

Impact Review

Proposed Transit Gypsy and Traveller Site

Rossendale Borough Council

Site Appraisal – Final Report

Little Tooter Hill Quarry, Sharneyford

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1. Background

- 1.1 As part of the preparation of developing its new Local Plan, and to be in compliance with the National Planning Policy Framework (NPPF), Rossendale Borough Council have commissioned arc4 to undertake an independent Gypsy and Traveller Area Assessment (GTAA) of the suitability and impact of a proposed transit site at Little Tooter Hill Quarry, Sharneyford, see Appendix A.
- 1.2 Based on the findings of the report and through further analysis of existing illegal encampments, the council have concluded that they have a legal duty and obligation to provide 4 transit pitches within Rossendale. The challenge for the council is to source suitable sites that fulfil the good practice guide of the (MHCLG) Ministry of Housing, Communities and Local Government (previously known as the Department of Communities and Local Government) on the most appropriate measures necessary to satisfy the guidance detailed in 'Planning Policy for traveller sites' issued in August 2015. In this respect, paragraphs 20-24 identify the key considerations of developing mixed communities including accommodation for Gypsies and Travellers. One of the inevitable key challenges will be to successfully promote peaceful and integrated co-existence between the site and the local community.
- 1.3 Historically any strategy that sets out to persuade the local community to give support to either a transit or permanent site for Gypsies and Travellers has been fraught with difficulties, with the planning applicant facing considerable objections. Previously the council had identified a site in Whitworth but once it became known to the general public, it resulted in a large number of residents attending the council meeting and persuading councillors to reject the site in favour of an alternative location in Bacup. Similarly, once the intended location at Futures Park, Bacup had been publicly revealed some 2,000 local residents signed a petition objecting to the allocation of the site as a Gypsy and Traveller encampment.
- 1.4 Subsequently, council officers have reviewed the development potential of around 20 sites either directly owned by the council or ones where there has been some interest from the current owner in disposing of their land. As a result, they have identified a privately owned site at Little Tooter Hill Quarry, Sharneyford, accessed from Todmorden Road as one that they consider appropriate as a possible transit encampment. This site had previously been proposed by officers as a suitable opportunity to explore further but as per the previous identified sites at Whitworth and Bacup, its potential designation had been met with considerable local objections.
- 1.5 The purpose of this report is to evaluate the suitability of this site for the intended client group as a transit site and specifically its suitability within the context of the MHCLG published good practice guide (which although now revoked provides useful information to inform this study).

2. Methodology

- 2.1 Within our original proposal we identified the following 4 elements of examination which would encompass our approach to this work:
- Economic – for example: business and population;
 - Social – for example: local services e.g. retail/hospital;
 - Community – for example: management agreement; and
 - Site opportunities and constraints – for example: relationship to the town including pedestrian routes, cycle paths and roads.
- 2.2 This approach was agreed with Rossendale Borough Council and the report responds to these identified areas of focus.

3. Introduction

- 3.1 Government planning policy on the statutory duties of local authorities to provide access to accommodation for Gypsies and Travellers are detailed in the Department of Government and Local Authorities 'Planning Policy for Traveller Sites' published in August 2015. In the first instance this places an obligation on local authorities to undertake an evidence-based analysis of the need within its district, and thereafter set out a clear strategy through its Local Plan in respect of how it intends to meet any such identified need. This primarily involves stipulating a specific target number of permanent and transit pitches that it believes it will require over a 5- year period as well as identifying the precise location(s) of such pitches.
- 3.2 Rossendale Borough Council had previously commissioned arc4 to prepare a Gypsy and Traveller Area Assessment (GTAA) which had identified a specific requirement for 4 Transit pitches within the local authority area. Subsequently, council officers had undertaken a detailed assessment of the potential advantages and disadvantages of a number of sites across the borough, and eventually resolved that the disused quarry at Little Tooter Hill on the outskirts of Bacup, presented the best opportunity to provide the 4 transit pitches.
- 3.3 This decision passed by the council in December 2019 was made with the full understanding that given the rural setting of this site that the council would need to comply with Policy C paragraph 14 of the afore mentioned Planning Policy which states that:
- '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'***
- 3.4 Furthermore, the Planning Policy further advises that local planning authorities should ensure that traveller sites are sustainable economically, socially, and environmentally. Local planning authorities should therefore ensure that their policies:
- a) Promote peaceful and integrated co-existence between the site and the local community;
 - b) Promote, in collaboration with commissioners of health services, access to appropriate health services;
 - c) Ensure that children can attend school on a regular basis;
 - d) Provide a settled base that reduces both the need for long distance travelling and possible environmental damage caused by any unauthorised encampment;
 - e) Provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development;
 - f) Avoid placing undue pressure on local infrastructure and services;
 - g) Do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans; and
 - h) Reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

- 3.5 Further to the decision being ratified the Council was seeking to include the site within its proposed emerging local plan, and afforded a six-week opportunity for the public and other interested parties to comment on the proposed location. At the end of the consultation period of the 25th February, the council had received 63 representations of which 57 opposed the proposal with just 2 supporting the plan.
- 3.6 The intention of this report is to provide a balanced assessment of the long-term sustainability of the intended site as a transit facility for short term stay by Gypsies and Travellers. In this regard, the focus will consider the economic, social and environmental impact the development of this site may have on the immediate community, and will also set out some of the design issues that the scheme will need to consider to mitigate some of the challenges of implementing the scheme taking into account the constructive comments articulated in the public consultation exercise.

4. Location

- 4.1 The site, at Little Tooter Hill Quarry, is located a couple of miles to the east of Bacup, just a few metres from the local authority boundary with neighbouring Calderdale – see Appendix A. The site is directly accessed off the A681 Todmorden Road that links Bacup to Todmorden, which connects to the A646 road to Burnley and thereafter Forest of Bowland and Yorkshire Dales National Park.
- 4.2 Todmorden Road is quite an open highway with good visibility for traffic heading both ways. The location of the access to the site is on an upward incline from Bacup and close to a bend in the road. Whilst visibility of the entrance to the site is good in daylight some thought may need to be given to ensure a safe egress for vehicles entering the A681 from the site, such as improved highway lighting, traffic warning signage, visibility splays, and/or traffic calming measures.
- 4.3 In terms of the suitability of the site from a sustainability perspective, Circular *01/2006 Planning for Gypsy and Traveller Caravan Sites*, identifies several factors which are critical to meeting this requirement.
- **Means of access, availability of transport modes and distance from services** – as mentioned previously, the site is well positioned on an established highway that links Bacup to Todmorden. Though the road is a single lane carriageway, the access to the site is near the brow of a slight incline with good visibility in both directions. The road is sufficient for the ease of access of caravans. There is a farm immediately opposite the access to the site and therefore it can be reasonably presumed that mains water, sanitation, drainage, and electricity connections are readily accessible to serve the site.
 - **Promotion of integrated co-existence between the site and local community** – the site is not in a built-up area, save and except for a pair of semi-detached cottages immediately opposite, plus a remote single dwelling behind the cottages and a nearby dwelling called ‘Toll House’. The nearest village, Sharneyford is situated some 400m from the site. Given the relative short walking distance from Sharneyford and also being a mile away from the town of Bacup, it is unlikely that the occupancy of any transit residents at this location would cause any disruption to the everyday quiet enjoyment of the homes of the existing community.
 - **Ground conditions and levels of land** – the site was previously a working quarry, and the access, as stated previously, is from an upward incline. Immediately within the redline boundary there is a flat concrete drive which leads into a steep crevice that was previously the working quarry, although mature vegetation has screened the actual excavation site itself. Bounded by a low-rise wall on both sides, it is this part of the site that would be suitable for establishing a transit encampment for possibly up to 4 pitches. Obviously if it is possible to widen the plateau within the site boundary, it may be possible to extend the size of the transit site. In terms of other geotechnical issues related to the site, there is no evidence of any contaminated land and the site itself is positioned away from any land waste sites or other industrial uses that may harm the health of the intended residents.

- **Not locating sites in areas of high flooding** – The site is not registered on the Environmental Agency Flood Map, however in the past there has been localised flooding arising from Greave Clough Brook overflowing. This culvert runs parallel along the A681 terminating at the site entrance. This though will not necessarily impact on the transit site element of the site as the rainfall will naturally drain with the incline of the slope away from the transit site. It is noted however that previously in considering this site for the intended purpose that local residents raised concern about this site flooding. Where a perceived flood risk exists, advice from the Environment Agency should be sought on the likelihood of flooding, depths and velocities that might be expected and the availability of warning services, to see whether proposals may be acceptable. It should be noted that since these objections were raised about localised flooding from Greave Brook, the Environment Agency has subsequently undertaken repairs to the culvert which have vastly improved the flood resilience of the area. In truth the Environment Agency prescribed exception test is not necessarily appropriate for this site however it may be prudent to seek reassurance from the Agency that the area is now safely protected from localised flooding. If necessary, it would be possible to raise the level of the site so that the accommodation would always sit above any expected flood level.

5. Social Impact

- 5.1 A number of respondents to the public consultation process had expressed concerns that the provision of the transit facility in this locality would be both, an inconvenient location for any potential residents themselves in terms of accessing local services, but would also create an unnecessary demand on the existing public services that were already stretched within this rural setting.
- 5.2 In terms of healthcare it should be noted that a recent report by Dr Adrian Marsh on behalf of the Romani Arts and the Cultural Company with the support of the NHS Wales and the NHS Centre for Equality and Human Rights (www.romaniarts.co.uk) highlighted the inequality the Gypsy and Travellers community face in accessing medical services despite the fact that this ethnic group face high levels of health inequalities, including a shorter life expectancy. Ironically because of their lifestyle, and comparatively poor diet they actually have a greater need to access health care facilities more often and regularly.
- 5.3 **Access to Health facilities** – The Irwell Medical Practice is the primary healthcare centre nearest to the site some 1 ½ miles away on the Rochdale Road in Bacup. The practice has 10 qualified doctors as well as 6 nursing practitioners with approximately 14,744 registered patients. Any new applicants must be resident within 3 ½ miles of the centre which obviously would include the intended site (see www.irwellmedicalpractice.nhs.uk). There are also two pharmacies within walking distance of the medical facility. Unfortunately, dental surgeries are quite sparse in close proximity and the nearest one at Rossendale Dental Health Centre, Burnley Road is currently not accepting NHS patients.
- 5.4 **Access to Schools** – Sharneyford Primary School is the nearest to the site approximately 800m west on the A681 Todmorden Road. This school which is for 4-11 years, has a capacity of 70 pupils, and is currently operating with 2 vacant places (as of December 2019). The school promotes '*an ethos of respect and empathy where diversity is valued and celebrated*'. Bacup Thorn Primary School (245 pupils) and St Mary's Roman Catholic Primary School, are both less than 2 miles from the site and easily accessible utilising the local bus service.
- 5.5 **Access to Shops** – Both a Morrisons and Spar supermarket(s) are accessible by public transport and private vehicle alike being less than 2 miles from the site to the west of Bacup town centre.
- 5.6 **Access to Public Transport** – The site is within 200m of the Sharneyford Terminus which is a bus stop on the no 8 Burnley to Todmorden service connecting to Todmorden within 14 minutes to the east, and to Bacup (3 minutes) and Rawtenstall (25 minutes). Train services can be accessed at Walsden (3.25 miles to the west) that links through to Rochdale via Littleborough, and thereafter Manchester as well as Burnley (6.46 miles) that connects to Bury and again thereafter Manchester.
- 5.7 **Maps provided in Appendix B** provide an overview of the distance that the site is situated from public services within a radius of one and two miles.
- 5.8 Contextually, Sharneyford has a population of approximately 985 (2011 Census) of which 72% are home owners and over 25% are retired whilst nearby Bacup has a

population of 13,320 (2011 Census). Bearing in mind that the likely occupancy of any one pitch is estimated to be no greater than 2 adults plus 3 children, it is reasonable to assume that existing services should be able to absorb any potential demand that may be created from a marginal increase of 0.2% of the local population.

6. Environmental Impact

- 6.1 Here we need to consider whether the actual establishing of a small transit pitch development at the specified location would through the course of undertaking the project as well as its operational management thereafter have a detrimental impact on the immediate environment, and secondly to consider whether the residents living within the transit pitches once complete would be unnecessarily exposed to potential harm from the immediate environment.
- 6.2 In considering both these issues we must be conscious that Little Tooter Quarry has been closed as a working quarry for a considerable time, and it is quite evident in walking the site, that nature has to some extent reclaimed the landscape with the previously excavated site now overgrown with plant life attracting a wide variety of insects that provides a strong footprint to reinvigorate the biodiversity of the site. In some senses it has the appearance of a mini moorland marsh with a collection of pools, rushes, dwarf trees and sphagnum moss which in itself retains water. This is perfect habitat for frogs and toads to spawn, and other species noted such as herons and bees, have been attracted back to the ferns and bracken that have flourished in recent years.
- 6.3 Council Planning Policy ENV6: Green Infrastructure states, ***‘development proposals should seek to avoid or...mitigate biodiversity impact on site. Schemes which would result in a net loss of green infra structure on-site will only be permitted if: the loss resulting from the proposed development would be replaced by equivalent or better provision elsewhere, and that the proposals would not have an unacceptable impact on amenity, surface water run-off, nature conservation or the integrity of the green infra structure network.’***
- 6.4 The council recognises that if a planning application is to be brought forward for this site then it will need to engage the services of an ecology and environmental consultant to formally assess the biodiversity within the site and develop a strategic plan to ensure it is protected as much as possible or if appropriate its loss is calculated to enable a 20% greater contribution than that lost is provided elsewhere. The principal objective will be to identify and quantify any loss of wildlife and set out a long-term maintenance plan for the retention of the remaining biodiversity system and wildlife to properly plan and manage its future growth. It should be recognised that less than 5% of the specified site is intended to be used for redevelopment, and the majority of the intrusive works related to the pitches will be on scrub land immediately to the east of the entrance, and not where the former quarry pit is established.
- 6.5 Council Planning 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....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.’***

- 6.6 The site does appear to hold water quite easily in heavy rain however the Environment Agency do not have it registered either in Flood Zone 2 or 3, and whilst there have been several references to flooding by respondents to the consultation exercise, this to a large extent has been a consequence of the Greave Clough Brook overflowing which runs parallel to the front boundary along the Todmorden Road. Recent works undertaken by the Environment Agency would appear to have eased the problem. Regardless, an argument could be made that the site because of the very fact that it is an excavated quarry pit that it is vulnerable to retaining heavy rainfall could be construed as a Critical Drainage Area, and therefore any redevelopment should incorporate a Flood Risk Assessment and an appropriate drainage and attenuation strategy to be discussed and agreed with the Environment Agency. The council's proposed development will have minimal impact on increasing the surface water run-off rates into the quarry given that it is not seeking to construct any permanent residential dwellings but simply provide serviced pitches for intermittent use by travellers. Whilst there will be some infrastructure works in terms of improving the access road, and new spurs to each pitch, such works can be designed within a Sustainable Urban Design System based on utilising micro drainage calculations and thereafter designing the most appropriate low discharge attenuation scheme. This would be exceeding the Environment Agency requirements within Flood Zone 1 areas but perhaps if implemented will provide some reassurance to the local community.
- 6.7 In some respect the issue to be considered through the design phase is to ensure that the new residents are not exposed to undue risk through potential flooding. The positioning of the pitches away from the excavated quarry which is recognised acts as a huge basin to collect rainfall and surface water, will greatly enhance their physical safety and furthermore some consideration will be given through the design stage to implement measures that will provide some protection to the static mobile homes from the strong winds that have been experienced in this locality. Again, the positioning of the pitches as close to the established highway and not within an exposed location in the site will assist in this matter.
- 6.8 Equally, some respondents have raised concerned that the quarry is within an ancient Neolithic and Bronze Age site and therefore must be treated as Heritage land. There is already existing protocol that would need to be followed if a development is to proceed which would involve undertaking an Archaeological Impact Assessment, and clearly the council would be duty bound to undertake such a survey etc. if it decided to proceed with a scheme. The Council is conscious that previous site investigations has highlighted a number of artefacts dug up from underneath the peat within the quarry site that date from this Neolithic age, and there have been suggestions that some earth mounds are evidence of historic settlements. The intent to provide transit pitches would enable the Council to implement a design that would neither encroach on these mounds nor disturb any artefacts that may still be buried underneath. Any groundworks will be undertaken using permeable materials and there is no intention of undertaking any significant excavation to lay concrete foundations or new drainage runs that would be a detriment to the archaeological significance of the site.
- 6.9 Similarly, both the Toll House opposite the site and the quarry wall entrance which are both heritage Grade11 listed will not be affected at all by the proposed development. The proposed design deliberately sets back the pitches from the entrance thereby

ensuring that there is no interference with the quarry wall structure and also respecting the visible sight line that these assets present when travelling across the County border in either direction. The Council recognise that in bringing forward a planning application for the proposed pitches a more detailed archaeological assessment of the site, along with formal consultation with Historic England on the design proposals will be required.

7. Economic Impact

- 7.1 The location of the site is on the outskirts of the village and 1 ½ miles to the east of Bacup. There are no active trading businesses within close proximity to the site, and very little residential housing save and except for the farm opposite.
- 7.2 There have been very few objections to the proposal from local businesses or suggestions that the siting of the transit pitches would have a detrimental impact on businesses.
- 7.3 Indeed, most people's concerns are more related to the potential danger for any Travellers entering or leaving the site because of the potential of large lorries that drive over the connecting highway to Yorkshire. The issue of safe egress and the measures required in terms of designing the access from the site to Todmorden Road would be dealt with as part of any subsequent planning application.

8. Site Opportunities and Constraints

- 8.1 The location of the site is some 50 metres from the bend of the Todmorden Road as traffic crosses the border between Rossendale and Calderdale. Whilst the road itself does not have a vast volume of traffic travelling to and from Bacup and Todmorden each day, the access into the site on the southern side of the highway may cause difficulty for traffic travelling east towards Bacup noticing any vehicles leaving the site. Visibility splays, traffic mirrors, and speed restriction measures should be considered as part of a wider traffic assessment plan that will accompany the planning application.
- 8.2 The design of the development itself limits the amount of footprint that would be needed within the quarry site in so far as in effect the proposal is primarily to extend the existing access entrance by some 30m, provide a turning head for vehicles and to the east of the site locate the 4 pitches. A separate washing/toilet block will be installed adjacent to the first pitch.
- 8.3 Connecting to utilities will be a challenge bearing in mind that there is no mains water to serve the site however prior to any planning application being submitted, the council will have discussions with United Utilities and other professionals to consider the most cost-effective ways of servicing the pitches.
- 8.4 One of the key considerations within the design will be the health and safety of the residents. In terms of potential exposure to noise pollution from the nearby highway, the intention will be to undertake a detailed acoustic survey which will inform the design team in respect of the distance the pitches can be set back from the highway.
- 8.5 Obviously, there is the risk with this location of persons especially children accessing the water filled quarry, and the design will need to accommodate high perimeter screening around the site to ensure that such a risk is minimised as far as feasible.
- 8.6 It is worth noting that the occupation of the site by Travellers will be managed by the council or one of its housing association partners, and any residency permit granted will be for a specific period and subject to complying with any rules that the council deem appropriate. The intention is to ensure that there is no over occupation of the site, no running of businesses, zero tolerance to anti-social behaviour are all matters that may be managed within the licence to occupy agreement.
- 8.7 Whether the site is developed for transit or permanent occupancy its essential that the scheme is in keeping with the character of the area. Now obviously this is primarily going to focus on the landscaping and screening of the static homes, as other than the washing/toilet block there will be no permanent buildings erected on site. Again, the issue of design of the hard and soft landscaping would in most developments be conditioned by planning however given the sensitivity of the aesthetics of this proposal it would probably be worth detailing these aspects as part of the planning submission.

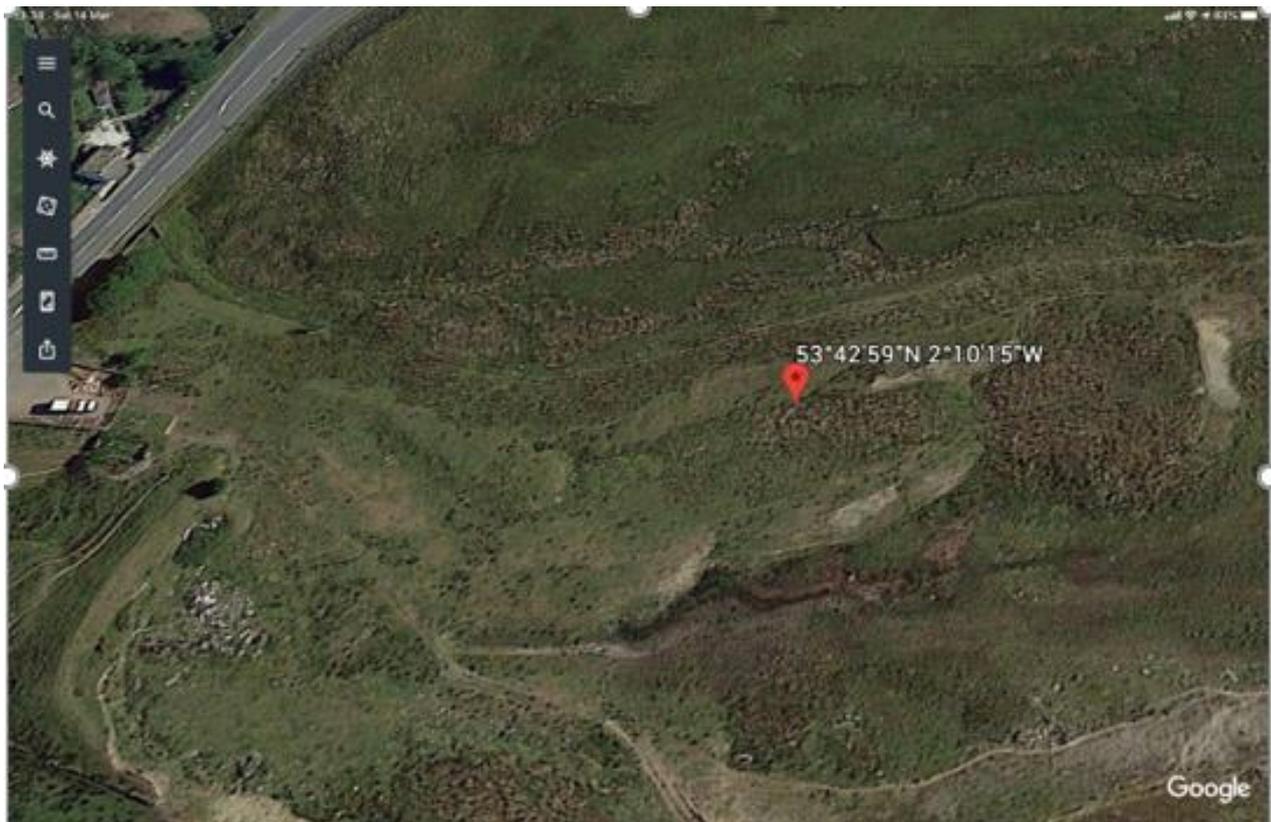
Clearly a key consideration in promoting any site for Gypsies and Travellers' is to ensure that any intended site has the potential to encourage integration between the new residents and the existing community. This often revolves around striking a balance between the existing residents needs to ensure their privacy is respected and on the other hand ensuring the site offers an opportunity for the new residents to establish a stable footing to enable their family to flourish. The positioning of this site on an

established link road between Yorkshire and Lancashire, a mile outside the nearest town and situated in a relatively sparse location provides such privacy to both communities. The benefit of this site is the opportunity through the design to provide an adequately screened site that protects the future residents from inclement weather conditions but which also ensures their safety and privacy in so far as the pitches themselves may be positioned several metres from the main highway and will largely be unnoticed by passing pedestrian and vehicle traffic. Respect for personal space can be clearly established in this setting, and the site itself provides sufficient distance from the nearest large town (Bacup) to provide a degree of reassurance that the occupation of the site will not have a disparaging effect on local businesses or public services.

9. Conclusions

- 9.1 Clearly, the proposal to position the Gypsy and Traveller site at this location is a highly emotive topic within the local community as can be seen by the plethora of objections to the proposal. Previously the council has attempted to promote this site as a suitable location and has had to withdraw its intention due to the public outcry.
- 9.2 Legitimately, concerned residents would want to know what has changed in circumstances from the previous rejection of the site to now. Quite simply, the current proposal is more robust and has taken into account the views expressed by the community and developed a solution that protects the natural ecological habitat that has evolved over time within the quarry, and limited the scale of development to one small physical structure, a new entrance/vehicular turning head, and some hardstanding areas for the 4 pitches.
- 9.3 It is worth noting that in implementing these works, there is an opportunity to improve pedestrian links to the quarry which may enable it to become more of a community benefit than simply a disused overgrown private site.

Appendix A: Site Location – Little Tooter Hill Quarry - Sharneyford



Appendix B: Site Location and surrounding facilities/amenities

