off on behalf of elected members of the Combined Fire Authority until text is amended as detailed in the Additional Comments section following.	See Additional Comments section, forwarded by Steve Morgan, Head of Service Delivery – South East
South Pennines Local Nature Partnership		
Sport England	Victoria Vernon	No issues – see below

### **Additional Comments**

#### **Lancashire County Council – Minerals and Waste**

The County Council is the Minerals and Waste Planning Authority for the Local Plan area.

The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD was adopted in February 2009. The Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies was adopted in September 2013.

Work is underway to prepare a review of draft revised Joint Lancashire Minerals and Waste Local Plan, with a consultation on a draft plan held in late 2018.

The parties have agreed that:

Minerals and waste operations are necessary to support the growth aspirations of the draft Plan.

The infrastructure requirements (new minerals or waste capacity required) resulting from the growth proposed in the draft Plan can be accommodated within the existing Minerals and Waste Local Plan policies and will be taken into account through the Minerals and Waste Local Plan review.

Mineral safeguarding areas are established by Policy M2 of the Minerals and Waste Local Plan (doc ref ...) and defined on the policies map for the plan area.

The County Council is responsible for allocating mineral safeguarding areas. Where mineral safeguarding areas coincide with allocations proposed in the Plan, these have been considered through the site appraisal process (doc ref: ...); this is a matter for the Borough Council as the decision maker in this matter.

### **Lancashire County Council - Education**

Asked to update the dates of the current Strategy for the provision of school places from 2015/16 to the current strategy which covers the period 2017/18 in para 75

### **Lancashire Fire and Rescue Service**

In terms of the request below and following consultation with my Director of Corporate Services, I would like to offer the following before we are in a position to sign off the Statement of Common Ground.

Para 25 – Page 11: acknowledge and agree the text.

Para 74 – Page 21: acknowledge and agree the text.

Para 83 – Page 23: text below in italics.

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

The text is limited and does not consider the wider implications in terms of LFRS, namely that there is no current or proposed business need to relocate the Fire Station, outside of the Rossendale Local Plan. There is no recognition of the estimated cost associated with any proposed relocation of the site. (In the region of £4.5 million, not including land costs.) None of which would factored into any budgetary planning that LFRS would undertake. Therefore our expectation should you go ahead with your plans, would be in RBC identifying a suitable alternative location and additionally meeting the full cost of providing a new facility.

The text as referenced needs be reflective of the above in order that we could move to a position wherein sign off, on behalf of elected members of the Combined Fire Authority could be considered.

Additionally on Page 36 could you please amend the Organisation to read Lancashire Fire and Rescue Service, (currently reads Rossendale Fire Service.)

**Environment Agency comment:**

Replace with “Areas with Critical Drainage Problems (ACDP)” – EA does not get involved with designation of CDAs, EA has responsibility for designating ACDPs

**Hyndburn**

I have looked through the attachment and am happy that it reflects what has previously been said at our meetings and via email. You can add my name as a signatory to the document for submission today, but with the caveat that it is an Officer signatory and not Member.

**Sport England**

... confirm that the statement adequately reflects the discussions between the council and Sport England. Therefore Sport England do not raise any issues with the agreement.