

Meeting of: The Council

Wednesday 11th December 2024 at 6.30pm or at the conclusion of Question Time and Public Engagement whichever is the later.

Venue: Council Chamber, The Business Centre, Futures Park, Bacup. OL13 0BB



The meeting will also be live streamed at the following link:

<https://www.youtube.com/channel/UCrLsMDOP7AYxik5pNP0gTIA/streams>

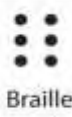
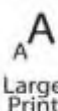
Supported by: Carolyn Sharples, Committee and Member Services Manager Tel: 01706 252422

Email: democracy@rossendalebc.gov.uk

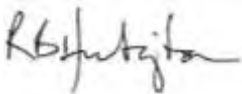
ITEM		Lead Member/Contact Officer
A.	BUSINESS MATTERS	
A1.	Apologies for Absence	
A2.	To approve and sign as a correct record the minutes of the meeting on 2 nd October 2024.	
A3.	Urgent Items of Business To note any items which the Chair has agreed to add to the Agenda on the grounds of urgency.	
A4.	Declarations of Interest <i>Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary.</i> Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial, withdraw from the meeting during consideration of the item.	Clare Birtwistle, Head of Legal/ Monitoring Officer (01706) 252438 clarebirtwistle@rossendalebc.gov.uk
B.	Communications from the Mayor, the Leader or Head of Paid Service To receive any communications from the Mayor, the Leader, or the Head of the Paid Service that they may wish to lay before the Council.	The Mayor, Councillor Driver, The Leader, Councillor A.Barnes and Rob Huntington, Chief Executive 01706 252447 robhuntingdon@rossendalebc.gov.uk
C.	ORDINARY BUSINESS	
C1.	Edenfield Neighbourhood Plan referendum To consider the Edenfield Neighbourhood Plan referendum report	Councillor A. Barnes/ David Smurthwaite, Director of Economic Development 01706 252429 davidsmurthwaite@rossendalebc.gov.uk

The agenda and reports are also available for inspection on the Council's website <https://www.rossendale.gov.uk/>. Other formats are available on request. Tel 01706 217777 or contact Rossendale Borough Council, Futures Park, Bacup, OL13 0BB

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C2.	Review of Public Space Protection Orders for Alcohol, Nitrous Oxide and Off Road Bikes To consider the PSPO review for Alcohol, Nitrous Oxide and Off Road Bikes	Councillor Lythgoe/ Andy Taylor, Head of Environmental Services 01706 252519 andrewtaylor@rossendalebc.gov.uk
C3.	Response to audit recommendations under Paragraph 2 of Schedule 7 of the Local Audit and Accountability Act 2014 To consider the response to the audit recommendations	Councillor Walmsley/ Chris Warren, Director of Resources/ S151 Officer 01706 252428 chriswarren@rossendalebc.gov.uk
C4.	Public Meeting Schedule To consider the Public Meeting Schedule 2025/26	Councillor Lythgoe/ Clare Birtwistle, Head of Legal/ Monitoring Officer 01706 252438 clarebirtwistle@rossendalebc.gov.uk
C5.	Urgent decisions To note any urgent key decisions that have been taken by the Cabinet since the last meeting of the Council: Special Urgency Decision taken 15 th October 2024 regarding the acceptance of the Household Support Fund 6 (HSF6) grant. https://www.rossendale.gov.uk/downloads/file/18669/special-urgency-decision-household-support-fund-6	Clare Birtwistle, Head of Legal/ Monitoring Officer (01706) 252438 clarebirtwistle@rossendalebc.gov.uk
D.	RECOMMENDATIONS FROM THE CABINET AND OTHER COMMITTEES	
D1.	Recommendation of the Governance Working Group Dispensations	Councillor Lythgoe/ Clare Birtwistle, Head of Legal/ Monitoring Officer 01706 252438 clarebirtwistle@rossendalebc.gov.uk



Rob Huntington
Chief Executive

Date Published: 3rd December 2024

COUNCILLOR JUDITH DRIVER, MAYOR

MINUTES OF: THE COUNCIL OF THE BOROUGH OF ROSSENDALE

DATE OF MEETING: 2nd October 2024

PRESENT: The Mayor Councillor Driver (in the Chair)
Councillors Ashworth, A. Barnes, S. Barnes, Belli, Bleakley, Cheetham (part), Gill, Hancock, Harris, Harrison, Hodgkiss, Holland, Looker, Lythgoe, McInnes, McMahon, Neal, Norton, Payne, Royds, M. Smith, S. Smith, Walmsley and Woods.

IN ATTENDANCE: Rob Huntington, Chief Executive / Head of Paid Service
Clare Birtwistle, Head of Legal Services / Monitoring Officer
David Smurthwaite, Director of Economic Development
Darren Kershaw, Mayor's Attendant
Phillip Veevers, Mayor's Attendant

ALSO IN ATTENDANCE: 1 press

1. Apologies for Absence

Apologies for absence were received for Councillors Adshead, Bauld, Eaton, Kenyon and Procter.

2. Minutes

Resolved:

That the minutes of the meeting held on 17th July 2024 be signed by the Mayor as a correct record.

3. Urgent Items of Business

There was one urgent items of business regarding the position of Deputy Mayor. The current Deputy Mayor, Councillor Annie McMahon would be stepping down at the end of the meeting and Councillor Michelle Smith had been proposed to fulfil the role for the remainder of the term.

Resolved:

That Councillor Michelle Smith be appointed as the Deputy Mayor for the remainder of the term.

4. Declarations of Interest

There were no declarations of interest.

5. Communications from the Mayor, the Leader or Head of Paid Service

The Mayor updated members on the Civic Harvest Sunday event on Sunday 6th October 2024 at St Mary's Church Rawtenstall at 3pm and asked that those interested to contact the Civic Services Officer to assist in catering numbers.

The Head of Paid Service had no communications.

The Leader of the Council provided the following updates:

There would be changes to the Cabinet now that Councillor Michelle Smith would be the Deputy Mayor and Mayor next year, these were as follows:

- Councillor Walmsley had stepped into the role of Deputy Leader.
-

- Councillor Harris would be joining Cabinet and taking over the Economic Development portfolio.
- The Leader of the Council would cover the Planning portfolio.
- Councillor Lythgoe would cover Licensing and Enforcement.

N.B. Councillor Cheetham entered the meeting.

The Leader informed that there had been a government announcement relating to the Combined Authority (CA) for Lancashire. Following the proposal being submitted in March 2024, government had stated that the tests had been met for implementation. The necessary regulation to provide establishment would be laid before Parliament in the New Year. The County CA would receive powers to improve the integration of local transport and transport functions, to exercise compulsory purchase powers, it would receive a fully devolved adult education budget for 2026/27, and £20m capital funding in the current spending period. It was the first step in the devolution journey with deeper devolution expected in Autumn 2025.

ORDINARY BUSINESS

6. Rossendale LUF Regeneration Programme – Outline Execution Plan – Interim Report (Capital Regeneration Projects)

The Council considered the Rossendale LUF Regeneration Programme – Outline Execution Plan – Interim Report (Capital Regeneration Projects).

In response to questions from members it was confirmed that:

- There was a need to keep on top of costs and procurement.
- In relation to Union Street Bacup, Lancashire County Council (LCC) had raised some concerns and the Council was working with them. The response would be fed back.
- In relation to transferring Rawtenstall market traders onto the town square, the Council was still working through this and would provide feedback when more was known.
- The pool at Whitworth was closed at the time the funding was applied so the Council had not been in a position to apply for Whitworth.
- There were multiple schemes with tight timelines, but they were significant projects in the borough which were most welcome.

Resolved:

Full Council noted the progress to date on the delivery of the projects within the Levelling Up/Capital Regeneration Programme.

Reason for Decision

Successful completion of the programme would support Rossendale to have a Thriving Local Economy and in turn support our Economic Development Aspirations.

Alternative Options Considered

None.

NOTICES OF MOTION

7. Notice of Motion

Councillor Samara Barnes moved the following motion, which was seconded by Councillor Danielle Ashworth:

This Council notes:

Swifts are an iconic migratory species that grace our skies each summer with their thrilling acrobatic flight displays, they have nested alongside us for centuries, thus providing

opportunities for people to engage with nearby nature, which is now well recognised to be of great value to our well-being.

Swifts and House Martins are “building-dependent” species, House Sparrows and Starlings partially so. However, as the new Biodiversity Net Gain Metric does not consider buildings as habitat, provision for them is not counted within the metric. It is, however, encouraged by the Design Codes thus these species require specific inclusion within Local Planning Policies.

A further challenge in that modern housing is designed to ensure properties lack any gaps or spaces, such as would be used as for breeding sites by urban bird species and bats too. When combined with the continued reduction of potential nest sites on existing buildings caused by refurbishment and repairs, this overall loss of breeding opportunities has resulted in a long-term dramatic decline of urban birds. Swifts, House Sparrows, House Martins and Starlings, all now red-listed, by the British Trust for Ornithology, indicating species of high conservation concern. Thus, without proactive policy we stand to lose many species, causing further deprivation of nature in urban areas.

It has been recognised that integrating nest bricks into the structure of the new buildings is a much-preferred solution over bird boxes; they are a permanent feature of the building, require zero maintenance, are aesthetically integrated within the design, less vulnerable to vandalism and have better thermal regulation with future climate change in mind.

Furthermore, analysis of breeding records from new housing estates built with integrated Swift bricks has shown that these spaces are readily used by both Swifts and other urban bird species, particularly House Sparrows; thus, Swift bricks are a universal nest brick for small bird species.

Best-practice guidance has recently been made available with the publication of British Standard BS42021:2022 Integral Nest Boxes – selection & installation for new developments

<https://knowledge.bsigroup.com/products/integral-nest-boxes-selection-and-installation-for-new-developments-specification-1/standard>

This Council resolves to:

- 1. Ensure the inclusion of swift bricks on in future developments via the ‘Residential Alterations Supplementary Planning Document,’ (SPD) which provides more detailed guidance on residential building works.*
- 2. Rossendale Borough Council will lobby housing associations who have stock in the borough to include Swift bricks in any future development and any re-roofing scheme that happen in the borough (especially if there is evidence of existing nests).*
- 3. Pledge ongoing commitment to this scheme by accepting that best practice, in the form of British Standard 42021:2022, should be proposed and adopted within any new Local Plan that the council adopts going forward.*

In response to questions from members it was confirmed that:

- It would apply to new builds and not retrospectively, but it could be implemented if there was a desire to do so.*
- It did not affect the insulation of a property.*
- Swift stones were available in all building type materials.*
- Officers had confirmed that this could be included in an SPD and implemented.*

Resolved:

This Council resolves to:

1. Ensure the inclusion of swift bricks on in future developments via the 'Residential Alterations Supplementary Planning Document,' (SPD) which provides more detailed guidance on residential building works.
2. Rossendale Borough Council will lobby housing associations who have stock in the borough to include Swift bricks in any future development and any re-roofing scheme that happen in the borough (especially if there is evidence of existing nests).
3. Pledge ongoing commitment to this scheme by accepting that best practice, in the form of British Standard 42021:2022, should be proposed and adopted within any new Local Plan that the council adopts going forward.

Reason for Decision

To support the motion.

Alternative Options Considered

None.

8. Notice of Motion

Councillor Scott Smith moved the following motion, which was seconded by Councillor Alan Woods:

- *The Government's recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit may result in more than 11,000 of our residents in Rossendale, who badly need the money to stay warm this winter, not being eligible to receive the payment.*
- *Many of our residents do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.*

Council resolves to:

- *Bring forward a Council-led local awareness campaign to alert those eligible of Pension Credit which in some respects will help access to the Winter Fuel Payment for those most in need.*
- *Request that the Council Leader write to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the Government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.*
- *Write to all members offering them the opportunity to sign the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK themselves.*
- *Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Rossendale are supported in claiming their entitlement.*

An amendment to the second resolution was moved by Councillor Harris and seconded by Councillor Alyson Barnes as follows:

Request that the Council Leader write to the Chancellor of the Exchequer, urging that future reviews of pensions and other benefits results in income levels that meets recipients' day to day needs and keeps them out poverty. This regular income should not rely on top up payments.

In response to the amendment, members noted the following:

- The Pension Credit application process was weighty, and some people were unaware of how to apply, but there was help to residents and people should be applying for what they are entitled to.
- It was important to provide practical support to claim Pension Credits.

- Highlighting the help of Rossendale Valley Energy in the borough was also important.
- Action to tackle fuel and food poverty was needed.
- Having to apply for benefits produced gaps.

Members voted on the amendment becoming the substantive motion.

A recorded vote was requested by Councillors S Smith, Woods and Hodgkiss.

Voting took place as follows:

Name	Vote
Cllr Ashworth	For
Cllr Alyson Barnes	For
Cllr Samara Barnes	For
Cllr Belli	For
Cllr Bleakley	For
Cllr Cheetham	Against
Cllr Driver	For
Cllr Gill	For
Cllr Hancock	For
Cllr Harris	For
Cllr Harrison	For
Cllr Hodgkiss	Against
Cllr Holland	Against
Cllr Looker	For
Cllr Lythgoe	For
Cllr McInnes	For
Cllr McMahan	For
Cllr Neal	For
Cllr Norton	For
Cllr Payne	For
Cllr Royds	For
Cllr Michelle Smith	For
Cllr Scott Smith	Against
Cllr Walmsley	For
Cllr Woods	Against
For:	20
Against:	5
Abstentions:	0

The amendment was carried and became the substantive motion.

Resolved:

Council resolves to:

- Bring forward a Council-led local awareness campaign to alert those eligible of Pension Credit which in some respects will help access to the Winter Fuel Payment for those most in need.
- Request that the Council Leader write to the Chancellor of the Exchequer, urging that future reviews of pensions and other benefits results in income levels that meets

recipients' day to day needs and keeps them out poverty. This regular income should not rely on top up payments.

- Write to all members offering them the opportunity to sign the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK themselves.
- Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Rossendale are supported in claiming their entitlement.

Reason for Decision

To support the amended motion.

Alternative Options Considered

None.

(The meeting commenced at 6.46pm and concluded at 8.00pm)

Signed.....

(Chair)

Date

Subject:	Edenfield Neighbourhood Plan (2021-2036) – Decision Statement and Referendum	Status:	For Publication
Report to:	Council	Date:	11 December 2024
Report of:	Head of Planning	Lead Member:	Leader of the Council and Lead Member for Planning
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: Yes	Attached:	Yes
Biodiversity Impact Assessment:	Required: Yes	Attached:	Yes
Contact Officer:	Anne Storah	Telephone:	01706 252418
Email:	annestorah@rossendalebc.gov.uk ;		

1. RECOMMENDATION(S)

- 1.1. To agree the Regulation 18 Decision Statement for the Edenfield Neighbourhood Plan (Appendix 1)
- 1.2. To agree to the modifications proposed by the Examiner to the draft Neighbourhood Plan as set out in the Regulation 18 Decision Statement
- 1.3. To agree that the Neighbourhood Plan proceeds to a referendum, subject to the modifications set out in the Regulation 18 Decision Statement) with a voting area to be the same as designated for the Neighbourhood Area

2. EXECUTIVE SUMMARY

- 2.1. The draft Edenfield Neighbourhood Plan (2021-2036) has been subject to independent examination. The independent Examiner has found that the draft neighbourhood plan, subject the modifications set out in the examination report, meets the Basic Conditions and other relevant legal requirements and can therefore proceed to a referendum.
- 2.2. The contents of the Examiner's report have been considered and it is recommended that all of the modifications recommended by the examiner are accepted. (Minor changes, which do not affect the Basic Conditions, have also been made in agreement with the Edenfield Community Neighbourhood Forum to ensure the Referendum version is up-to-date).
- 2.3. The Council, in line with the Regulations, must now publish a Regulation 18 Decision Statement.
- 2.4. Once these modifications have been made, the neighbourhood plan can proceed to a referendum within the Edenfield Neighbourhood Area.

3. BACKGROUND

- 3.1. The draft Edenfield Neighbourhood Plan (ENP), prepared by Edenfield Community Neighbourhood Forum (ECNF), has followed the process set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

- 3.2. Neighbourhood Plans were introduced under the Localism Act of 2011 to give local communities more control over the type, location, size, pace and design of development in their area. These plans, which must align with the Local Plan, become part of the development plan for the area once passed by an independent examiner, ratified by the local community through a referendum, and made by the Local Planning Authority.
- 3.3. The draft Edenfield NP was submitted to the Council for consultation in February 2024. Following statutory consultation held 17 June to 30 July, Andrew Freeman BSc (Hons) DipTP DipEM FRTPI was appointed to examine the neighbourhood plan with the agreement of ECNF. The Council received the final examination report in November.
- 3.4. The Examiner's Report (Appendix 1) recommends that the ENP, subject to modifications, meets the Basic Conditions and other relevant legal requirements, and can therefore proceed to a referendum. The contents of the Examiner's Report have been considered and it is recommended that the recommended modifications and reasons set out by the examiner are accepted. The Examiner's proposed modifications, are set out in the Regulation 18 Decision Statement, appended to this report. Subject to these modifications being made, the draft ENP meets the Basic Conditions and can therefore proceed to Referendum. In addition a number of minor updates, corrections, typographic errors and formatting changes have been made in agreement with the ECNF. Attached to this Report is the Referendum Version of the Edenfield Neighbourhood Plan (Appendix 2). All the changes being proposed are shown in the Tracked Change Referendum Version (Appendix 3)

4. DETAILS

- 4.1 The Edenfield Community Neighbourhood Forum was designated initially in April 2018. As designation only lasts for 5-years, the Forum successfully applied for re-designation, which will remain in place until 18 April 2028. The designation process involved consultation. Details of this can be viewed on the Council's website [Edenfield Community Neighbourhood Forum | Neighbourhood Plans | Rossendale Borough Council](#).
- 4.2 The defined Edenfield Neighbourhood Area was also subject to consultation and formal designation. The boundary follows the A56 to the west and Dearden Brook to the south. To the east it follows Michael Wife Lane/Gincroft Lane, and the northern boundary is defined by Fish Rake Lane, following the ward boundary.
- 4.3 The work undertaken by the ECNF in preparing the NP is discussed in the Consultation Document, included as a Background Document. The Regulation 14 consultation took place between 3 March 2023 and 20 April 2023. The NP was re-drafted and submitted to the Council. In line with the Regulations the Council published for consultation the Regulation 16 version. This began on 17 June and ran for 6-weeks, finishing on Tuesday 30 July. In total 22 responses were received from a number of statutory consultees, other organisations, residents and planning agents acting on behalf of developers.
- 4.4 The Neighbourhood Plan was submitted by the Council for examination and, in agreement with the Forum, Andrew Freeman BSc (Hons) DipTP DipEM FRTPI was appointed as the independent examiner. Copies of the Draft Neighbourhood Plan, Policies Map, supporting documentation and representations received during the consultation on the Regulation 16 version were provided to the Examiner for their consideration.
- 4.5 The Examination was held by written representations with the Examiner requesting further information and clarification from the Council and the Neighbourhood Forum. The

Examiner considered whether the plan meets the basic conditions and other requirements set out in law, in particular whether it:

- has regard to national policy
- contributes to the achievement of sustainable development
- is in general conformity with the adopted strategic policies for the local area
- is compatible with EU obligations

4.6 The Examiner’s Report recommends that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements. The Examiner considered whether the referendum area should extend beyond the designated area to which the Plan relates and concluded that it should not. The Examiner concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Edenfield Community Neighbourhood Forum;
- the Plan has been prepared for an area properly designated – the Edenfield Neighbourhood Area – Figure 1 on Page 2 of the Plan;
- the Plan specifies the period to which it is to take effect – 2021 - 2036; and
- the policies relate to the development and use of land for a designated neighbourhood area.

4.7 The Examiners Report concludes (para 5.1 and 5.2):

“The Edenfield Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan and the evidence documents submitted with it.

I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum”.

4.7 The Examiner has recommended modifications to the Plan (PMs) in the report in order that the ENP meets the Basic Conditions and other legal requirements. These modifications are listed separately in the Appendix to the Examiners Report and can be found in the attached Appendix 1 to this Report:

Proposed modification number (PM)	Page no/ other reference	Modification
PM1	Pages 16, 17 and 19	References to the ‘settlement boundary’ in the Neighbourhood Plan should be changed to ‘Urban Boundary’, to ensure consistency with the Local Plan and Policies Map. These references are located in : <ul style="list-style-type: none"> - Paragraph 5.4; - Policy UB1 (in three places: the title of the policy and in points 1 and 2); and - Policy HO1. In the text supporting Policy UB1, identify the “other guidance” that is to be taken into account by applicants.
PM2	Page 20	In the first paragraph of Policy HO3, replace “priority will be given in the first instance to” with “the affordable housing shall be first occupied by”.

PM3	Page 21	Delete numbered paragraph 2 in Policy HO4. As a consequence, delete the words “and to the Community Centre” in paragraph 1.c) of Policy HO4,
PM4	Page 23	In Policy D1 d), add “as appropriate,” before “reflect”.
PM5	Page 25	In Policy D2 a), add “As appropriate” before “incorporating”. In numbered paragraph 4 of Policy D2, replace “Applicants” with “Developers”. In paragraph 7.8 of the text supporting the policy, list the best practice guidelines to be taken into account by developers.
PM6	Page 32	In Policy HE1, replace “conserved and enhanced” with “conserved or enhanced”.
PM7	Page 35	In Policy T2, replace “traffic flows” with “traffic movements”. At the beginning of the third part of the policy, insert “Upon the request of the Local Planning Authority, and” before “given”.
PM8	Page 39	In the first sentence of Policy LC2, replace “the developer” and all subsequent words with the following: “... financial contributions will be sought from the developer through negotiations with Rossendale Borough Council and secured as appropriate through a Section 106 planning obligation.”
PM9	Page 39	In Policy LC4, replace “will be required to comply with” with “shall have regard to”.
PM10	Page 41	In Policy E1, delete the words: “within the Neighbourhood Parade or at other locations in the Neighbourhood Area.”
PM11	Page 42	At the commencement of Policy E2, add “Where planning permission is required” before “all existing premises”.
PM12	Page 44	Replace the second paragraph of Policy GI1 with the following: “Development shall be consistent with national and local policy for Green Belts.”
PM13	Page 44	In Policy GI3, replace “establish publicly accessible links” with “provide for links”.
PM14	Page 44	In Policy GI4, replace “proportionate increase in Local Green Space” with “proportionate increase in space that meets the criteria set out in the NPPF”.
PM15	Page 48	At the opening of Policy NE3, change the text so that it reads, “Development will retain or enhance...”.
PM16	Page 51	At the end of the first sentence in Policy DMR1, add “and Paragraph 57 of the NPPF”.
PM17	Pages 15 and 51	Delete Policy DMR2. Include the content as part of the supporting text within Section 14 of the Plan. A change to Table 3 (paragraph 4.3) will also be required to reflect this deletion.

- 4.8 Local authorities will normally follow the independent examiner's recommendations, however, if they make a different judgement clear reasons would need to be given if departing from the examiner's recommendations. Also, additional consultation would need to take place. There are exceptional circumstances where the Secretary of State may be asked to intervene, where the local authority fails to submit a plan for referendum or departs from an examiner's recommendations. Modifications must be discussed with the neighbourhood planning body, which has the option of withdrawing the plan if it is unhappy with the changes proposed by the local planning authority. There is no reason as to why these changes recommended by the Examiner should not be made.
- 4.9 As soon as possible after modifying the plan, the local planning authority must publicise details of the modification(s) and where they can be inspected on their website. This is set out in the attached Regulation 18 Decision Statement. The option for the neighbourhood planning body to withdraw the neighbourhood plan ends once the decision on the Examiner's modifications is publicised (Regulation 18 Decision Statement). The decision on the Examiner's recommendations must be made within 5 weeks from the day following receipt of the examiner's report, or the local planning authority and neighbourhood planning body may agree a date. The Council has been in contact with the Forum and agreed the Examiner's Proposed Modifications.
- 4.10 Following publication of the Decision Statement, the Council's Election Team will arrange for the referendum to take place. The local authority is required to publish information about the neighbourhood plan 28 working days before the date of the referendum. Then 25 working days before the date of the referendum, the Council must give notice that a referendum is taking place and the date of the poll. Details of the Referendum still need to be confirmed with the Elections team.
- 4.11 The neighbourhood planning body may encourage voting and disseminate information on the proposed neighbourhood plan, within reasonable expense limits. Public money can only produce factual material about the neighbourhood plan, not promote a yes vote. However, others may act independently, using independent funds, to campaign for a 'yes' vote.
- 4.12 People on the electoral register within the Neighbourhood Area will be entitled to vote in the referendum. If a simple majority vote is achieved (i.e. more than 50% of those voting in the referendum vote 'yes'), then the neighbourhood plan becomes part of the statutory development plan for the area and will be made by the Council to then be used in determining planning applications. The referendum will involve a simple 'yes' or 'no' vote. The referendum question that will be asked is as follows:

Do you want Rossendale Borough Council to use the Neighbourhood Plan for Edenfield Neighbourhood Area to help it decide planning applications in the neighbourhood area?

5. RISK

- 5.1. The examination and referendum process introduces risks in the neighbourhood planning process where the outcome is dependent on the examiner's conclusions and a public vote. The Council seeks to manage these risks by working collaboratively with neighbourhood planning groups to ensure that neighbourhood plans complete the independent examination successfully and proceed to referendum.

- 5.2. There is a risk that the neighbourhood plan will not receive more than a 50% 'yes' vote at referendum. The public consultation programme that informed the preparation of the draft ENP should help to mitigate this risk.
- 5.3. The neighbourhood plan may be subject to legal challenge or judicial review. The Council will continue to work with the neighbourhood forum to mitigate and minimise this risk.

6. FINANCE

- 6.1 The Council has claimed £15,000 on designation of the Edenfield Neighbourhood Community Forum and designation and re-designation of the Neighbourhood Area. On publication of the Regulation 18 Decision Statement, the Council will be able to claim £20,000 from MHCLG to cover the costs of the independent examination and referendum.

7. LEGAL

- 7.1 Once made, the Edenfield Neighbourhood Plan will form part of the Development Plan for Rossendale and will be used in determining planning applications within the Edenfield Neighbourhood Area. The local planning authority and planning inspectors considering planning applications or appeals must make their decisions in accordance with the policies of the development plan, unless material considerations indicate otherwise
- 7.2 The independent examination process assessed the draft ENP against the Basic Conditions and other legal requirements. The Examiner recommends that, subject to modifications as set out in the examination report, the draft Neighbourhood Plan meets the Basic Conditions and other legal requirements. The publication of the Regulation 18 Decision Statement confirms that the Council agrees with this conclusion.
- 7.3 It will be necessary to hold a pre-Referendum period ahead of the vote taking place and the Council must ensure during this period that it does not undertake or support any activities that may be seen to influence voters.

8. POLICY AND EQUALITIES IMPLICATIONS

- 8.1 An Equalities Impact Assessment has been undertaken and is attached to this Report.
- 8.2 Public consultations have been undertaken.
- 8.3 Any equality implications related to this report will be given consideration in a relevant and proportionate manner.

9. REASON FOR DECISION

- 9.1 The Council has considered the Examiner's Report in detail and the recommended modifications set out in the report, as has Edenfield Community Neighbourhood Forum. The Council agrees with the modifications, and therefore considers that the draft Edenfield Neighbourhood Plan, subject to modification, meets the Basic Conditions and other legal requirements and can therefore proceed to Referendum.

Background Papers	
Document	Place of Inspection
Appendix 1 – Examiner’s Report on the Edenfield Neighbourhood Plan 2021 – 2036	Attached
Appendix 2 - Referendum Version of the Edenfield Neighbourhood Plan	Attached
Appendix 3 - Tracked Change version of the Referendum Version	Attached
Appendix 4 - Rossendale Borough Council Regulation 18 Decision Statement	Attached
Appendix 5 - Biodiversity Impact Assessment	Attached
Appendix 6 - Equalities Impact Assessment	To be attached
Examiner’s Procedural Letter and Questions	Edenfield Community Neighbourhood Forum Neighbourhood Plans Rossendale Borough Council
Responses to the Examiner’s Procedural Letter and Questions – by RBC and ECNF	Edenfield Community Neighbourhood Forum Neighbourhood Plans Rossendale Borough Council
Regulation 16 (Submission) Draft Version of the Edenfield Neighbourhood Plan and associated and supporting documents	Edenfield Community Neighbourhood Forum Neighbourhood Plans Rossendale Borough Council
Consultation Document including Comments received on Draft Submission Version of the Edenfield Neighbourhood Plan	Edenfield Community Neighbourhood Forum Neighbourhood Plans Rossendale Borough Council



Intelligent Plans
and examinations

Report on the Edenfield Neighbourhood Plan 2021 – 2036

An Examination undertaken for Rossendale Borough Council with the support of Edenfield Community Neighbourhood Forum on the January 2024 submission version of the Plan.

Independent Examiner: Andrew S Freeman BSc(Hons) DipTP DipEM FRTPI

Date of Report: 28 November 2024

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Main Findings - Executive Summary

From my examination of the Edenfield Neighbourhood Plan (the Plan) and its supporting documentation, including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Edenfield Community Neighbourhood Forum;
- the Plan has been prepared for an area properly designated – the Edenfield Neighbourhood Area – Figure 1 on Page 2 of the Plan;
- the Plan specifies the period to which it is to take effect – 2021 - 2036; and
- the policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Edenfield Neighbourhood Plan 2021 - 2036

- 1.1 The Edenfield Neighbourhood Area forms part of the Greenfield and Eden Ward (the central southern part) in the Borough of Rossendale in Lancashire. This ward was created in May 2024 as a result of a Borough-wide boundary review. The Neighbourhood Area was previously part of the smaller Eden ward. It is clustered around the junctions of Bury Road with Bolton Road North and Rochdale Road. It then extends in linear form along the B6527 Market Street and along Burnley Road to the north. The M66 forms the western boundary of the designated area and has its terminus to the southwest of Edenfield. It then continues north as the A56 Edenfield Bypass.
- 1.2 The village lies to the east of the River Irwell in the Rossendale Valley. The landscape is dominated by Scout Moor to the east and Holcombe Moor to the west. Ramsbottom is approximately 2 km to the south with Rawtenstall some 4 km to the north. On the northern fringe of the Manchester conurbation, the towns of Bolton, Bury and Rochdale are located a short distance away to the southwest, south and southeast respectively.

- 1.3 The Edenfield Community Neighbourhood Forum and Edenfield Neighbourhood Area were designated by the Borough Council in 2018. The designation of the Forum was renewed in 2023. Over the years, work has progressed on preparation of the Neighbourhood Plan and consultation with the local community. The resultant Plan has a vision and nine objectives together with 31 detailed policies under 10 different themes.

The Independent Examiner

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Edenfield Neighbourhood Plan by Rossendale Borough Council, with the agreement of Edenfield Community Neighbourhood Forum.
- 1.5 I am a chartered town planner and former government Planning Inspector with over forty years' experience. I have worked in both the public and the private sectors. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.6 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
 - Whether the Plan complies with provisions under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;

- it does not include provisions and policies for “excluded development”; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum.
 - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the 2012 Regulations”).
- 1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

- 1.9 The “Basic Conditions” are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the Neighbourhood Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan for the area;
 - be compatible with and not breach European Union (EU) obligations (under retained EU law)¹; and
 - meet prescribed conditions and comply with prescribed matters.
- 1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Development Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.²

¹ The existing body of environmental regulation is retained in UK law.

² This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of Rossendale Borough, not including documents relating to excluded minerals and waste development, is the Rossendale Local Plan 2019 to 2036, adopted in December 2021.
- 2.2 Planning policy for England is set out principally in the National Planning Policy Framework (NPPF) and is accompanied by the Planning Practice Guidance (PPG), which offers guidance on how this policy should be implemented. All references in this report are to the latest iteration of the NPPF dated December 2023 and the accompanying PPG.³

Submitted Documents

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Edenfield Neighbourhood Plan 2021 - 2036, January 2024;
 - a map which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, June 2024;
 - the Basic Conditions Statement, January 2024;
 - the Strategic Environmental Assessment (SEA) Screening Opinion (August 2020) prepared by Rossendale Borough Council;
 - all the representations that have been made in accordance with the Regulation 16 consultation; and
 - the request for additional clarification sought in my letter dated 7 October 2024, and the responses from the Edenfield Community Neighbourhood Forum and Rossendale Borough Council dated 17 and 18 October respectively.⁴

Site Visit

- 2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 22 October 2024 to familiarise myself with it and visit relevant sites and areas referenced in the Plan and evidential documents.

³ It is anticipated that the revised NPPF will be published in final form late 2024/early 2025): [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)

⁴ View the documents at: <https://www.rossendale.gov.uk/local-plan/neighbourhood-plan/3>

Written Representations with or without Public Hearing

- 2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

Modifications

- 2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Edenfield Neighbourhood Plan has been prepared and submitted for examination by Edenfield Community Neighbourhood Forum. An application to designate the Forum and the Neighbourhood Plan Area was subject to public consultation between 23 February and 19 April 2018. The Borough Council subsequently designated the Forum and the Edenfield Neighbourhood Area for a period of 5 years until 22 April 2023. In accordance with the legislation⁵, an application to redesignate the Forum for a further 5 year period was submitted in January 2023. Following consultation held between 8 January to 1 March 2023, the Forum was redesignated for a second period (of 5 years) until 18 April 2028.
- 3.2 It is the only Neighbourhood Plan for Edenfield Neighbourhood Area and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2021 to 2036.

Neighbourhood Plan Preparation and Consultation

- 3.4 Details of plan preparation and consultation are set out in the Neighbourhood Forum's Consultation Statement, January 2024. As noted, an application for designation of the Forum and the Neighbourhood Plan Area was submitted to Rossendale Borough Council on 21 February 2018. Designation followed on 23 April 2018. This was renewed in April 2023 and now expires on 18 April 2028.

⁵ See section 61F(8)(a) of the 1990 Act.

- 3.5 Details of community engagement activities from March 2018 are set out in Section 3 of the Consultation Statement. They include newsletters, open meetings, a village fete, an online scoping questionnaire and a workshop session.
- 3.6 Formal consultation under Regulation 14 took place between 3 March and 20 April 2023. As well as including details of community engagement, Section 3 of the Consultation Statement contains details of those consulted and how they were consulted. A summary of the main issues and concerns raised is set out in Section 5 as well as details of how the representations were considered and addressed. Material amendments to the Plan following the consultation are detailed in Appendix 19.
- 3.7 Consultation by the Borough Council under Regulation 16 took place over a six-week period from 17 June to 30 July 2024. Some 22 representations were received from private individuals, various public bodies and agents acting for landowners.
- 3.8 I am satisfied that, at both the Regulation 14 and the Regulation 16 stages, the consultation process met the legal requirements and there has been procedural compliance. Regard has also been paid to the advice on plan preparation and engagement in the PPG.

Development and Use of Land

- 3.9 The Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act. The exception is Policy DMR2, which refers to a timetable for the review of the Neighbourhood Plan and is the subject of proposed modification PM17 (see paragraph 4.39 below).

Excluded Development

- 3.10 The Plan does not include provisions and policies for “excluded development”.⁶

Human Rights

- 3.11 Edenfield Community Neighbourhood Forum is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998). From my independent assessment, I see no reason to disagree.

⁶ See section 61K of the 1990 Act.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The Neighbourhood Plan was screened for Strategic Environmental Assessment (SEA) by Rossendale Borough Council, which found that it was unnecessary to undertake SEA. Having read the Strategic Environmental Assessment Screening Opinion, I support this conclusion.
- 4.2 The Edenfield Neighbourhood Plan was further screened for Habitats Regulations Assessment (HRA), which also was not triggered. The Neighbourhood Area does not contain or adjoin any European designated nature site. Although there are four European sites within a radius of 20km, the Plan does not allocate any sites for development and any significant effects are unlikely. Natural England agreed with this conclusion.⁷ From my independent assessment of this matter, I have no reason to disagree.

Main Issues

- 4.3 Having regard for the Edenfield Neighbourhood Plan, the consultation responses and other evidence, and the site visit, I consider that there are nine main issues relating to the Basic Conditions for this examination. These concern:
- Settlement Limits;
 - Housing;
 - Design;
 - Heritage Assets;
 - Transport and Travel;
 - Community Facilities;
 - Commerce, Businesses and Services;
 - Green Infrastructure; and
 - Delivery, Monitoring and Review.
- 4.4 Before I deal with the main issues, I have a few observations to make with regard to the representations. First, the Edenfield Neighbourhood Plan should be seen in the context of the wider planning system. This includes the Rossendale Local Plan as well as the NPPF and PPG. It is not necessary to repeat in the Neighbourhood Plan matters that are quite adequately dealt with elsewhere.⁸ Having said that, there may be scope to give emphasis to matters particularly relevant in the context of Edenfield.
- 4.5 Secondly, the Neighbourhood Plan does not have to deal with each and every topic raised through the consultation. In this regard, the content of the Neighbourhood Plan and the scope of the policies is largely at the

⁷ See email dated 13 July 2020 in Appendix A of the Screening Opinion.

⁸ See NPPF, Paragraph 16 f).

discretion of the qualifying body, albeit informed by the consultation process and the requirements set by the Basic Conditions.

- 4.6 Thirdly, my central task is to judge whether the Neighbourhood Plan satisfies the Basic Conditions. Many of the representations do not demonstrate or indicate a failure to meet those conditions or other legal requirements. Similarly, many of the suggested additions and improvements are not necessary when judged against the Basic Conditions.
- 4.7 The following section of my report sets out modifications that are necessary in order to meet the Basic Conditions. Some of the proposed modifications are factual corrections.⁹ Others are necessary in order to have closer regard to national policies and advice. In particular, plans should be succinct and contain policies that are clearly written and unambiguous.¹⁰ A decision maker should be able to apply them consistently and with confidence when determining planning applications. In addition, the policies should be supported by appropriate evidence.¹¹

Issue 1 – Settlement Limits

- 4.8 Policy UB1 of the Neighbourhood Plan indicates that future development in the area shall be focussed within the settlement boundary as shown on the Policies Map. On the Policies Map, the key shows the settlement boundary as the “Urban Boundary”. Although these are one and the same¹², for clarity, the Plan should use the term “Urban boundary” to ensure consistency.
- 4.9 The fourth paragraph of the policy concerns compensatory measures in respect of land removed from the Green Belt. These are to be in accordance with Policy SD4 of the Local Plan and *other guidance*. The reference to other guidance is unclear and uncertain. In this regard, the Neighbourhood Forum has produced some notes on what could be regarded as other guidance.¹³ For the benefit of applicants, this information should be summarised in the text accompanying the policy.
- 4.10 Necessary amendments to refer to the term ‘Urban boundary’ throughout the Plan and to provide clarity to Policy UB1 are set out in proposed modification **PM1**.

⁹ Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

¹⁰ NPPF, Paragraphs 15 and 16 d).

¹¹ PPG Reference ID: 41-041-20140306.

¹² See Neighbourhood Forum’s answers dated 17 October 2024 to my questions.

¹³ See Neighbourhood Forum’s answers dated 17 October 2024 to my questions.

Issue 2 – Housing

- 4.11 The opening paragraph of Policy HO3 recognises that eligibility for affordable housing is a matter to be administered by Rossendale Borough Council as Housing Authority. Nevertheless, the policy continues by saying that priority will be given to applicants who can demonstrate a local connection with Edenfield. This is of the nature of an allocation policy rather than a development management policy.
- 4.12 To avoid encroaching into matters of allocation, it would be appropriate to restrict the first *occupation* of the properties to those with a local connection. These points are the subject of proposed modification **PM2**.
- 4.13 In response to one of the representations, I have no reason to suppose that application of the policy would lead to material delays. I would expect the Housing Authority to be well practised in inviting and processing applications of various descriptions. If no qualifying Edenfield residents came forward, the Council would no doubt pass on quickly to others in need of affordable housing accommodation.
- 4.14 Turning to Policy HO4, this concerns “Site H66 design and layout”. Site H66 is an area allocated under the Local Plan. In this respect, there is both a related policy under the Rossendale Local Plan (Policy H66) and a Masterplan and Design Code. The Masterplan has been prepared pursuant to Paragraph 1 of Policy H66 and was approved by the Council at its Cabinet meeting on 18 September 2024. In addition, I note that there are four extant planning applications relating to different parts of the site.¹⁴
- 4.15 I have had regard to whether there is any conflict between, on the one hand, Local Plan Policy H66 and the Masterplan and, on the other, Policy HO4 in the Neighbourhood Plan. This is in circumstances where, “The Council does not consider that the now adopted Masterplan Design Code necessarily conflicts with the Neighbourhood Plan’s Policy HO4.”
- 4.16 I am aware that both Policy H66 and Policy HO4 require “Retention and strengthening of the woodland enclosures to the north and south of the church”. This is slightly at variance with the provision of the Masterplan whereby some tree cover would be removed. Be that as it may, it will be for the Borough Council to decide whether, in any application, there is accordance with the development plan or whether material considerations come into play.
- 4.17 On a separate point, the Neighbourhood Plan policy makes provision for safe non-vehicular access to Edenfield Community Centre. I have been advised¹⁵ that H66 is separated from the Community Centre by land where there is no immediate prospect of purchase from the owners. In

¹⁴ Application References: 2022/0015; 2022/0451; 2022/0577; and 2023/0396.

¹⁵ See Neighbourhood Forum’s answers dated 17 October 2024 to my questions.

such circumstances, access provision could not be made. Removal of the references would be appropriate (proposed modification **PM3**).

- 4.18 In all other respects, although Policy HO4 repeats provisions of the Local Plan, I appreciate that the policy will give emphasis to matters of particular importance to the Neighbourhood Forum.

Issue 3 – Design

- 4.19 Amongst other things, Policy D1 (Design and amenity standards and village character) requires that all development must reflect the local vernacular and be in keeping with local character. Whilst this is a laudable objective, it may be legitimate for new large scale housing developments to have, at least in part, areas of distinct yet positive character that may vary from the established norm. Adding the words “as appropriate” to the policy would give an appropriate degree of latitude (proposed modification **PM4**).

- 4.20 A related point arises in Policy D2, Built heritage and character. This indicates that developments should incorporate architectural features similar to those found in local tradition buildings. However, in line with national policy¹⁶, there should be scope for innovation and change. An amendment similar to that required for Policy D1 is called for.

- 4.21 A further point is the reference to best practice design principles *including* those set out in Building for a Healthy Life. This begs the question as to what other best practice guidelines should be taken into account. Further examples have been provided by the Neighbourhood Forum.¹⁷ For clarity and assistance to developers, these should be set out in the text supporting the policy. Similarly, in the interests of clarity and internal consistency¹⁸, the reference to “Applicants” in paragraph 4 of Policy D2 should be to “Developers”.

- 4.22 Proposed modification **PM5** sets out necessary amendments in regard to Policy D2.

Issue 4 – Heritage Assets

- 4.23 Policy HE1 (Conservation and enhancement of heritage assets) states that any listed or non-listed heritage assets and their setting will be conserved and enhanced. However, there is no evidence to indicate that, if preserved, enhancement would be necessary as well. The policy should refer to conservation *or* enhancement as in proposed modification **PM6**.

¹⁶ See NPPF, Paragraph 135 c).

¹⁷ See Neighbourhood Forum’s answers dated 17 October 2024 to my questions.

¹⁸ For example, see Policies UB1 and LC2.

Issue 5 – Transport and Travel

- 4.24 Policy T2 (Mitigation measures and Transport Assessments), in referring to traffic movements and traffic flows, uses inconsistent and potentially confusing terminology. For clarity, the term traffic movements should be used throughout.
- 4.25 The third part of the policy calls for Transport Assessments to calculate the effects on certain junctions on the M66 motorway where more than 30 two-way trips per day would be generated. This provision was included at the request of National Highways in an email although there is no further evidence on the matter.
- 4.26 The requirement is likely to be onerous. It is also inconsistent with scoping advice given on previous occasions by Lancashire County Council. Whilst it is useful to flag up the possible need to take into account the effects on Junctions 0 and 1 on the M66 in certain circumstances, it would be appropriate for such information to be supplied on request. Both necessary amendments are addressed in proposed modification **PM7**.

Issue 6 – Community Facilities

- 4.27 Policy LC2 is concerned with sports facilities. The policy indicates that developers will be expected to secure the provision of new or improved facilities if existing facilities do not have the capacity to absorb the additional demand. However, through Section 106 contributions, it is the Council not the developer who would deliver and implement such provision. Alternative wording is needed as in proposed modification **PM8**.
- 4.28 Under Policy LC4, development proposals concerning current or proposed sporting facilities will be required to comply with related NPPF policy, Sport England’s Playing Fields Policy and Guidance and the Borough Council’s Sport Strategy. Whilst these would be material considerations, it would be inappropriate to require compliance with such documents as part of the policy. Revised wording is set out in proposed modification **PM9**.

Issue 7 - Commerce, Businesses and Services

- 4.29 Policy E1 offers qualified support to proposals for new E(a), E(b) and E(c) uses, or drinking establishments, “within the Neighbourhood Parade or at other locations in the Neighbourhood Area”. The effect of this reference is to support such proposals anywhere within the designated Edenfield Neighbourhood Area and, as such, is superfluous. Removal would be effected through proposed modification **PM10**.
- 4.30 Policy E2 (Loss of commercial, business and service establishments) aims to protect E(a), E(b) and E(c) uses, or drinking establishments. Given extensive permitted development rights, it would be appropriate to qualify

the policy by adding “where planning permission is required”. Such wording would be added through proposed modification **PM11**.

Issue 8 – Green Infrastructure and the Natural Environment

- 4.31 Policy GI1, designates, as Local Green Space, three local areas within Edenfield. Of these, I am aware that Edenfield Cricket Club is a location within the Green Belt. As such, I have considered what additional local benefit would be gained by designation as Local Green Space.¹⁹ Bearing in mind the club’s value to the community, in circumstances where sites have been removed from the Green Belt, I am satisfied that designation as Local Green Space would be justified. All the sites meet the criteria set out in Paragraph 106 of the NPPF and appear capable of enduring beyond the end of the Plan period (NPPF, Paragraph 105).
- 4.32 The final paragraph of the policy indicates that development will only be permitted in very special circumstances; but this provision ignores the fact that, under the terms of the NPPF, the development may be “not inappropriate”. Proposed modification **PM12** recommends alternative wording.
- 4.33 Policy GI3 (Footpaths, cycle paths and green spaces accessibility) provides as follows: “New development will establish publicly accessible links from development sites to the wider footpath and cycle-path network and green spaces wherever possible”. In this regard, I note that the tests applying to planning obligations would apply to provision beyond application sites; also, it may not be possible to guarantee that links would be publicly accessible. An alternative form of wording is required as in proposed modification **PM13**.
- 4.34 Policy GI4 concerns development that would affect Local Green Spaces. Provision is made for measures that include a proportionate increase in Local Green Space where there are impacts or increased use. Since Local Green Space can only be designated through a development plan, it is not possible to assume, in a development plan such as a neighbourhood plan, that any land provided as part of a proportionate increase would be designated as Local Green Space. Modified wording is required (proposed modification **PM14**).
- 4.35 Policy NE1 identifies 8 locally important views. Several of these views (KV1, 2, 3, 4 and 8) are likely to be affected by development within the H66 housing site. Be that as it may, I saw that the land falls towards the valley bottom and then rises to the heights of Holcombe Moor in the west. I would expect that, standing at any of the viewpoints post-development, it is likely that “continued visual connectivity with the surrounding countryside” could be maintained. The provisions of the policy are acceptable.

¹⁹ PPG Reference ID: 37-010-20140306.

- 4.36 Policy NE3 (Development and landscape and topography) opens by saying that development will retain and enhance well-established features of the landscape. In this regard, there is no evidence to indicate that, if retained, enhancement would be necessary as well. The policy should refer to retention *or* enhancement as in proposed modification **PM15**.
- 4.37 In passing, I note that the policy also addresses adverse impacts on views through changes to skyline, hill slopes, height or mass. These are all matters that are likely to change as a result of the H66 development. However, I would not expect that the changes would be regarded as “adverse impacts”.

Issue 9 – Delivery, Monitoring and Review

- 4.38 With regard to the final main issue, Policy DMR1 (Local Infrastructure and delivery plan) offers support for the improvement or development of locally important infrastructure provided that the need is consistent with other policies in the Plan. Given the importance of the tests identified in the NPPF (Paragraph 57), these should also be referenced. Proposed modification **PM16** refers.
- 4.39 The final policy in the Plan, Policy DMR2, deals with Neighbourhood Plan reviews. This is essentially a timetabling issue. It is not a policy for the development and use of land. The policy should be deleted and the content moved to the supporting text (proposed modification **PM17**).

Other Policies

- 4.40 There remain a number of policies that have not been the subject of commentary in the above report. These are Policy HO1 Identified housing needs; Policy HO2 Affordable housing delivery; Policy HE2 Non-designated heritage assets; Policy HE3 Planning applications and heritage assets; Policy HE4 Site H66 mitigation measures; Policy T1 Promotion of sustainable forms of transport; Policy LC1 New, improved or extended community facilities; Policy LC3 Required local infrastructure; Policy GI2 Wildlife areas and green spaces connectivity; Policy NE2 Development proposals and the local environment; Policy NE4 Development and ecology; Policy NE5 Site H66 watercourses and ecology; and Policy NE6 Site H67 watercourses and ecology
- 4.41 To a greater or lesser extent, these topics are covered in NPPF Sections 5 (Delivering a sufficient supply of homes); 8 (Promoting healthy and safe communities); 9 (Promoting sustainable transport); 15 (Conserving and enhancing the natural environment); and 16 (Conserving and enhancing the historic environment). I find that there has been regard for national policy and that the Basic Conditions have been met.

Other Matters

- 4.42 All policy areas have been considered in the foregoing discussion. With the modifications that I have recommended, the Plan would meet the Basic Conditions. Other minor changes (that do not affect the Basic Conditions), as well as consequential amendments, corrections and updates (for example the additional factual text to be inserted as a result of PM1, PM5 and PM17)²⁰, could be made prior to the referendum at the Councils' discretion.

5. Conclusions

Summary

- 5.1 The Edenfield Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Edenfield Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.4 It is evident that a considerable amount of time and effort has been devoted to the development and production of this Plan and I congratulate those who have been involved. The Plan should prove to be a useful tool for future planning and change in Edenfield over the coming years.

Andrew S Freeman

Examiner

²⁰ See PPG Reference ID:41-106-20190509.

Appendix: Modifications

Proposed modification number (PM)	Page no/ other reference	Modification
PM1	Pages 16, 17 and 19	<p>References to the 'settlement boundary' in the Neighbourhood Plan should be changed to 'Urban Boundary', to ensure consistency with the Local Plan and Policies Map. These references are located in :</p> <ul style="list-style-type: none"> - Paragraph 5.4; - Policy UB1 (in three places: the title of the policy and in points 1 and 2); and - Policy HO1. <p>In the text supporting Policy UB1, identify the "other guidance" that is to be taken into account by applicants.</p>
PM2	Page 20	In the first paragraph of Policy HO3, replace "priority will be given in the first instance to" with "the affordable housing shall be first occupied by".
PM3	Page 21	<p>Delete numbered paragraph 2 in Policy HO4.</p> <p>As a consequence, delete the words "and to the Community Centre" in paragraph 1.c) of Policy HO4,</p>
PM4	Page 23	In Policy D1 d), add "as appropriate," before "reflect".
PM5	Page 25	<p>In Policy D2 a), add "As appropriate" before "incorporating".</p> <p>In numbered paragraph 4 of Policy D2, replace "Applicants" with "Developers". In paragraph 7.8 of the text supporting the policy, list the best practice guidelines to be taken into account by developers.</p>
PM6	Page 32	In Policy HE1, replace "conserved and enhanced" with "conserved or enhanced".
PM7	Page 35	In Policy T2, replace "traffic flows" with "traffic movements".

		At the beginning of the third part of the policy, insert "Upon the request of the Local Planning Authority, and" before "given".
PM8	Page 39	In the first sentence of Policy LC2, replace "the developer" and all subsequent words with the following: "... financial contributions will be sought from the developer through negotiations with Rossendale Borough Council and secured as appropriate through a Section 106 planning obligation."
PM9	Page 39	In Policy LC4, replace "will be required to comply with" with "shall have regard to".
PM10	Page 41	In Policy E1, delete the words: "within the Neighbourhood Parade or at other locations in the Neighbourhood Area."
PM11	Page 42	At the commencement of Policy E2, add "Where planning permission is required" before "all existing premises".
PM12	Page 44	Replace the second paragraph of Policy GI1 with the following: "Development shall be consistent with national and local policy for Green Belts."
PM13	Page 44	In Policy GI3, replace "establish publicly accessible links" with "provide for links".
PM14	Page 44	In Policy GI4, replace "proportionate increase in Local Green Space" with "proportionate increase in space that meets the criteria set out in the NPPF".
PM15	Page 48	At the opening of Policy NE3, change the text so that it reads, "Development will retain or enhance...".
PM16	Page 51	At the end of the first sentence in Policy DMR1, add "and Paragraph 57 of the NPPF".
PM17	Pages 15 and 51	Delete Policy DMR2. Include the content as part of the supporting text within Section 14 of the Plan.

		A change to Table 3 (paragraph 4.3) will also be required to reflect this deletion.
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REFERENDUM VERSION

Edenfield Neighbourhood Plan

2021 – 2036



**Edenfield Community
Neighbourhood Forum
December 2024**



Edenfield Community Neighbourhood Forum
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Foreword

Neighbourhood Plans were introduced by the Localism Act 2011 as a way for local people to influence planning and development of the area in which they live and work. They can be prepared by Parish Councils or Neighbourhood Forums. The Edenfield Community Neighbourhood Forum (ECNF) was established in 2018 with one of its aims being to prepare a Neighbourhood Plan for Edenfield.

The Edenfield Neighbourhood Plan 2021-2036 sets out a vision and objectives for the future of Edenfield. It has been prepared by ECNF and informed by the consultations detailed in the Plan.

It is a requirement of the Neighbourhood Planning regulations that Neighbourhood Plans should conform with the strategic local policies. The latest strategic policies of Rossendale Borough Council (RBC) are contained in the Rossendale Local Plan 2019-2036 which was adopted by the Council in December 2021.

Once approved the Plan will form part of Rossendale's development plan. Together with other adopted planning policies, it will form the legal basis for planning decisions across the Edenfield Neighbourhood Area.

The Neighbourhood Plan is important for the future of Edenfield and is driven by the views of residents.

Mervyn MacDonald

Chair, Edenfield Community Neighbourhood Forum

1. Introduction

A Plan for Edenfield

- 1.1 The Edenfield Neighbourhood Plan covers the Neighbourhood Area designated by Rossendale Borough Council. The Area includes the village of Edenfield, as shown in Figure 1 and is intended to guide and shape the development of the area up to 2036 alongside the Rossendale Local Plan. Neighbourhood planning is intended to give communities the power to develop a shared vision for their neighbourhood and to further shape the development and growth of their local area.
- 1.2 This locally driven exercise can influence design standards for new housing, the location of shops and services, protection of the environment, and will be used for determining planning applications as part of the Development Plan for the area.
- 1.3 The Neighbourhood Plan, upon approval at referendum, forms part of the Borough development plan and carries equal legal status to the Local Plan prepared by the local planning authority. This means the Neighbourhood Plan is given statutory consideration for applications regarding planning matters.
- 1.4 The earliest draft of the Neighbourhood Plan was prepared having regard to the Rossendale Core Strategy (2011 – 2026), in accordance with the basic conditions that a draft Neighbourhood Plan must meet, as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Rossendale Local Plan 2019-2036 which was adopted by Rossendale Borough Council in December 2021 supersedes the Rossendale Core Strategy (2011-2026). The first draft was subsequently updated to ensure that the policies of this Neighbourhood Plan are not in conflict with the Local Plan.
- 1.5 The Edenfield Neighbourhood Plan has been informed through a four-year consultation process by the Edenfield Community Neighbourhood Forum (ECNF), outlined below and in the Consultation Statement (Appendix 6), as well as preparation of an evidence base, vision and objectives, and meetings with Rossendale Borough Council.

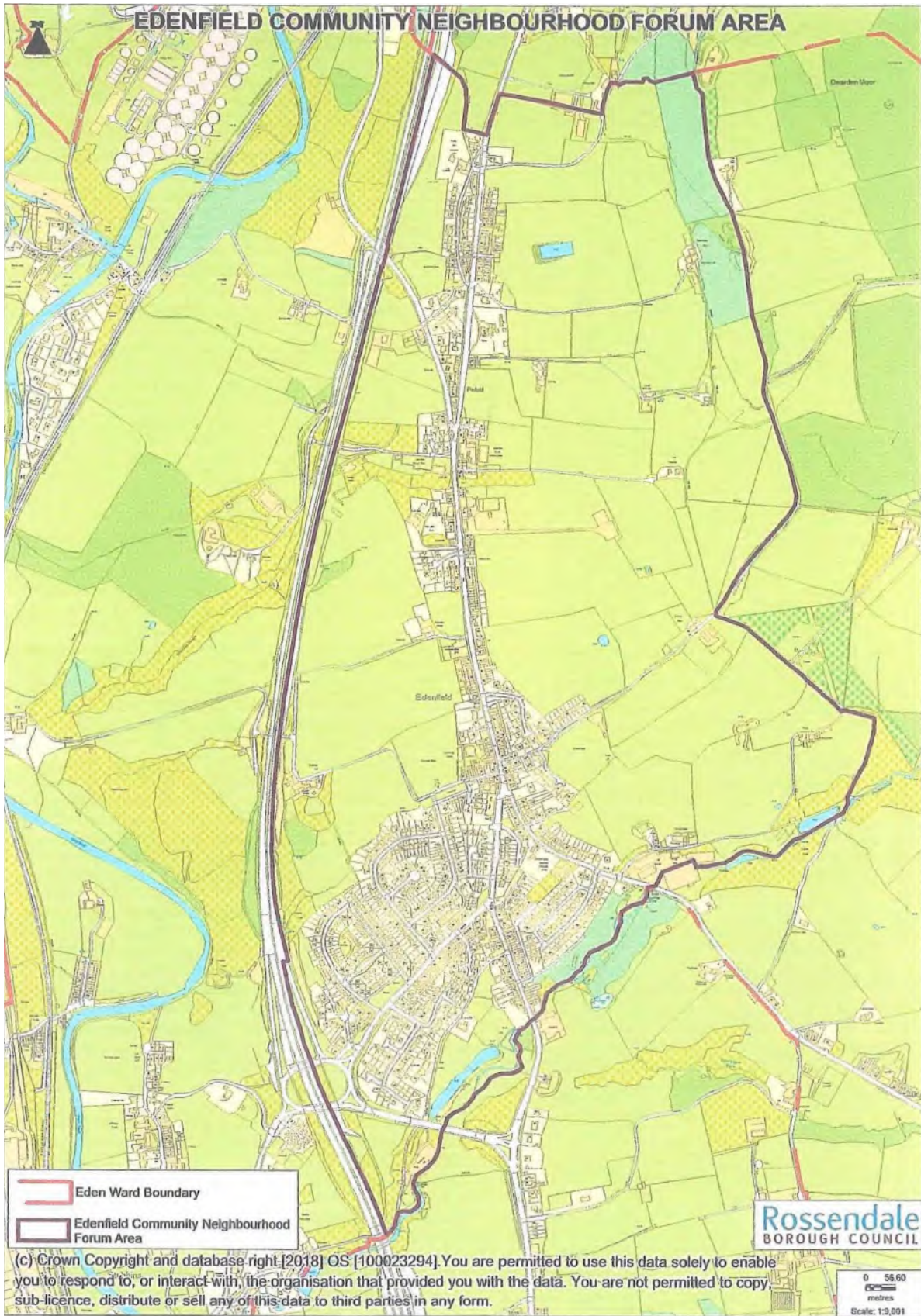


Figure 1: Map of the designated Neighbourhood Plan area

Engagement by the Neighbourhood Forum

- 1.6 Key engagement activities have been undertaken by the ECNF. For more information on each of these events please see the Consultation Statement. The engagement that has taken place has greatly informed this Neighbourhood Plan by providing a community-led approach to the values, objectives and policies brought forward. ECNF has been in regular communication with Rossendale Borough Council throughout the preparation of the Neighbourhood Plan including multiple meetings.

Structure of the Neighbourhood Plan

- 1.7 Following the introduction, the Plan comprises thirteen further sections, followed by appendices. These sections are:
- Section 2: 'History, Local Characteristics and Heritage Assets' lays out Edenfield's long and rich history, how the area's development has been informed by this history, and the key characteristics and heritage assets which will be considered in this Plan.
 - Section 3: 'Edenfield Today' provides an overview of key facts about Edenfield. It presents an overview of the area's demographics and land use factors (including population breakdown, health and education, access to greenspace and other socio-economic data), and the key issues that have been identified from area analysis.
 - Section 4: 'Edenfield Tomorrow' presents the vision and objectives for the Edenfield Neighbourhood Area as informed by the community, and the overarching principles which guide the development of this Plan.
 - Sections 5 – 14: These sections present the policies for the Edenfield Neighbourhood Area and the justifications for these policies. The policies have been grouped under the following themes:
 - i) Development within and beyond settlement limits
 - ii) Housing
 - iii) Design
 - iv) Heritage assets
 - v) Transport and travel
 - vi) Local community infrastructure facilities
 - vii) Local centre and commerce
 - viii) Green infrastructure
 - ix) Natural environment
 - x) Delivery monitoring and review

Who has prepared the Neighbourhood Plan?

- 1.8 Unlike Local Plans which are prepared by local authorities, Neighbourhood Plans are prepared by local communities. The Localism Act 2011 granted parish and town councils the ability to produce neighbourhood development plans and neighbourhood development orders. In unparished areas, like Edenfield, community groups can apply to designate neighbourhood areas and form a neighbourhood forum of at least 21 people who represent the area.
- 1.9 In Edenfield, the Neighbourhood Plan has been prepared by the Edenfield Community Neighbourhood Forum, whose members either live or work in Edenfield. Any individual aged 18 or over living or working in Edenfield may become a member. The creation of the Plan has also been influenced through outreach and consultation with Edenfield residents and workers who are not part of the neighbourhood forum. Details of the Forum's purposes can be found within its constitution¹.
- 1.10 All preparation has been informed through a common purpose and objectives: to protect and enhance the rural character of Edenfield, to ensure that future development will reflect the historic character of the village, that new growth meets local and strategic policy needs, and that new transportation options enable a range of mobility choices for all. Collectively, this Plan helps to make Edenfield as desirable, green and safe a place to live, work and play as can possibly be.

What is in the Neighbourhood Plan

- 1.11 A Neighbourhood Plan can contain a broad range of policies, and is largely influenced by visions, objectives, preceding consultations and the local evidence base. Ultimately, there is no standard for what a Neighbourhood Plan should contain, as such plans are meant to be tailored to the individual circumstances of each area.
- 1.12 The National Policy Planning Framework (December 2023) (NPPF) paragraph 13 states that Neighbourhood Plans should support the delivery of strategic policies contained in Local Plans and should shape and direct development outside of these strategic policies.
- 1.13 Key themes identified within the Edenfield Neighbourhood Plan have emerged through the evidence base, visions and objectives, and ongoing consultations. We believe there are opportunities in Edenfield to influence the quality of future development, improve the look and feel of the village, preserve and maintain historical characteristics of the village and surrounding countryside, enhance the quality of green spaces, improve access and movement, and proactively plan for housing delivery in a manner that respects the village's rural character. These themes

¹ ECNF, 2019, ECNF Constitution:
<https://www.rossendale.gov.uk/downloads/file/16385/forum-constitution-march-2019->

are reflected in the locally specific policies as set out in sections 5-14 of this document.

What is not in the Neighbourhood Plan

- 1.14 Existing policy for Edenfield is set out in the adopted Rossendale Local Plan 2019-2036 and the Joint Lancashire Minerals and Waste Local Plan and is further guided by NPPF and Planning Practice Guidance (PPG). The Edenfield Neighbourhood Plan is informed by all of these documents and will not be the only policy document that affects development in Edenfield upon adoption. The Rossendale Local Plan includes strategic policies for Edenfield, as noted at paragraphs 5.4 to 5.6 below, as well as site-specific policies for three housing allocations located in the Edenfield Neighbourhood Area.
- 1.15 In this broad context, the Edenfield Neighbourhood Plan does not allocate sites for development, but rather seeks to ensure that all potential development in the area, particularly housing, is appropriate to the area through its contribution to good quality design, greenspace allocation, protection of the natural environment and respect to neighbourhood heritage and character.

2. History, Local Characteristics and Heritage Assets

- 2.1 Edenfield's history can be traced from its farming and clergy origins, through the industrial revolution, to its present-day role as a post-industrial dormitory village. Edenfield Chapel, the precursor to the village's current parish church, was likely built in the 16th century and for several centuries was the main cultural landmark of the area. In the 18th century, only the church, a school, and a few farmhouses dotted the surrounding countryside. This changed with the Industrial Revolution. By the 1840s significant development had come to Edenfield, including turnpikes that would later become the A56, railways to the west, and mills to the east which generated much of the village's employment, character, and historical events into the 20th century.
- 2.2 Surrounding farmland has greatly informed Edenfield's character over the centuries, at one point with over 70 farms in existence in Eden Ward at the end of the 18th century. Industrial expansion through the late 18th century including mills, quarries, and coal mines, eventually led to a decline in farmable land and pastures. Much of Edenfield's housing stock through the 19th century was built to accommodate mill workers, with small cottages and Victorian era terraced housing overtaking, and in some instances demolishing, the area farmhouses.
- 2.3 As common with towns in the North, Edenfield had a burgeoning wool industry, with 21 mills at one point in operation within the wider area. This demand for worker lodging combined with land speculation resulted in the creation of almost entirely new settlements, and encroachment onto existing farmland. Following the First and Second World Wars, newer factory-brick houses were built, further eroding available farmland. The older Pennine stone houses continue to inform the post-industrial character of Edenfield, providing a visually pleasing and historic identity to the village.
- 2.4 Most mills have now been demolished, many for housing projects. The remaining mills still provide limited employment but virtually none is textile-related. One mill lies empty and is the subject of allocation for housing under H67 in the adopted Rossendale Local Plan. The community is mindful that without appropriate planning and development control, increased growth will further erode the countryside.
- 2.5 It is consequently important that any future development should pay respect to the industrial character of the area; adapt existing assets for local use; and preserve the natural beauty of the surrounding countryside.
- 2.6 Listed buildings are designated as such because of their special architectural or historical interest. Within the designated Edenfield Neighbourhood Area there are

three listed buildings of Grade II² quality and one of Grade II*³ quality. These are detailed in Table 1 and reflect both the natural and historic characteristics of Edenfield.

List Entry	Name	Grade	List Date	Easting	Northing
1072820	Elton Banks	II	1984-11-30	379945	420081
1072821	Hey Meadow Farmhouse	II	1984-11-30	380326	419808
1163639	Elton Banks Farm	II	1984-11-30	380350	420239
1318084	Edenfield Parish Church	II*	1966-08-09	379858	419809

Table 1. Listed Buildings in Edenfield Neighbourhood Area

- 2.7 Edenfield also contains a number of buildings that are proposed by the Rossendale Civic Trust for inclusion in Rossendale Borough Council’s list of buildings of local interest or importance. This list is to identify buildings which are not statutorily listed but are considered to be of local significance and importance for architectural, historical and local merit. These are identified in Table 2.
- 2.8 Historic England Advice Note 7 (Second Edition) Local Heritage Listing: Identifying and Conserving Local Heritage at paragraph 36 summarises commonly applied selection criteria for assessing the suitability of assets for inclusion in a local heritage list. These include age, rarity, architectural and artistic interest, group value and historic interest. The buildings identified in Table 2 all satisfy one or more of those criteria.
- 2.9 The Rossendale Local Plan 2019 - 2036 identifies some non-listed heritage assets in the Neighbourhood Area. These are Chatterton Hey (Heaton House), Mushroom House and the former Vicarage (paragraph 4 of the site-specific policy for housing allocation reference H66 Land west of Market Street) and Edenwood Mill (paragraph 1 of the site-specific policy for site H67).

² Grade II Listed buildings are buildings that are of special interest, warranting every effort to preserve them

³ Grade II* Listed buildings are particularly important buildings of more than special interest.

Building and grid reference	Description and Reason for Local Interest/Importance
Chatterton Hey House 7961 1919 Off Exchange Street	Elegant stone built two-storeyed house with eaves cornice and hipped slate roof. Glazed and panelled door with depressed arch (keystone dated 1765) and cornice. Long stair window with small panes for full height of house. Three windows on each floor. Similar wing on right. Chatterton Hey stands on one of the oldest sites in Edenfield and has connections with some of the most important families in the village's history (Haworths, Rostrons, etc.).
1-5, Green Street and 2-6, Sarah Street. 8003 1923 Off Gin Croft Lane	Well-built back-to-back cottages, c.1840. These houses have an interesting history being built on land let by the trustees of the 'Sarah Green' charity. The original lettings conditions survive and specify the standards to which the houses were to be built.
59-69, Market Street. 7992 1940 Market Street.	Early example of speculative building in the village. Row of cottages known as 'Badger Row' built c.1782 by the landlord of the 'Horse and Jockey'.
136-150, Market Street. 79911967 Market Street	A good example of the piecemeal development of a row of houses encouraged by the textile industry and the advent of the turnpike roads. The old name for the houses is 'Temple Row' and they were built over the period from 1791 to c.1830. No.144 was 'lately erected' in 1806. The name 'Temple' is often associated with places where there were handloom weavers and there is a blocked taking in door in the gable of no.150.
4-26, Rochdale Road 8000 1913 Rochdale Road	Early 19th century (c.1825) row of millworkers' houses built by the Rostron family, important millowners in Edenfield. Very few houses of this date and type survive in the village. Formerly called 'Commercial Row'.
Rostron Arms	A public house at Market Place.
Milestone on Market Street. 7996 1927	On footway outside 16 Market Street. Defaced in anticipation of a German invasion in World War II and bears an Ordnance Survey bench mark with a small metal-domed brass rivet on top at the apex of the cut arrowhead marks.

Table 2. Buildings of local interest or importance in Edenfield

3. Edenfield Today

The study area

- 3.1 Edenfield is a village within the Greenfield and Eden Ward (created in May 2024 as a result of the district ward boundary review). It is located in the Borough of Rossendale in the County of Lancashire, in the north west of England. Edenfield is the largest of six villages in the area of the former Ramsbottom Urban District Council that was transferred to Rossendale Borough Council in 1974. The other villages are Turn (south east), Irwell Vale (north west), Stubbins, Chatterton and Strongstry (all in the south west).
- 3.2 Edenfield is at the southern border of Rossendale and is adjacent to the Metropolitan Borough of Bury. The village lies to the east of the M66, where it terminates and becomes the A56. Beyond the M66/A56 is the River Irwell and Edenfield lies above the east bank of the River. The village is 8km north of Bury and 14km south east of Blackburn.
- 3.3 The designated Edenfield Neighbourhood Area encompasses Edenfield village. The boundary follows the A56 to the west of the village and the Dearden Brook to the south. To the east the boundary follows Michael Wife Lane and Gincroft Lane due north, until it is in line with Fish Rake Lane, the northern boundary.
- 3.4 The population is mostly concentrated in the south of the designated Edenfield Neighbourhood Area, with ribbon development from the centre to the northern boundary along the Market Street/Burnley Road corridor.
- 3.5 Some key facts and issues identified within Edenfield's evidence base are shown in Figure 2 below.

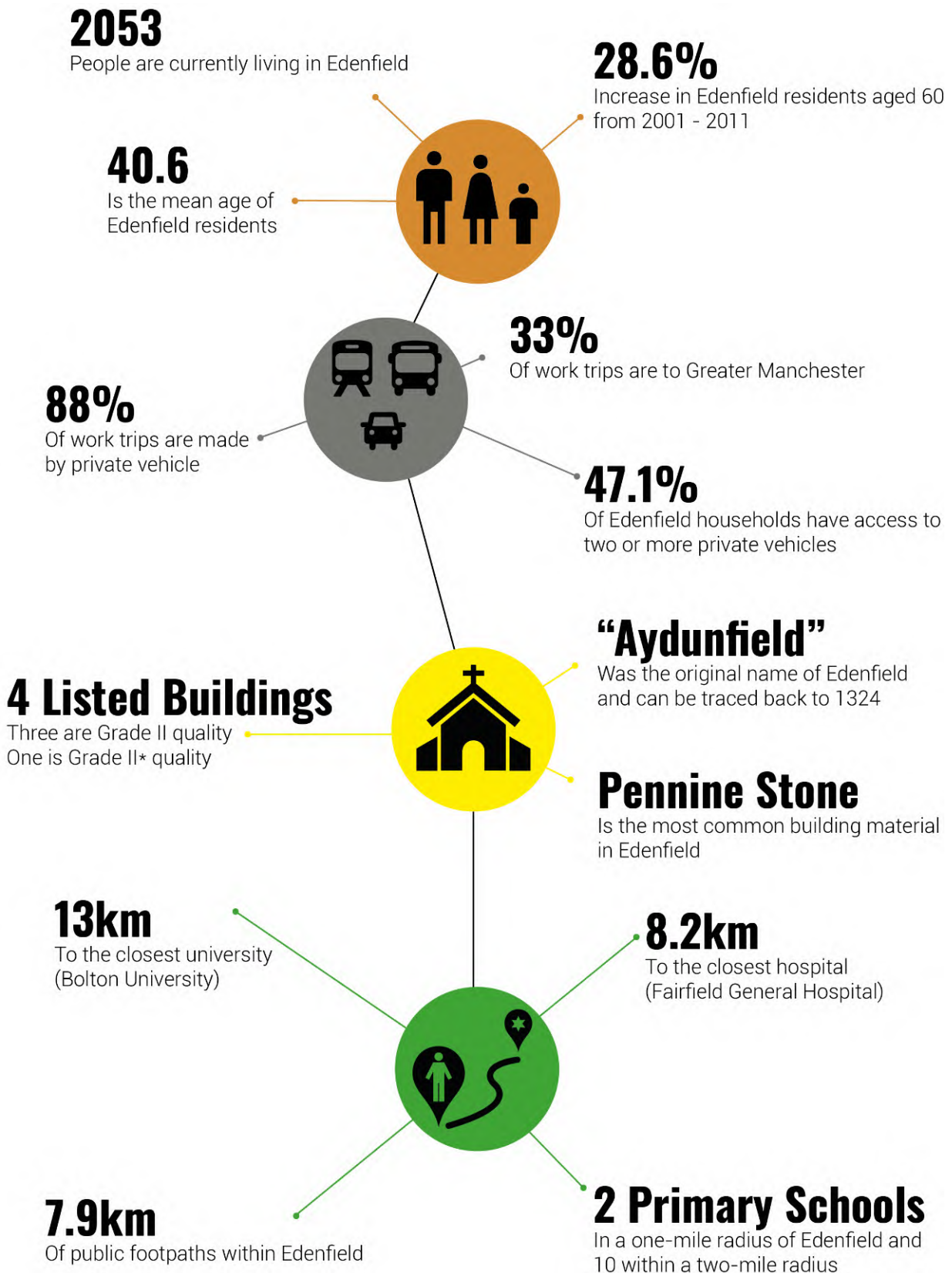


Figure 2. Edenfield Key Facts

Views of the community

- 3.6 Through the Neighbourhood Plan's engagement process, a range of matters were identified as important to address in the Neighbourhood Plan including:
- Recognition that Edenfield is a **rural settlement** with picturesque views of the countryside, and the Neighbourhood Plan must retain and strengthen this characteristic of the area.
 - A desire to protect connections to the natural environment through open and green spaces which are valued by local residents and visitors.
 - Clear support to enhancing the accessibility of important local services, especially doctors, dentists, post offices, recreational areas, and secondary schools.
 - A desire for policy requirements on new developments in the village to reflect the local scale and historic character of surrounding buildings
 - Acknowledgement that the private car and its impacts such as on-street parking, traffic, congestion, and speed of vehicles have an impact on journey times, and on pedestrian and cycle safety which must be addressed
- 3.7 These matters have informed the vision and objectives of the Neighbourhood Plan, outlined in the 'Edenfield Tomorrow' section of this document. Where planning policies cannot directly address these matters (for example, allocating a new dentist in Edenfield), the Plan has laid the conditions for future improvement, and enabled alternative solutions to the issues faced by the Edenfield community.

4. Edenfield Tomorrow

Vision

4.1 This vision for Edenfield is:

“Over the Plan period the rural character of Edenfield will be retained and strengthened. New growth will reflect the historic character of the village and its setting, with the role of the Community Centre and Cricket Club reinforced as focal points of the local community.

New growth that takes place will be in response to meeting local needs and those specified for Edenfield in adopted Rossendale Local Plans. Growth will also help Edenfield become more self-sufficient, supporting existing and new amenities and services, including improved public transport, walking and cycling facilities, providing a range of mobility choices for all to reduce the reliance on the private car”.

Objectives

4.2 The objectives of the Neighbourhood Plan as identified through engagement with the local community are as follows:

- 1) Using sustainable, high quality, traditional materials for new development to maintain and strengthen the character and heritage of Edenfield, whilst still allowing for high quality and sustainable design innovation and growth.
- 2) To ensure that any development on land designated as Green Belt is consistent with the purposes of that designation
- 3) To support sustainable development that reflects local housing needs and requirements of the local community – considering affordability, type and mix. The size, density and design of these dwellings should reflect the rural character of Edenfield.
- 4) To maintain, conserve and enhance the natural environment, particularly through designated Local Green Spaces and the retention of public views particularly of the Irwell Valley and Edenfield Parish Church, ensuring connections to the natural environment are maintained.
- 5) To ensure Edenfield Recreation Ground, the playground on Exchange Street, Edenfield Community Centre and Edenfield Cricket Club and are retained for their current use and maintained to a high standard.
- 6) To support existing local services and promote the establishment of new local services to serve the community through the utilisation of existing buildings for alternative purposes. Establishment of retail services will be subject to the

provisions of policies R1, R3, R4, R5 and R6 of the Rossendale Local Plan 2019-2036 particularly in relation to the Edenfield Neighbourhood Parade as defined in that Plan.

- 7) To support the preservation of existing community facilities for community events and support the establishment of new facilities.
- 8) To improve the pedestrian and cycling infrastructure and network.
- 9) To ensure that, where parking is provided, it is well-designed and suitably located, so that it is used as intended and does not have a detrimental impact on the street scene, character and amenity.

Vision/Objectives/Policy Table

4.3 The vision and objectives identified above have been instrumental in the creation of Edenfield's neighbourhood planning policies, as demonstrated in Table 3 below.

Vision	Objective	Policies
Over the Plan period the rural character of Edenfield will be retained and strengthened.	1, 2, 3, 8	UB1, D1, D2, HE1, LC1, E1, GI1, GI2, NE1, NE2, NE3, NE4, NE5, NE6
New growth will reflect the historic character of the village and its setting, with the role of the Community Centre and Cricket Club reinforced as focal points of the local community.	2, 4, 5, 6	UB1, D1, D2HE1, HE2, HE3, LC1, LC2, E1, E2, GI2, GI3, NE1, NE2, NE4, NE5, NE6
New growth that takes place will be in response to meeting local needs and strategic housing policy and help Edenfield become more self-sufficient, supporting existing and new amenities and services, including improved public transport, walking and cycling facilities, and providing a range of mobility choices for all to reduce the reliance on the private car.	2, 5, 6, 7, 8	UB1, HO1, HO2, HO3, T1, T2, LC1, LC2, E1, E2, GI1, GI2, GI3, GI4, DMR1

Table 3. Vision, objectives and policies

5. Development Within and Beyond Settlement Limits

- 5.1 Edenfield itself is inset from the Green Belt, but virtually all the land surrounding the village is designated as Green Belt. It is particularly important that local development is directed in the most sustainable locations and sprawl is avoided.
- 5.2 Edenfield is a classic example of the ribbon development which is common across the Rossendale landscape. Whilst this linearity is strong in the north, the south of the village has a more expanded structure, due to significant post-war development which saw the settlement grow around Bolton Road North, Bury Road and Rochdale Road. Through the development of Site H66, some change to the existing pattern of development of the settlement will take place with the northern extent of the settlement becoming less linear. This will deliver a sustainable pattern of development by bringing new homes, population and associated expenditure into the settlement in close proximity to the settlement's centre and associated services.
- 5.3 Maintaining the rural character of Edenfield is an important vision for its community. It is appropriate that the village is able to manage and accommodate an appropriate level of growth in order to prosper. However, this must be balanced against the need to preserve its role as a rural settlement that does not encroach into the open countryside and Green Belt that surrounds the village.
- 5.4 The Rossendale Local Plan 2019 - 2036 is part of the current adopted development plan. An extract from the Policies Map of relevance to Edenfield is presented in Figure 3. Here the Urban Boundary is clearly displayed with Green Belt surrounding. The adopted Rossendale Local Plan removed the Green Belt designation that applied to most of housing allocation reference H66, on the basis that the A56 provides a strong defensible boundary and the site offers the opportunity to provide good quality, well-designed housing to meet Rossendale's housing needs, including local affordable housing, and associated infrastructure benefits.
- 5.5 The adopted Rossendale Local Plan 2019-2036 is a key part of the current development plan. The preamble to Strategic Policy SS: Spatial Strategy in the Local Plan identifies Edenfield as an Urban Local Service Centre, as distinct from a Key Service Centre or Rural Local Service Centre. This "settlement hierarchy is based on the facilities that are offered at present [December 2021] at each location" (Local Plan, paragraph 25). Geographically, it remains a rural settlement.
- 5.6 Strategic Policy HS1: Meeting Rossendale's Housing Requirement, of the Local Plan, stipulates: "The housing requirement figure for Edenfield Community Neighbourhood Area from 2019-2036 is 456 dwellings". Policy HS2 allocates three sites in the Neighbourhood Area for housing development: H65 (9 dwellings), H66 (400) and H67 (47).

- 5.7 The Neighbourhood Plan policies support the Government’s objective to protect Green Belt land and reiterate that only in very special circumstances will inappropriate development be permitted in the Green Belt.

Policy UB1. Development and the Urban Boundary

1. Future development in the Edenfield Neighbourhood Area shall be focused within the Urban Boundary as identified on the Policies Map.
2. Development proposals will be supported within the Urban Boundary subject to compliance with other policies in the Development Plan.
3. Inappropriate development is, by definition, harmful to the Green Belt. Only in very special circumstances will inappropriate development be permitted in the Green Belt. Exceptions to inappropriate development are set out in the National Planning Policy Framework (NPPF).
4. Where development is proposed on land which was removed from the Green Belt by the Rossendale Local Plan 2019-2036, the developer will be required to provide for compensatory measures in the remaining Green Belt in accordance with Policy SD4 of the Local Plan and other guidance.

- 5.8 Other guidance to be taken into account by developers comprises national and local guidance for the time being in force. Currently, local guidance is contained in the January 2023 version⁴ of RBC’s paper *Compensation Measures for Green Belt*. This is not a Supplementary Planning Document, but the Explanation of Policy SD4 in the Local Plan includes (paragraph 59):

“Further details of precise measures are set out in the relevant site specific policy, and the Council’s Green Belt Compensatory Document or its successor. Additionally a Supplementary Planning Document (SPD) will be produced setting out the details of these schemes, for example, showing PROW improvements, locations for tree planting etc. These documents inform the site-specific policies and will inform future site-specific negotiations”.

4

[https://www.rossendale.gov.uk/downloads/download/11553/compensation measures for green belt release](https://www.rossendale.gov.uk/downloads/download/11553/compensation%20measures%20for%20green%20belt%20release)

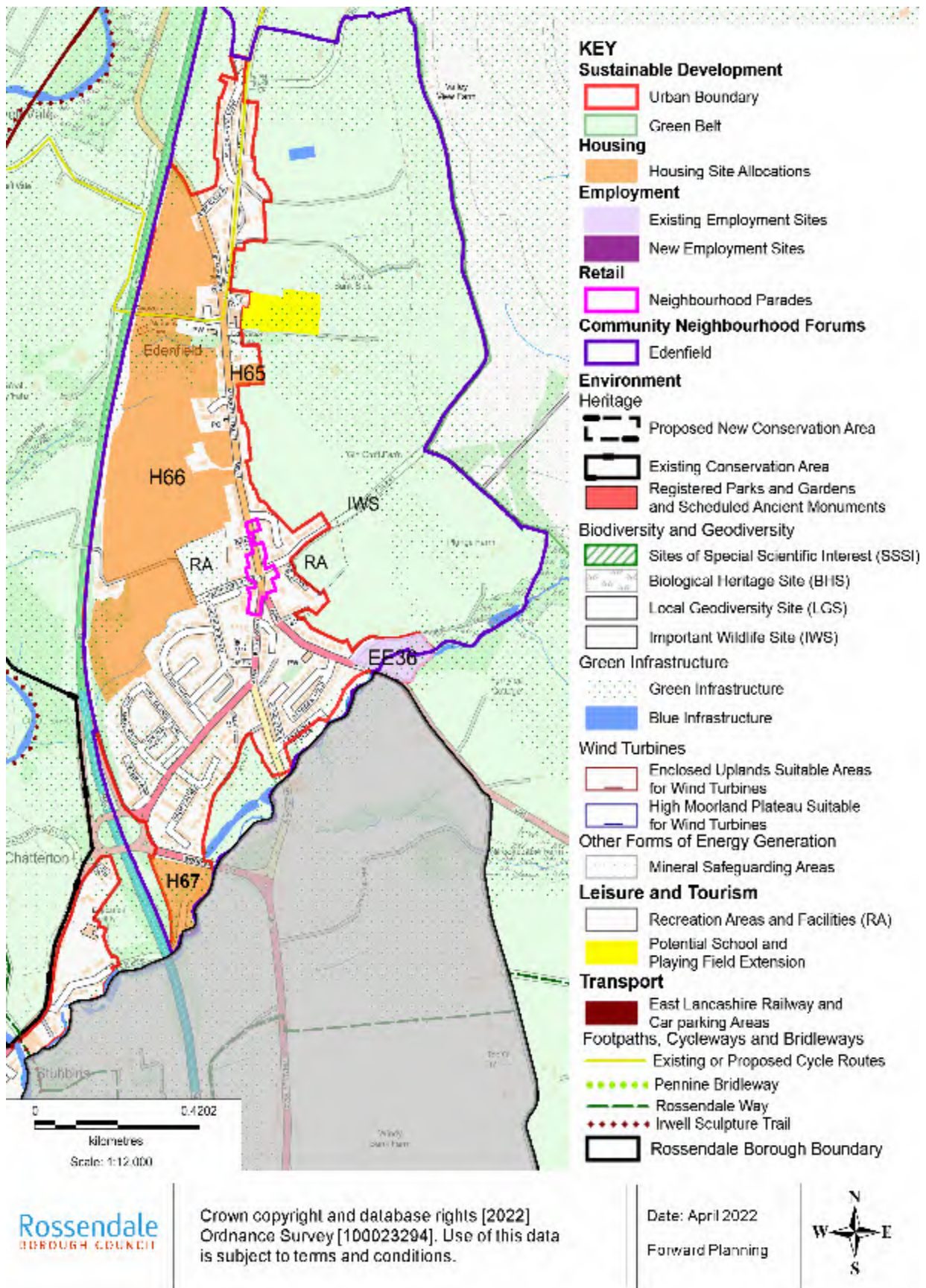


Figure 3. Rossendale Local Plan 2019 – 2036. Adopted Policies Map 2021

6. Housing

- 6.1 Rossendale Borough Council's 2019 updated Strategic Housing Market Assessment (SHMA) identifies that there is considerable need for affordable housing in Rossendale and that this matter must be tackled urgently. Furthermore, the SHMA highlighted that there is a particular need to provide for the growing elderly population as well as a growing need for housing for families with children.
- 6.2 As established within this Plan's evidence base⁵, housing within Edenfield is on average more expensive than in the wider borough of Rossendale and a lack of high-quality affordable housing was also raised as a key issue during the consultation process. The Neighbourhood Plan seeks to address this issue through supporting housing development which meets the needs of the local population.

Policy HO1. Identified housing needs

1. Proposals located within the Urban Boundary, which meet the identified housing needs (including affordable housing) will be supported subject to the other policies in the Neighbourhood Plan and wider Development Plan.

Policy HO2. Affordable housing delivery

1. Proposals for new residential development that secure the delivery of affordable housing and provide for the size, type and tenure of homes to meet local needs will be supported, provided they comply with other policies of the development plan and with policy HS3 of the adopted Local Plan, the objective of which is the provision of 30% on-site affordable housing from market housing schemes including 10% affordable home ownership. The application of this policy will maintain a focus on affordable housing but will be sufficiently flexible to take account of viability and changing market conditions over time. The size (number of bedrooms), type (flat, house, etc) and tenure (social and affordable rented, intermediate, shared ownership or other) of affordable homes for each proposal will be based on up-to-date evidence of local needs. It is recognised that housing need in the Neighbourhood Area in relation to tenure, mix and type will change over the lifetime of the Neighbourhood Plan.

⁵ Troy Planning + Design, 2020, Edenfield Factbook

Policy HO3. Affordable housing eligibility

1. The eligibility for affordable housing will be administered by Rossendale Borough Council as the Housing Authority. However, the affordable housing shall be first occupied by applicants who can demonstrate a local connection to the Edenfield Neighbourhood Area through either of the qualifications below.
2. Residency qualification:
 - a) have had their principal residence in the Edenfield Neighbourhood Area for a continuous period of twelve months immediately prior to the application; or
 - b) have lived in the Edenfield Neighbourhood Area for 3 out of the previous 5 years or for 6 out of the previous 12 months; or
 - c) have close family (parent, sibling, child or grandparent) who have been resident in the Edenfield Neighbourhood Area for 5 continuous years and who continue to reside there.
 - d) Members of the Armed Forces, veterans of up to 5 years and their spouses/civil partners are exempt from any local connection criteria. Armed Forces members are defined as: a member of the Royal Navy, the Royal Marines, the British Army or the Royal Air Force or a former member who was a member within the five years prior to the purchase of the First Home, a divorced or separated spouse or civil partner of a member or a spouse or civil partner of a deceased member or former member whose death was caused wholly or partly by their service.
3. Employment qualification:

An individual will be considered to have a local connection if he/she or his/her partner meets all of the following criteria:

 - a) works at or from an office or business establishment based in the Edenfield Neighbourhood Area; and
 - b) has been in paid employment or self-employed for 12 continuous months at a minimum average of 16 hours per week over a period of 12 continuous months at the time of application.
4. In the situation where affordable housing is available but no applicant can demonstrate a local connection to Edenfield, priority will be given to applicants who can demonstrate a local connection to Rossendale, such connection to be determined by reference to paragraphs 2 and 3 above as if "Borough of Rossendale" had been substituted for "Edenfield Neighbourhood Area".

Policy HO4. Site H66 design and layout

1. Development of site H66 (land west of Market Street) as identified in the Rossendale Local Plan 2019-2036 will be supported if it also takes into account the following design and layout criteria specified in the Local Plan:
 - a) Retention and strengthening of the woodland enclosures to the north and south of the church.
 - b) The layout of the housing parcels should be designed to allow views to the Church to continue.
 - c) The relationship of the new dwellings to the Recreation Ground to ensure safe non-vehicular access is provided.
 - d) Public open space to be provided along the woodland area south of the brook/Church enclosure.
 - e) Landscaping of an appropriate density and height is implemented throughout the site to "soften" the overall impact of the development and provide a buffer to the new Green Belt boundary.
 - f) Materials and boundary treatments should reflect the local context.

7. Design

- 7.1 The achievement of high-quality design is a core principle of the NPPF. It states, at paragraph 131, that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. The importance of the design of the built environment and its contribution to making better places for people is emphasised. It states that “Neighbourhood planning groups can play an important role in identifying the special qualities of each area explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers” (paragraph 132).
- 7.2 The Local Plan places great importance on the design of new developments, supporting the national objective of promoting good design.
- 7.3 Notwithstanding the policy drivers for achieving high quality design, it was also established through consultation events that the community of Edenfield also places high importance on the rural character of the village as this was identified as a key strength.
- 7.4 Through the plan preparation a Design Code for the area has been produced. The purpose of the Design Code is to raise an appreciation for Edenfield’s existing village character, and to use this understanding to provide design guidance to strengthen and protect the village setting. It will identify the various character areas of the village, and provide a set of guidance which aligns to the objectives of the Neighbourhood Plan and the ambitions of the Neighbourhood Forum,
- 7.5 The Neighbourhood Area is made up of a number of distinctive built character areas (as identified in the Design Code). These areas reflect the history of the area and are closely linked with phases of development over the years. These distinctive areas can be broadly identified as:
- Character Area 1- Village Cores
 - Character Area 2- Traditional Terraces
 - Character Area 3- Piecemeal Domestic Development
 - Character Area 4- Rural Fringe
 - Character Area 5- Former Rural Fringe
- 7.6 It is recognised that Edenfield has developed organically and consists of a variety of architectural styles. It is accepted that a number of properties (post 1940s) do not reflect the historic local vernacular and incorporate contemporary building materials that are not in keeping with their environs, however this is not a reason to allow further inappropriate development within it. Therefore, this plan seeks to ensure that new development is sympathetic to its rich built heritage and outstanding landscape

by using design principles and key design elements that are reflective of local character and context and use appropriate building materials in their construction.

- 7.7 The Design Code provides guidance for new development in the Edenfield neighbourhood area. Fundamentally, design policies aim to conserve and enhance the character and quality of the village’s built environment and ensure contextually appropriate design. A design-led response to development, referencing good practice principles⁶, will help create successful places. The design guidance provided in the Design Code seeks to protect the existing character of Edenfield and this is reflected in policy D1. The document also recognises the importance of enhancing the sense of place and this is reflected through Policy D2.

Policy D1. Design and amenity standards and village character

1. All development within the Edenfield Neighbourhood Area must:
 - a) meet the highest standards of design, make a positive contribution to the character of Edenfield; and
 - b) respect and enhance the built character of the village and its high-quality countryside setting; and
 - c) be of a good standard of amenity for all existing and future occupants; and
 - d) as appropriate reflect the vernacular of Edenfield and be in keeping with local character.
2. Any innovative and contemporary designs shall be complementary to their context.
3. To achieve this, and in support of the Design Code, development proposals will be supported, subject to their satisfying the following criteria as appropriate to the particular development:

⁶ Ministry of Housing, Communities & Local Government, 2021, National Design Guide: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf

- a) The context of the site in relation to topography, landscape, setting, character, local distinctiveness and building types; and
 - b) A density, scale, height and massing that is appropriate to its context; and
 - c) A layout that demonstrates how buildings, spaces and parking spaces relate to each other to create a practical coherent and legible structure; and
 - d) A hierarchy of linked routes and space that are permeable, relate to local facilities and provide parking provision that makes a positive contribution to the setting of buildings; and
 - e) The creation of a sense of place through massing and built form and sensitivity in respect of edge treatment, entrances, enclosures, active frontages, heights, detailing and rooflines; and
 - f) Landscape design and green infrastructure that contributes to a sustainable sense of place, such as wild areas for outdoor play, shelters, biodiversity buffers and wildlife corridors, and which softens the impact of the built form and is reflective of distinctive local landscape features; and
 - g) Materials and detailing relating to the design and context of development, including walls, roofs, openings, paved surfaces, signage and external lighting; and
 - h) Sustainable principles such as the curtilage storage of waste and recyclable material, cycle storage, homeworking and the durability and adaptability of buildings over time; and
 - i) Development forms and layouts that help reduce greenhouse gas emissions and utilise energy efficiency measures and water efficiency measures and the use of renewable de-centralised and low carbon energy generation; and
 - j) Proposals for development within the Green Belt will be supported only if they accord with national policy (currently set out at paragraphs 152-156 of the NPPF December 2023; and
 - k) The ten Principles of Active Design identified by Sport England and supporting guidance – <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>
4. Where planning permission is required extensions to dwellings, residential annexes, residential care institutions (Class C2) and detached buildings in residential curtilages shall be:
- a) In character with the host dwelling and subservient in scale taking into account any previous extensions or outbuildings added after the original building was constructed; and
 - b) Detached curtilage buildings shall be sited in a manner which minimises landscape intrusion; and
 - c) Proposals shall not be detrimental to the amenities of neighbours as a result of scale, siting, massing, impact, or overlooking.

Policy D2. Built heritage and character

1. All new development should actively respond to the rich built heritage and character of the Neighbourhood Area, with particular attention to layout, density, form, massing (on plot), setbacks, roof form, and boundary treatment to contribute to an improved quality of place. This should be achieved by:
 - a) As appropriate incorporating similar architectural features into the design as those that are found in traditional buildings in the village.
 - b) Having external materials reflect the palette of materials found in traditional buildings within the Neighbourhood Area.
 - c) The use of traditional, local materials is always preferred. However, modern construction materials such as reconstituted or cast stone may be an appropriate material provided that it results in an appearance that reflects and harmonises with the local stone material palette.
 - d) Other materials may also be appropriate, for example, in sustainably focussed, energy efficient buildings which require different material application.
 - e) Utilising external building materials and features that reflect the rich heritage of the Neighbourhood Area including Pennine stone, slate pitched roofing, chimney columns and off-set gable ends to match adjacent properties
 - f) Building frontages that align with the existing built form and overlook the street clearly defining the public and private realm.
 - g) Creating landscape schemes for housing which include the planting of trees and/or hedges
 - h) In the case of residential development providing private amenity space to the front and/or rear of the properties;
 - i) In the case of residential development providing parking within the plot and in accordance with adopted standards, unless it can be evidenced that the proposal will result in fewer spaces being required.
 - j) Creating parking spaces that are visually unobtrusive and use permeable surfaces to allow for rainwater absorption.
 - k) Taking full account in any proposal of any relevant considerations concerning the historic environment and designated and non-designated heritage assets in the area and their setting.
2. Nothing in this Policy shall be construed as preventing or discouraging appropriate innovation or change in a proposal for development.
3. Rear parking courtyards should be avoided unless there are no other practical solutions. Where rear parking courtyards are provided development should be arranged such that some residential units front onto and overlook this space.

4. Developers should demonstrate how they have responded to best practice design principles, including those set out in Building For a Healthy Life (or any subsequent update of this).

7.8. In addition to the National Design Guide and other guidance noted in Policies D1 and D2, there is a selection of current best practice guidance, or any relevant successor document, which should be taken into account by developers:

- National Model Design Code Part 1 The Coding Process (MHCLG) 20217
- National Model Design Code Part 2 Guidance Notes (MHCLG) 20218
- Building for a Healthy Life (Homes England / Design for Homes) 20209
- Streets for a Healthy Life (Homes England) 202210
- Planning Practice Guidance: Design Process and Tools (MHCLG) 201911
- Guidance for Outdoor Sport and Play (Fields in Trust) 202012
- Best Practice in Urban Extensions and New Settlements (TCPA, CABE) 200713
- Rising to the Climate Crisis (TCPA / RTPI) 201814
- Climate Change: Adaptation by Design (TCPA) 200715
- Cracking the Code (RTPI / RSPB) 202216
- Design for Play (Play England) 200817
- Manual for Streets (DfT) 200718

⁷https://assets.publishing.service.gov.uk/media/611152f98fa8f506ca458925/NMDC_Part_1_The_Coding_Process.pdf

⁸https://assets.publishing.service.gov.uk/media/6111531fd3bf7f043c4badd1/NMDC_Part_2_Guidance_Notes.pdf

⁹<https://www.designforhomes.org/wp-content/uploads/2020/11/BFL-2020-Brochure.pdf>

¹⁰ <https://assets.publishing.service.gov.uk/media/62cd61768fa8f54e8405571e/Streets-for-a-Healthy-Life.pdf>

¹¹<https://www.gov.uk/guidance/design>

¹² <https://fit.viewcreative.agency/content/files/Guidance-for-Outdoor-Sport-and-Play-England.pdf>

¹³ https://www.tcpa.org.uk/wp-content/uploads/2021/11/best_practice.pdf

¹⁴ <https://www.rtpi.org.uk/media/3568/rising-to-the-climate-crisis-1.pdf>

¹⁵https://www.preventionweb.net/files/7780_20070523CCALowres1.pdf

¹⁶ <https://www.rtpi.org.uk/media/11054/design-codes-report-final.pdf>

¹⁷ <https://www.playengland.org.uk/designforplay>

¹⁸<https://assets.publishing.service.gov.uk/media/5a7e0035ed915d74e6223743/pdfmanforstreets.pdf>

- Manual for Streets 2 (CIHT) 201019
- Secured by Design: Homes (UK Police) 202420
- Creating Civilised Streets (Lancashire County Council) 201021, referenced in the LCC Highways and Transport Strategy, 2023-2522.”

¹⁹ <https://www.ciht.org.uk/media/9351/manual-for-streets-2.pdf>

²⁰ <https://www.securedbydesign.com/images/HOMES%20GUIDE%20May%202024.pdf>

²¹ https://www.lancashire.gov.uk/media/81455/creating_civilised_streets.pdf

²² <https://www.lancashire.gov.uk/council/strategies-policies-plans/roads-parking-and-travel/highways-and-transport-strategy-2023-2025/>

8. Heritage Assets

- 8.1 These policies support a positive approach to conserving the historic environment and their setting as set out in the NPPF chapter 16 (Conserving and enhancing the Historic Environment) and Policy ENV2 of the Rossendale Local Plan 2019-2036.
- 8.2 Edenfield has a long and rich history, which has heavily influenced the character of the village and surrounding areas. The surrounding farmland greatly influenced the character of the village until the end of the 18th century. Industrial expansion through the late 18th and 19th centuries led to a decline in farmable land and a significant increase in industrial mills and houses for workers. During the 20th century, many of these mills were demolished to accommodate housing developments. Notwithstanding this, a high proportion of the elements that reveal the significance of this rich heritage have been retained and relatively well preserved. Table 4 and Figure 4 provide further details about some of the non-listed historic elements in the Edenfield Neighbourhood Area.
- 8.3 There are three listed buildings of Grade II²³ and one of Grade II*²⁴ in the Edenfield Neighbourhood Area (See Table 5 and Figure 7).
- 8.4 The Design Guide notes that the listed and non-listed assets are concentrated along Market Street but also include farmhouses to the east. As such, these policies seek to conserve and enhance the heritage assets and their setting.
- 8.5 The importance of these heritage assets to the local community has been acknowledged within the objectives of this Neighbourhood Plan.
- 8.6 The Rossendale Local Plan 2019 - 2036 identifies some non-listed heritage assets in the Neighbourhood Area. These are Chatterton Hey (Heaton House), Mushroom House and the former Vicarage (paragraph 4 of the site-specific policy for housing allocation reference H66 Land west of Market Street) and Edenwood Mill (paragraph 1 of the site-specific policy for site H67).

²³ Grade II Listed buildings are buildings that are of special interest, warranting every effort to preserve them

²⁴ Grade II* Listed buildings are particularly important buildings of more than special interest.

Name	Justification/Description
Chatterton Hey House	Elegant stone built two-storeyed house with eaves cornice and hipped slate roof. Glazed and panelled door with depressed arch (keystone dated 1765) and cornice. Long stair window with small panes for full height of house. Three windows on each floor. Similar wing on right. Chatterton Hey stands on one of the oldest sites in Edenfield and has connections with some of the most important families in the village's history (Haworths, Rostrons, etc.).
1-5, Green Street and 2-6, Sarah Street	Well-built back-to-back cottages, c.1840. These houses have an interesting history being built on land let by the trustees of the 'Sarah Green' charity. The original lettings conditions survive and specify the standards to which the houses were to be built.
59-69, Market Street	Early example of speculative building in the village. Row of cottages known as 'Badger Row' built c.1782 by the landlord of the 'Horse and Jockey'.
136-150, Market Street	A good example of the piecemeal development of a row of houses encouraged by the textile industry and the advent of the turnpike roads. The old name for the houses is 'Temple Row' and they were built over the period from 1791 to c.1830. No.144 was 'lately erected' in 1806. The name 'Temple' is often associated with places where there were handloom weavers and there is a blocked taking in door in the gable of no.150.
4-26, Rochdale Road	Early 19th century (c.1825) row of millworkers' houses built by the Rostron family, important millowners in Edenfield. Very few houses of this date and type survive in the village. Formerly called 'Commercial Row'.
Rostron Arms	A public house at Market Place.
Milestone on Market Street	On footway outside 16 Market Street. Defaced in anticipation of a German invasion in World War II and bears an Ordnance Survey bench mark with a small metal-domed brass rivet on top at the apex of the cut arrowhead marks

Table 4. Edenfield Buildings of Local Interest or Importance



Figure 4. Edenfield Buildings of Local Interest or Importance Map

Map No	List Entry	Name	Grade	List Date	Easting	Northing
1	1072820	Elton Banks	II	1984-11-30	379945	420081
2	1072821	Hey Meadow Farmhouse	II	1984-11-30	380326	419808
3	1163639	Elton Banks Farm	II	1984-11-30	380350	420239
4	1318084	Edenfield Parish Church	II*	1966-08-09	379858	419809

Table 5. List of Designated Heritage Assets in Edenfield



© Mapbox, © OpenStreetMap

Figure 5. Map of Listed Buildings in Edenfield

Policy HE1. Conservation and enhancement of heritage assets

1. Within the Edenfield Neighbourhood Area, any listed or non-listed heritage assets and their setting will be conserved or enhanced in a manner appropriate to their historic significance. Development within the Edenfield Neighbourhood Area must ensure that the local distinctiveness and character of these listed heritage assets are conserved or enhanced.

Policy HE2. Non-designated heritage assets

1. The Neighbourhood Plan identifies the properties in Table 4 of the Plan as locally important, non-listed heritage assets. Proposals for development that affect non-listed historic assets shall be considered taking account of the scale of any harm or loss and the significance of the heritage assets.
2. The effect of a proposal in a planning application on the significance of these non-listed heritage assets will be taken into account in determining the application in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Policy HE3. Planning applications and heritage assets

1. A planning application for or impacting a listed or non-listed heritage asset or its setting will be required to:
 - a) provide a description of the significance of any heritage asset affected, including any contribution made by its setting. The level of detail should be proportionate to the asset's importance and sufficient to understand the potential impact of the proposal on its significance. This should be undertaken by a suitably qualified expert.
 - b) where a site on which development is proposed includes or has the potential to include a heritage asset with archaeological interest submit an appropriate desk-based assessment and, where necessary, a field evaluation. This should be undertaken by a suitably qualified expert.
 - c) take account of potential harm to the significance of non-listed heritage assets;
 - d) avoid the total loss of significance or substantial harm to listed heritage assets in their setting through alterations or new development except where this accords with local and national policy requirements.

Policy HE4. Site H66 mitigation measures

1. Development of site H66 (land west of Market Street) as identified in the Rossendale Local Plan 2019-2036 will be supported provided suitable mitigation measures identified in the Local Plan are identified and secured to conserve, and where possible, enhance the setting of the Church and the non-designated heritage assets Chatterton Hey House (Heaton House) and Mushroom House and the former Vicarage.

9. Transport and travel

- 9.1 The village lies to the east of the M66, where it terminates and becomes the A56. The A56 allows vehicles to travel in a north/south direction and bypasses the village to the west. Burnley Road/Market Street is the main road which runs directly through the village. To the south, the road forks into Bury Road and the A680.
- 9.2 Within the Neighbourhood Area, there is a high reliance on private motor vehicles. The dominance of the private car and impacts were highlighted as a key issue during consultation events. Particularly, the volume of traffic along the main central routes has been identified as an issue through the consultation exercise.
- 9.3 Consultation responses showed a desire to improve walking and cycling conditions, in and around the Neighbourhood Area, providing travel choice and opportunity for all and this has been reflected within the vision of the Neighbourhood Plan. There are significant social, economic, health and environmental benefits to be gained through a modal shift from private vehicles to walking and cycling. As such, policy T1 seeks to ensure that any new development will promote sustainable forms of transport to support this modal shift.
- 9.4 Policy T2 seeks to address the transportation issues in the area by minimising the potential impacts of new developments. The policy also has a particular focus on minimising the impacts of new developments on the central routes which have been identified as being particularly problematic.

Policy T1. Promotion of sustainable forms of transport

1. Proposals for new development in the Neighbourhood Area should promote sustainable forms of transport, including measures to promote walking, cycling and the use of public transport and electric and low emission vehicles.

Policy T2. Mitigation measures and Transport Assessments

1. Mitigation of traffic impacts may be required in order to address the negative impacts of traffic generation arising from development proposals. Such mitigation measures could include the requirement for improved facilities for pedestrians, cyclists and public transport in the area, and will be secured by legal agreements linked to planning permissions granted.
2. Where a Transport Assessment (or equivalent) is required to support a planning application, this must evaluate the effects of additional traffic movements generated by the development on the core local road network comprising Market Street, Burnley Road, Bury Road, Bolton Road North, Rochdale Road, and Blackburn Road. Such traffic analysis must also evaluate the impact of additional traffic movements on/off these major thoroughfares.
3. Given Upon the request of the Local Planning Authority, and given the proximity of the Strategic Road Network, any development proposal within the Neighbourhood Area that would be expected to generate more than 30 two-way vehicle trips per day should include within the accompanying Transport Assessment an assessment of the impact of traffic generated at the M66 junctions 0 and 1 with the A56.

10. Local Community

Infrastructure facilities

- 10.1 The Local Plan recognises the importance of community facilities to the areas that they serve both for local residents and visitors. Figure 6 maps the community infrastructure facilities within the designated neighbourhood area.
- 10.2 During the consultation exercises, it was identified that whilst there are some community facilities within Edenfield, the current provision needs to be increased and improved. The provision of infrastructure is critical to ensuring that local residents have access to essential services and facilities to maintain a high standard of living and is important for community building. Locating such uses in easy access of the home and co-located with other activities will help increase access and use by the whole community.
- 10.3 Services which were highlighted as desirable during consultation by the community included a permanent library, local shop with fresh produce and an enlarged Community Centre.
- 10.4 The Rossendale Infrastructure Delivery Plan 2018 and its March 2019 update state that the Edenfield Community Centre, in line with other community centres in the borough, has been affected by cuts in central and local government funding. The consultation process also raised concerns regarding the current state of the village's infrastructure, where deficiencies were identified in both social and physical infrastructure, including transportation issues and local facilities. In order to address this and ensure that new development does not exacerbate the deficiencies, policy LC2 seeks to ensure that new housing developments are well supported by Infrastructure.

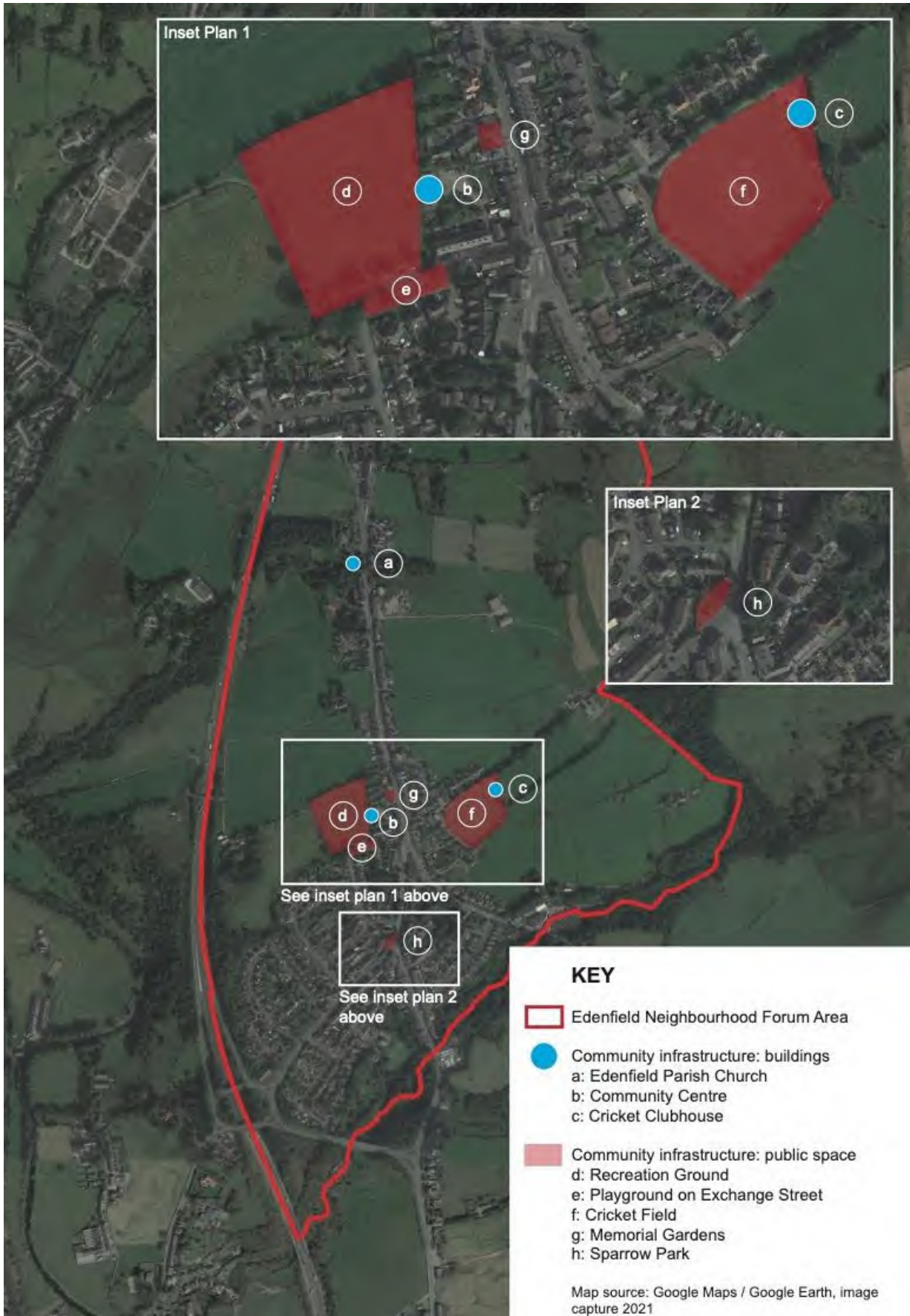


Figure 6. Edenfield Community Infrastructure Facilities

Policy LC1. New, improved or extended community facilities

1. Proposals for new, improved or extended community facilities will be supported subject to Policy G11 and subject to the following criteria:
 - a) The proposal would be compatible with the character of the site and its surroundings.
 - b) The proposal would be well related to the built form of the settlement and close to existing development.
 - c) The site is accessible by a variety of modes of transport, including walking and cycling.
 - d) The amount of traffic generated by the proposal can be accommodated on the local highway network without harming road safety.
 - e) The proposal would not be detrimental to the amenity of neighbouring residents by reason of noise or traffic.
 - f) A need for the facility has been established.
 - g) Any new or improved sports facility in the Neighbourhood Area shall be designed in accordance with the latest design guidance issued by Sport England:
<https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>
2.
 - a) All existing premises last used as a community facility will be protected for that use unless a clearly justified case can be made for development of the premises for other purposes.
 - (b) Any proposal for such development will be required to demonstrate:
 - i. that the premises have not been in active use for a sustained period (normally at least twelve months)
 - ii. through a rigorous marketing strategy to be agreed with the local planning authority and normally of twelve months' duration and a full valuation report, that there is a lack of demand for their use as a community facility; and
 - iii. that the proposal is appropriate for the premises, having regard to other policies of the development plan and planning guidance.
3. Community facilities are community centres, sports facilities, places of worship, parks and recreation grounds

Policy LC2. Sports facilities

1. If existing sports facilities do not have the capacity to absorb the additional demand for sport generated by new housing development in the Neighbourhood Area financial contributions will be sought from the developer through negotiations with Rossendale Borough Council and secured as appropriate through a Section 106 planning application.

Policy LC3. Required local infrastructure

1. The provision of required local infrastructure will need to be planned and delivered alongside new housing development to ensure that local infrastructure is provided for and / or improved in relation to the size and scale of development proposed. This requirement will apply to all infrastructure including physical, social and green infrastructure.
2. A Local Infrastructure Delivery Plan will be kept up to date by the Neighbourhood Forum which prioritises infrastructure needs, estimates costs and assigns delivery responsibilities.

Policy LC4. Policies for sports facilities

1. Notwithstanding policies LC1, LC2 and LC3, any development proposals concerning current or proposed sporting facilities in the Neighbourhood Area shall have regard to:
 - i) The national policy for sport (as currently set out in NPPF, December 2023, especially paragraphs 102 and 103),
 - ii) The Playing Fields Policy and Guidance promulgated by Sport England:
https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport#playing_fields_policyand
 - iii) The RBC Sport Strategy:
<https://www.rossendale.gov.uk/downloads/download/11571/playing-pitch-and-outdoor-sport-strategy-2022>

11. Local Centre and Commerce

11.1 The NPPF highlights the role that local centres play at the heart of local communities and that development should seek to ensure the vitality of these areas. The Neighbourhood Area provides employment opportunities for the local population, as well as an accessible place to shop for residents.

11.2 Class E uses` are those listed in the Town and Country Planning (Use Classes) Order 1987, as amended, under Use Class E – Commercial, Business and Service, which took effect from 1st September 2020. Planning permission is not required to change between any of the uses within Class E. Class E is, in summary, use for any of the following purposes:

E(a) Display or retail sale of goods, other than hot food (excluding small shops selling essential goods, including food, where there is no such facility within one kilometre).

E(b) sale of food and drink for consumption (mostly) on the premises.

E(c) Provision of: (i) financial services, (ii) professional services (other than health or medical services), or (iii) other services which it is appropriate to provide in a commercial, business or service locality.

E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms and excluding swimming pools and skating rinks).

E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner).

E(f) Creche, day nursery, or day centre (not including residential use).

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

- (i) offices to carry out any operational or administrative functions,
- (ii) research and development of products or processes,
- (iii) industrial processes.

Class E uses benefit from permitted development rights that include:

- Changes to use Class C3 (dwelling houses) subject to prior approval
- Changes to mixed use for anything within Class E and as up to two flats (and back again) subject to prior approval
- Change to a state funded school or back to a previous lawful use.

11.3 The Local Plan for Rossendale supports this objective of the NPPF through focusing retail and other town centre uses within defined centres. Edenfield is identified as a neighbourhood parade in the Local Plan. The Local Plan makes reference to the Town Centre, Retail, Leisure and Tourism Study (2017). This study identified that while

neighbourhood parades are not 'centres' in the same way that town, district and local centres are, they should still be afforded some protection.

- 11.4 Policies E1 and E2 seek to support these national and local objectives through supporting proposals which generate and develop local business and opposing the loss of these services unless evidence to justify the loss can be provided. In order to generate employment and develop local business, policy E1 also highlights that these proposals may be supported outside of the local centre if appropriate.
- 11.5 While Policy E1 supports the national and local objectives of ensuring the vitality of local centres, it also seeks to ensure that proposals will not create significant adverse effects within the Neighbourhood Area. Proposals should have particular regard to factors which have been raised as key issues throughout the consultation events and these include neighbouring amenity, local and rural character and traffic-related nuisance.

Policy E1. Planning permissions – commercial, business and service establishments

1. Where planning permission is required for proposals for the provision of new E(a), E(b), E(c) uses or a drinking establishment with or without the provision of food these proposals will be supported, provided that they are in compliance with other policies of the development plan and in particular policies D1, D2 and T2 of the Neighbourhood Plan and avoid significant adverse effects in terms of:
 - a) Impact on neighbouring properties, or the locality in general in terms of noise, air pollution, odour or other nuisances; and
 - b) Impact on local and rural character in terms of scale, visual impact and nature of operations; and
 - c) Traffic generation, congestion and other vehicular traffic-related nuisance

Policy E2. Loss of commercial, business and service establishments

1. Where planning permission is required all existing premises last used for E(a), E(b), E(c) uses or as a drinking establishment with or without the provision of food will be protected for those uses unless a clearly justified case can be made for development of the premises for other purposes.
2. Any proposal for such development will be required to demonstrate:
 - a) that the premises have not been in active use for a sustained period (normally at least twelve months)
 - b) through a rigorous marketing strategy to be agreed with the local planning authority and normally of twelve months' duration and a full valuation report, that there is a lack of demand for their use for E(a), E(b), E(c) uses or as a drinking establishment; and
 - c) that the proposal is appropriate for the premises, having regard to other policies of the development plan and planning guidance.

12. Green Infrastructure

- 12.1 Paragraph 105 of the NPPF allows the designation of land as Local Green Space through Neighbourhood Plans. This will afford protection from development other than in very special circumstances. Paragraph 106 of the NPPF says that Local Green Space should only be designated where it is:
- in reasonably close proximity to the community it serves;
 - demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - local in character and is not an extensive tract of land.
- 12.2 A number of areas were identified by the community as being of value to them and in need of protection. These areas have been assessed against the criteria in the NPPF and the following areas are considered to be appropriate for designation:
- Playground on Exchange Street
 - Recreation Ground
 - Edenfield Cricket Club
- 12.3 The methodology used to consider the above areas is outlined in the Local Green Space report as part of the evidence base for this Plan.
- 12.4 It is further considered important to seek to enhance the green infrastructure assets of the area where possible as their inclusion in an area has a number of social and environmental benefits. Both the adopted and emerging development plans for Rossendale acknowledge the importance of Green Infrastructure and state that development should protect, manage, enhance and connect Rossendale's green infrastructure network.
- 12.5 The consultation exercises have identified that the form and function of these connections is highly valued by the local community and should be recognised as part of any new development proposals. This includes the existing relationship between built development and the countryside beyond, the relationship with locally important views and connections to the surrounding landscape. As such, policy GI3 seeks to ensure that any new developments will establish new connections to maintain this positive attribute of Edenfield.

- 12.6 The assessment of Chatterton Hey Field, showed this space was unsuitable for designation as a local green space, but revealed that the site was locally valued by the community as the only space for off-lead dog walking. As such, policy GI4 seeks to expand the opportunity for this activity throughout the village.

Policy GI1. Local Green Space designations

1. The following areas below, and as shown on the map in Figure 7 are designated as Local Green Spaces:
 - a) Playground on Exchange Street
 - b) Recreation Ground
 - c) Edenfield Cricket Club
2. Development shall be consistent with national and local policy for Green Belts.

Policy GI2. Wildlife areas and green spaces connectivity

2. Proposals that seek to improve the connectivity between wildlife areas and green spaces will be encouraged in order to enhance the green infrastructure of the Neighbourhood Area and its contribution to landscape character and local identity.

Policy GI3. Footpaths, cycle paths and green spaces accessibility

1. New development will provide for links from development sites to the wider footpath and cycle-path network and green spaces wherever possible.

Policy GI4. New development and Local Green Spaces

1. New development that impacts or affects Local Green Spaces or which will contribute to the increased use of Local Green Spaces through population growth will make provision for a proportionate increase in space that meets the criteria set out in the NPPF and/or enhancement of existing on-site facilities. Such provisions may include but are not limited to those as set out in policy DMR1.



Figure 7. Designations Map for Local Green Spaces

13. Natural Environment

- 13.1 The Lives and Landscape Assessment for Rossendale Borough Council (2015) highlighted that the irregular topography of Rossendale means that there are a number of expansive views across the area. The report makes specific reference to Edenfield, citing that “the cumulative effects of developments needs to be taken account of” with regards to their effects on the landscape character of the borough.
- 13.2 The 2015 Assessment defines Edenfield as being located within Settled Valleys character area: 8b Irwell Valley. This is characterised as an area with reduced densities of housing and extensive areas of open pasture. The report recognises that development is generally acceptable within the townscapes of this area, however specific regard should be had to where suburban areas abut the rural landscape.
- 13.3 One of the distinctive features of Edenfield Neighbourhood Area is the visual connectivity with the surrounding countryside from the village and public footpaths. The landscape character type of Edenfield is defined as a series of interlocking valleys with the built form laid out as ribbon development within the valley.
- 13.4 The local topography also enables long views from surrounding listed assets into the neighbourhood area. This is especially true with the long views from Peel Tower, a monument located to the south west atop Holcombe Hill. As well as protecting views out, these long views into Edenfield also need to be considered when determining the impact of any development, especially that which could affect the skyline of the settlement against the landscaped ridges. As such, the importance of Locally Important Views is highlighted within the Design Code.
- 13.5 Recent consultation events have highlighted that residents value highly the visual connection across the settlement and into the surrounding countryside. Through this a number of views were highlighted which bear importance for the local community. These views were critically assessed by consultants and shortlisted. It is important to protect and enhance the character and natural beauty of the countryside more generally whilst protecting the footpaths which allow access to it. Thus, the focus of the Key Views Assessment are those views of and from Edenfield Neighbourhood Area which contribute to local character and amenity.
- 13.6 Notwithstanding the views which have been regarded as locally important, the overall rural nature of the settlement and its countryside setting are fundamental to Edenfield’s character and this was highlighted as a key strength through the consultation exercises.
- 13.7 It is important that development should involve biodiversity net gain and the protection, and enhancement where possible, of watercourses and their ecological habitat value.

Policy NE1. Locally Important Views

1. The following, as identified in Figure 8, are identified as Locally Important Views which will be maintained to ensure continued visual connectivity with the surrounding countryside:
 - f) KV1 - Market Street, adjacent to its junction with Footpath 14-3 FP 126
 - g) KV2 - Market Street, adjacent to no 117 Market Street
 - h) KV3 - Lane leading west off Market Street by Mushroom House. 14-3 FP 126.
 - i) KV4 - Lane Leading west off Market Street by Mushroom House 14-3 FP 126.
 - j) KV5 - Gincroft Lane adjacent to Gincroft Farm. 14-3 BOAT 275.
 - k) KV6 - Footpath leading south from Hey Meadow Farmhouse 14-3 FP136
 - l) KV7 - Footpath leading south from Hey Meadow Farmhouse 14-3 FP136
 - m) KV8 - Church Lane and the Graveyard.
2. Development proposals should take into account Locally Important Views and minimise their adverse affect on the views.

Policy NE2. Development proposals and the local environment

1. All development proposals should seek opportunities to conserve or enhance the local environment commensurate with their scale and location and in accordance with other policies within the development plan. Proposals should demonstrate that they have taken account of locally distinctive landscape features and landscape character types contributing to the identity of locations within the Neighbourhood Area.

Policy NE3. Development and landscape and topography

1. Development will retain or enhance well-established features of the landscape, including mature trees, hedgerows and ponds. Any proposal for removal of such features must be justified by substantive evidence. If there is significant loss of trees and shrubs as part of development, then new provision will be expected elsewhere on the site or if not possible on sites elsewhere within the Neighbourhood Area providing equivalent coverage and acceptable contribution towards the natural environment and local character.
2. Development will be expected to reflect local topography and mitigate any adverse impact on views into and across the development from other locations through changes to skyline, hill slopes, height or mass.
3. Proposals for development will be expected to provide for biodiversity net gain (BNG) where possible in accordance with national policy (NPPF, December 2023, paragraphs 180(d), 185(b) and 186(d) and the Natural Environment Planning Practice Guidance). Developments shall comply with the requirements of the Environment Act 2021, including demonstrable minimum 10% BNG, when these come into force through the Town and Country Planning Act 1990 as amended.
4. Any trees or plants to be provided in a development as part of a landscaping scheme shall be of a species native to England and characteristic of the local area, in the interests of affording sources of suitable nectar and seed for bees and birds and of making a positive contribution to the local landscape.

Policy NE4. Development and ecology

1. Development should not adversely affect priority habitats and other areas of ecological importance and should, wherever possible, contribute to wider ecological networks.

Policy NE5. Site H66 watercourses and ecology

1. Development of site H66 (land west of Market Street) as identified in the Rossendale Local Plan 2019-2036 will be supported provided that existing watercourses on or adjoining the site are protected and, if possible, enhanced and that the site layout does not encroach into riparian corridors and does not negatively impact upon flood risk, water quality or ecological habitat value.

Policy NE6. Site H67 watercourses and ecology

1. Development Proposals for re-development of site H67 (Edenwood Mill) as identified in the Rossendale Local Plan 2019-2036 should, where possible, incorporate the removal of man-made structures from the river channel and the restoration of riverine habitats to reduce flood risk, improve water quality and enhance ecological habitat value.

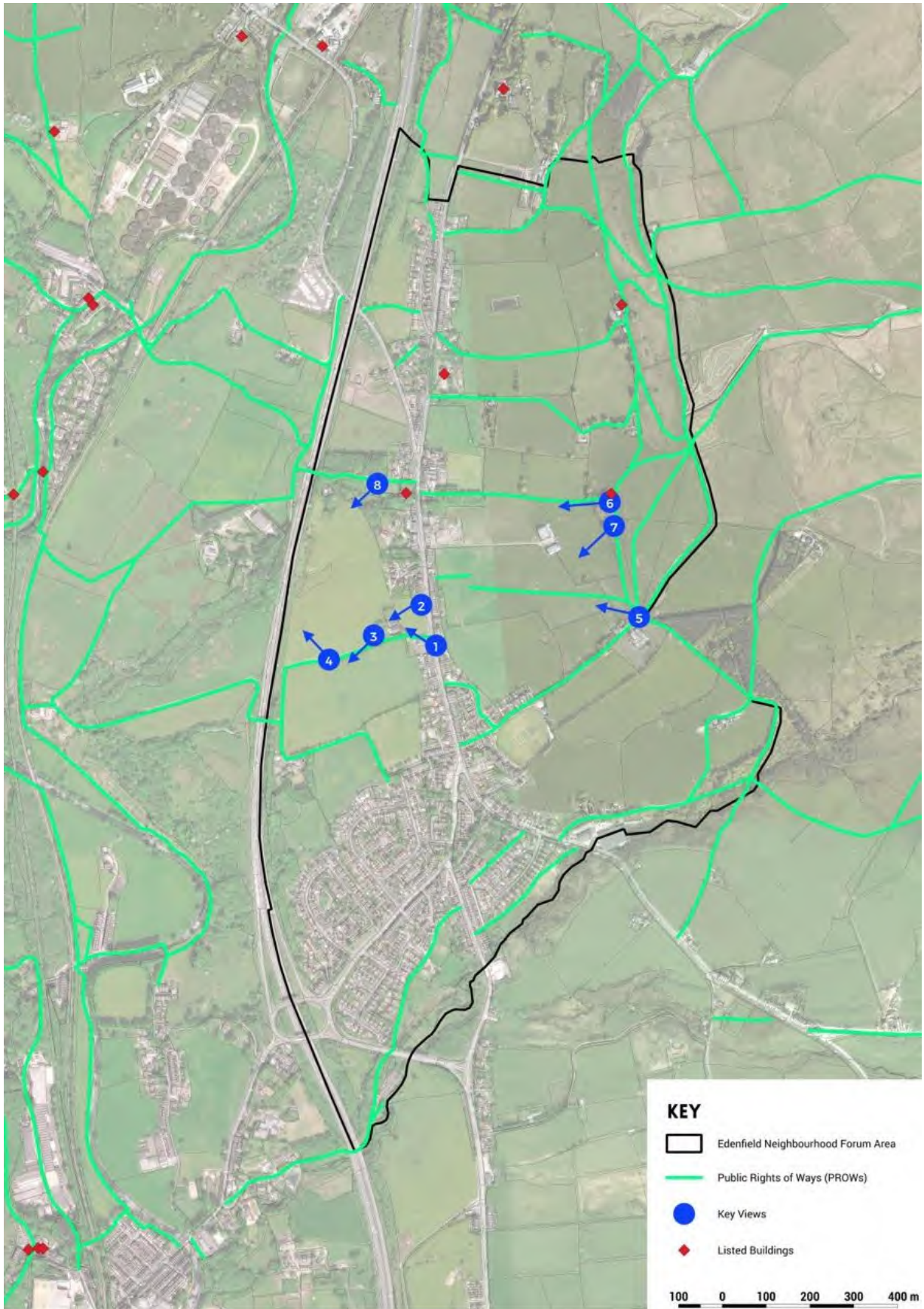


Figure 8. Map of Key Views in Edenfield

14. Delivery, monitoring and review

- 14.1 The Neighbourhood Plan is intended to guide development for a period of 15 years. It is recognised that there may be significant changes in national and local policy within this timeframe which the Neighbourhood Plan should respond to.

Policy DMR1. Local infrastructure delivery plan

1. The improvement or development of locally important infrastructure will be supported where it is needed to serve existing or new development, provided that the need for such facilities is consistent with other policies within this Plan and Paragraph 57 of the NPPF. A Local Infrastructure Delivery Plan (LIDP) which prioritises infrastructure requirements, priorities, funding and responsibilities will be kept up to date by the Neighbourhood Forum. This LIDP will inform infrastructure decisions whether they be through developer contributions, Section 106 agreements, Community Infrastructure Levy (as and when applicable in Rossendale) or other sources of funding.

- 14.2 This Neighbourhood Plan has been developed to plan sustainable growth for a period of up to 15 years (2021 – 2036). A formal review process in consultation with the community and Local Planning Authority should be undertaken at least once every 5 years, to ensure the Plan is still current and a remains a positive planning tool to deliver sustainable growth.

15. Appendices

Appendix 1: Policies Map

Appendix 2: Edenfield Factbook

Appendix 3: Edenfield Design Code

Appendix 4: Edenfield Local Greenspace Report

Appendix 5: Locally Important Views Report

Appendix 6: Consultation Statement and supporting documents

Appendix 7: Glossary

Acknowledgements

The Edenfield Community Neighbourhood Forum would like to extend their grateful thanks to the residents and businesses of Edenfield and the organisations listed below for their input, assistance and support. Without them this Neighbourhood Plan would not have been possible.

AECOM

Edenfield Cricket Club

Edenfield District Community Association

Edenfield Village Residents Association

Locality

Rossendale Borough Council Forward Planning Department

Troy Planning + Design

Edenfield Community Neighbourhood Forum

Edenfield Neighbourhood Plan (ENP), 2021- 2036

(Submission version: January 2024)



Edenfield Community Neighbourhood Forum

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REFERENDUM VERSION

Edenfield Neighbourhood Plan

2021 – 2036



**Edenfield Community
Neighbourhood Forum
December 2024**



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Foreword

Neighbourhood Plans were introduced by the Localism Act 2011 as a way for local people to influence planning and development of the area in which they live and work. They can be prepared by Parish Councils or Neighbourhood Forums. The Edenfield Community Neighbourhood Forum (ECNF) was established in 2018 with one of its aims being to prepare a Neighbourhood Plan for Edenfield.

The Edenfield Neighbourhood Plan 2021-2036 sets out a vision and objectives for the future of Edenfield. It has been prepared by ECNF and informed by the consultations detailed in the Plan.

It is a requirement of the Neighbourhood Planning regulations that Neighbourhood Plans should conform with the strategic local policies. The latest strategic policies of Rossendale Borough Council (RBC) are contained in the Rossendale Local Plan 2019-2036 which was adopted by the Council in December 2021.

Once approved the Plan will form part of Rossendale's development plan. Together with other adopted planning policies, it will form the legal basis for planning decisions across the Edenfield Neighbourhood Area.

The Neighbourhood Plan is important for the future of Edenfield and is driven by the views of residents.

Mervyn MacDonald

Chair, Edenfield Community Neighbourhood Forum

1. Introduction

A Plan for Edenfield

- 1.1 The Edenfield Neighbourhood Plan covers the Neighbourhood Area designated by Rossendale Borough Council. The Area includes the village of Edenfield, as shown in Figure 1 and is intended to guide and shape the development of the area up to 2036 alongside the Rossendale Local Plan. Neighbourhood planning is intended to give communities the power to develop a shared vision for their neighbourhood and to further shape the development and growth of their local area.
- 1.2 This locally driven exercise can influence design standards for new housing, the location of shops and services, protection of the environment, and will be used for determining planning applications as part of the Development Plan for the area.
- 1.3 The Neighbourhood Plan, upon approval at referendum, forms part of the Borough development plan and carries equal legal status to the Local Plan prepared by the local planning authority. This means the Neighbourhood Plan is given statutory consideration for applications regarding planning matters.
- 1.4 The earliest draft of the Neighbourhood Plan was prepared having regard to the Rossendale Core Strategy (2011 – 2026), in accordance with the basic conditions that a draft Neighbourhood Plan must meet, as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Rossendale Local Plan 2019-2036 which was adopted by Rossendale Borough Council in December 2021 supersedes the Rossendale Core Strategy (2011-2026). The first draft was subsequently updated to ensure that the policies of this Neighbourhood Plan are not in conflict with the Local Plan.
- 1.5 The Edenfield Neighbourhood Plan has been informed through a four-year consultation process by the Edenfield Community Neighbourhood Forum (ECNF), outlined below and in the Consultation Statement (Appendix 6), as well as preparation of an evidence base, vision and objectives, and meetings with Rossendale Borough Council.

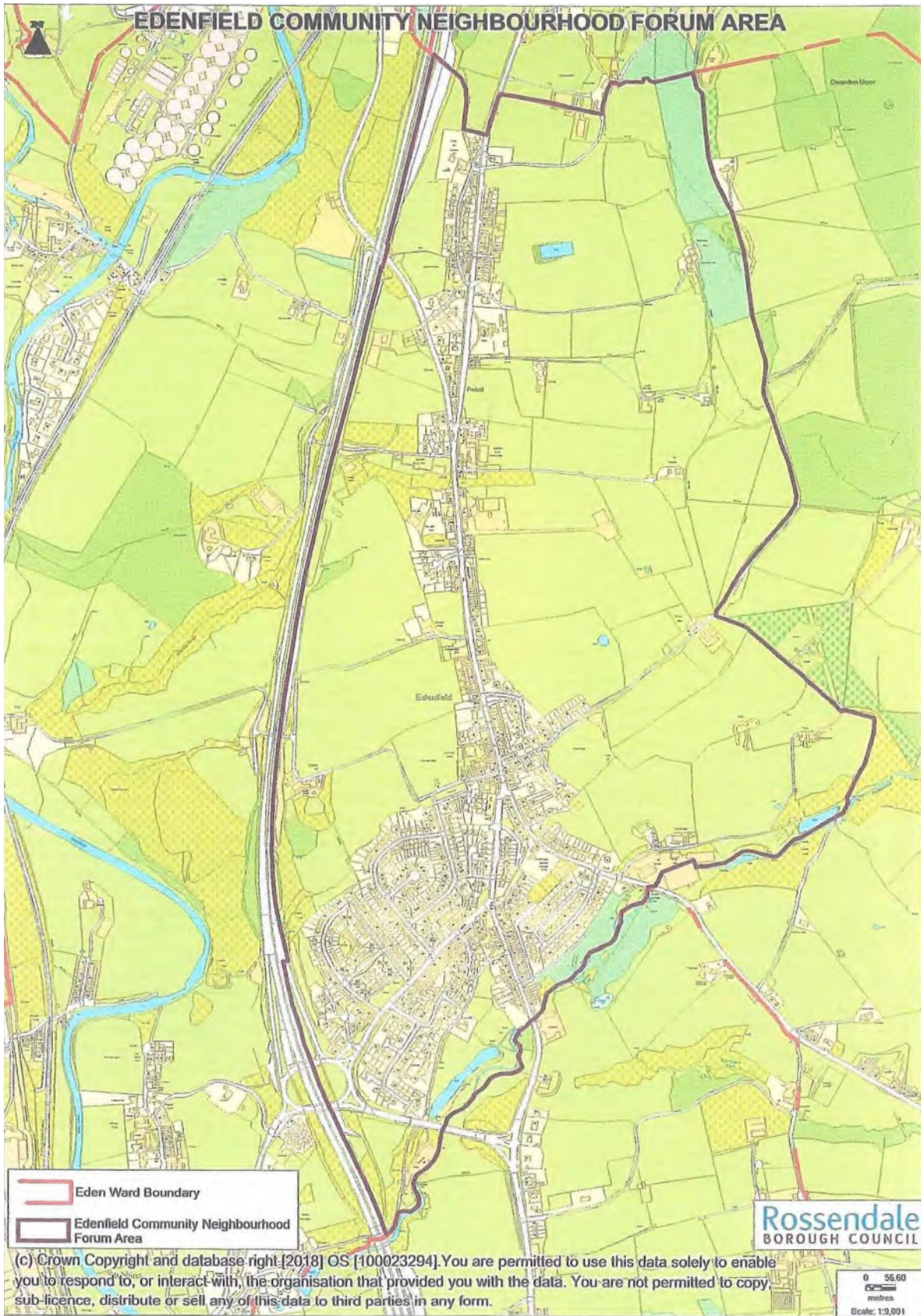


Figure 1: Map of the designated Neighbourhood Plan area

Engagement by the Neighbourhood Forum

- 1.6 Key engagement activities have been undertaken by the ECNF. For more information on each of these events please see the Consultation Statement. The engagement that has taken place has greatly informed this Neighbourhood Plan by providing a community-led approach to the values, objectives and policies brought forward. ECNF has been in regular communication with Rossendale Borough Council throughout the preparation of the Neighbourhood Plan including multiple meetings.

Structure of the Neighbourhood Plan

- 1.7 Following the introduction, the Plan comprises thirteen further sections, followed by appendices. These sections are:
- Section 2: 'History, Local Characteristics and Heritage Assets' lays out Edenfield's long and rich history, how the area's development has been informed by this history, and the key characteristics and heritage assets which will be considered in this Plan.
 - Section 3: 'Edenfield Today' provides an overview of key facts about Edenfield. It presents an overview of the area's demographics and land use factors (including population breakdown, health and education, access to greenspace and other socio-economic data), and the key issues that have been identified from area analysis.
 - Section 4: 'Edenfield Tomorrow' presents the vision and objectives for the Edenfield Neighbourhood Area as informed by the community, and the overarching principles which guide the development of this Plan.
 - Sections 5 – 14: These sections present the policies for the Edenfield Neighbourhood Area and the justifications for these policies. The policies have been grouped under the following themes:
 - i) Development within and beyond settlement limits
 - ii) Housing
 - iii) Design
 - iv) Heritage assets
 - v) Transport and travel
 - vi) Local community infrastructure facilities
 - vii) Local centre and commerce
 - viii) Green infrastructure
 - ix) Natural environment
 - x) Delivery monitoring and review

Who has prepared the Neighbourhood Plan?

- 1.8 Unlike Local Plans which are prepared by local authorities, Neighbourhood Plans are prepared by local communities. The Localism Act 2011 granted parish and town councils the ability to produce neighbourhood development plans and neighbourhood development orders. In unparished areas, like Edenfield, community groups can apply to designate neighbourhood areas and form a neighbourhood forum of at least 21 people who represent the area.
- 1.9 In Edenfield, the Neighbourhood Plan has been prepared by the Edenfield Community Neighbourhood Forum, whose members either live or work in Edenfield. Any individual aged 18 or over living or working in Edenfield may become a member. The creation of the Plan has also been influenced through outreach and consultation with Edenfield residents and workers who are not part of the neighbourhood forum. Details of the Forum's purposes can be found within its constitution¹.
- 1.10 All preparation has been informed through a common purpose and objectives: to protect and enhance the rural character of Edenfield, to ensure that future development will reflect the historic character of the village, that new growth meets local and strategic policy needs, and that new transportation options enable a range of mobility choices for all. Collectively, this Plan helps to make Edenfield as desirable, green and safe a place to live, work and play as can possibly be.

What is in the Neighbourhood Plan

- 1.11 A Neighbourhood Plan can contain a broad range of policies, and is largely influenced by visions, objectives, preceding consultations and the local evidence base. Ultimately, there is no standard for what a Neighbourhood Plan should contain, as such plans are meant to be tailored to the individual circumstances of each area.
- 1.12 The National Policy Planning Framework (December 2023) (NPPF) paragraph 13 states that Neighbourhood Plans should support the delivery of strategic policies contained in Local Plans and should shape and direct development outside of these strategic policies.
- 1.13 Key themes identified within the Edenfield Neighbourhood Plan have emerged through the evidence base, visions and objectives, and ongoing consultations. We believe there are opportunities in Edenfield to influence the quality of future development, improve the look and feel of the village, preserve and maintain historical characteristics of the village and surrounding countryside, enhance the

¹ ECNF, 2019, ECNF Constitution:
<https://www.rossendale.gov.uk/downloads/file/16385/forum-constitution-march-2019->

quality of green spaces, improve access and movement, and proactively plan for housing delivery in a manner that respects the village's rural character. These themes are reflected in the locally specific policies as set out in sections 5-14 of this document.

What is not in the Neighbourhood Plan

- 1.14 Existing policy for Edenfield is set out in the adopted Rossendale Local Plan 2019-2036 and the Joint Lancashire Minerals and Waste Local Plan and is further guided by NPPF and Planning Practice Guidance (PPG). The Edenfield Neighbourhood Plan is informed by all of these documents and will not be the only policy document that affects development in Edenfield upon adoption. The Rossendale Local Plan includes strategic policies for Edenfield, as noted at paragraphs 5.4 to 5.6 below, as well as site-specific policies for three housing allocations located in the Edenfield Neighbourhood Area.
- 1.15 In this broad context, the Edenfield Neighbourhood Plan does not allocate sites for development, but rather seeks to ensure that all potential development in the area, particularly housing, is appropriate to the area through its contribution to good quality design, greenspace allocation, protection of the natural environment and respect to neighbourhood heritage and character.

2. History, Local Characteristics and Heritage Assets

- 2.1 Edenfield's history can be traced from its farming and clergy origins, through the industrial revolution, to its present-day role as a post-industrial dormitory village. Edenfield Chapel, the precursor to the village's current parish church, was likely built in the 16th century and for several centuries was the main cultural landmark of the area. In the 18th century, only the church, a school, and a few farmhouses dotted the surrounding countryside. This changed with the Industrial Revolution. By the 1840s significant development had come to Edenfield, including turnpikes that would later become the A56, railways to the west, and mills to the east which generated much of the village's employment, character, and historical events into the 20th century.
- 2.2 Surrounding farmland has greatly informed Edenfield's character over the centuries, at one point with over 70 farms in existence in Eden Ward at the end of the 18th century. Industrial expansion through the late 18th century including mills, quarries, and coal mines, eventually led to a decline in farmable land and pastures. Much of Edenfield's housing stock through the 19th century was built to accommodate mill workers, with small cottages and Victorian era terraced housing overtaking, and in some instances demolishing, the area farmhouses.
- 2.3 As common with towns in the North, Edenfield had a burgeoning wool industry, with 21 mills at one point in operation within the wider area. This demand for worker lodging combined with land speculation resulted in the creation of almost entirely new settlements, and encroachment onto existing farmland. Following the First and Second World Wars, newer factory-brick houses were built, further eroding available farmland. The older Pennine stone houses continue to inform the post-industrial character of Edenfield, providing a visually pleasing and historic identity to the village.
- 2.4 Most mills have now been demolished, many for housing projects. The remaining mills still provide limited employment but virtually none is textile-related. One mill lies empty and is the subject of allocation for housing under H67 in the adopted Rossendale Local Plan. The community is mindful that without appropriate planning and development control, increased growth will further erode the countryside.
- 2.5 It is consequently important that any future development should pay respect to the industrial character of the area; adapt existing assets for local use; and preserve the natural beauty of the surrounding countryside.
- 2.6 Listed buildings are designated as such because of their special architectural or historical interest. Within the designated Edenfield Neighbourhood Area there are

three listed buildings of Grade II² quality and one of Grade II*³ quality. These are detailed in Table 1 and reflect both the natural and historic characteristics of Edenfield.

List Entry	Name	Grade	List Date	Easting	Northing
1072820	Elton Banks	II	1984-11-30	379945	420081
1072821	Hey Meadow Farmhouse	II	1984-11-30	380326	419808
1163639	Elton Banks Farm	II	1984-11-30	380350	420239
1318084	Edenfield Parish Church	II*	1966-08-09	379858	419809

Table 1. Listed Buildings in Edenfield Neighbourhood Area

- 2.7 Edenfield also contains a number of buildings that are proposed by the Rossendale Civic Trust for inclusion in Rossendale Borough Council’s list of buildings of local interest or importance. This list is to identify buildings which are not statutorily listed but are considered to be of local significance and importance for architectural, historical and local merit. These are identified in Table 2.
- 2.8 Historic England Advice Note 7 (Second Edition) Local Heritage Listing: Identifying and Conserving Local Heritage at paragraph 36 summarises commonly applied selection criteria for assessing the suitability of assets for inclusion in a local heritage list. These include age, rarity, architectural and artistic interest, group value and historic interest. The buildings identified in Table 2 all satisfy one or more of those criteria.
- 2.9 The Rossendale Local Plan 2019 - 2036 identifies some non-listed heritage assets in the Neighbourhood Area. These are Chatterton Hey (Heaton House), Mushroom House and the former Vicarage (paragraph 4 of the site-specific policy for housing allocation reference H66 Land west of Market Street) and Edenwood Mill (paragraph 1 of the site-specific policy for site H67).

² Grade II Listed buildings are buildings that are of special interest, warranting every effort to preserve them

³ Grade II* Listed buildings are particularly important buildings of more than special interest.

Building and grid reference	Description and Reason for Local Interest/Importance
Chatterton Hey House 7961 1919 Off Exchange Street	Elegant stone built two-storeyed house with eaves cornice and hipped slate roof. Glazed and panelled door with depressed arch (keystone dated 1765) and cornice. Long stair window with small panes for full height of house. Three windows on each floor. Similar wing on right. Chatterton Hey stands on one of the oldest sites in Edenfield and has connections with some of the most important families in the village's history (Haworths, Rostrons, etc.).
1-5, Green Street and 2-6, Sarah Street. 8003 1923 Off Gin Croft Lane	Well-built back-to-back cottages, c.1840. These houses have an interesting history being built on land let by the trustees of the 'Sarah Green' charity. The original lettings conditions survive and specify the standards to which the houses were to be built.
59-69, Market Street. 7992 1940 Market Street.	Early example of speculative building in the village. Row of cottages known as 'Badger Row' built c.1782 by the landlord of the 'Horse and Jockey'.
136-150, Market Street. 79911967 Market Street	A good example of the piecemeal development of a row of houses encouraged by the textile industry and the advent of the turnpike roads. The old name for the houses is 'Temple Row' and they were built over the period from 1791 to c.1830. No.144 was 'lately erected' in 1806. The name 'Temple' is often associated with places where there were handloom weavers and there is a blocked taking in door in the gable of no.150.
4-26, Rochdale Road 8000 1913 Rochdale Road	Early 19th century (c.1825) row of millworkers' houses built by the Rostron family, important millowners in Edenfield. Very few houses of this date and type survive in the village. Formerly called 'Commercial Row'.
Rostron Arms	A public house at Market Place.
Milestone on Market Street. 7996 1927	On footway outside 16 Market Street. Defaced in anticipation of a German invasion in World War II and bears an Ordnance Survey bench mark with a small metal-domed brass rivet on top at the apex of the cut arrowhead marks.

Table 2. Buildings of local interest or importance in Edenfield

3. Edenfield Today

The study area

- 3.1 Edenfield is a village within the Greenfield and Eden Ward (created in May 2024 as a result of the district ward boundary review). It is located in the Borough of Rossendale in the County of Lancashire, in the north west of England. Edenfield is the largest of six villages in the area of the former Ramsbottom Urban District Council that was transferred to Rossendale Borough Council in 1974. The other villages are Turn (south east), Irwell Vale (north west), Stubbins, Chatterton and Strongstry (all in the south west).
- 3.2 Edenfield is at the southern border of Rossendale and is adjacent to the Metropolitan Borough of Bury. The village lies to the east of the M66, where it terminates and becomes the A56. Beyond the M66/A56 is the River Irwell and Edenfield lies above the east bank of the River. The village is 8km north of Bury and 14km south east of Blackburn.
- 3.3 The designated Edenfield Neighbourhood Area encompasses Edenfield village. The boundary follows the A56 to the west of the village and the Dearden Brook to the south. To the east the boundary follows Michael Wife Lane and Gincroft Lane due north, until it is in line with Fish Rake Lane, the northern boundary.
- 3.4 The population is mostly concentrated in the south of the designated Edenfield Neighbourhood Area, with ribbon development from the centre to the northern boundary along the Market Street/Burnley Road corridor.
- 3.5 Some key facts and issues identified within Edenfield's evidence base are shown in Figure 2 below.

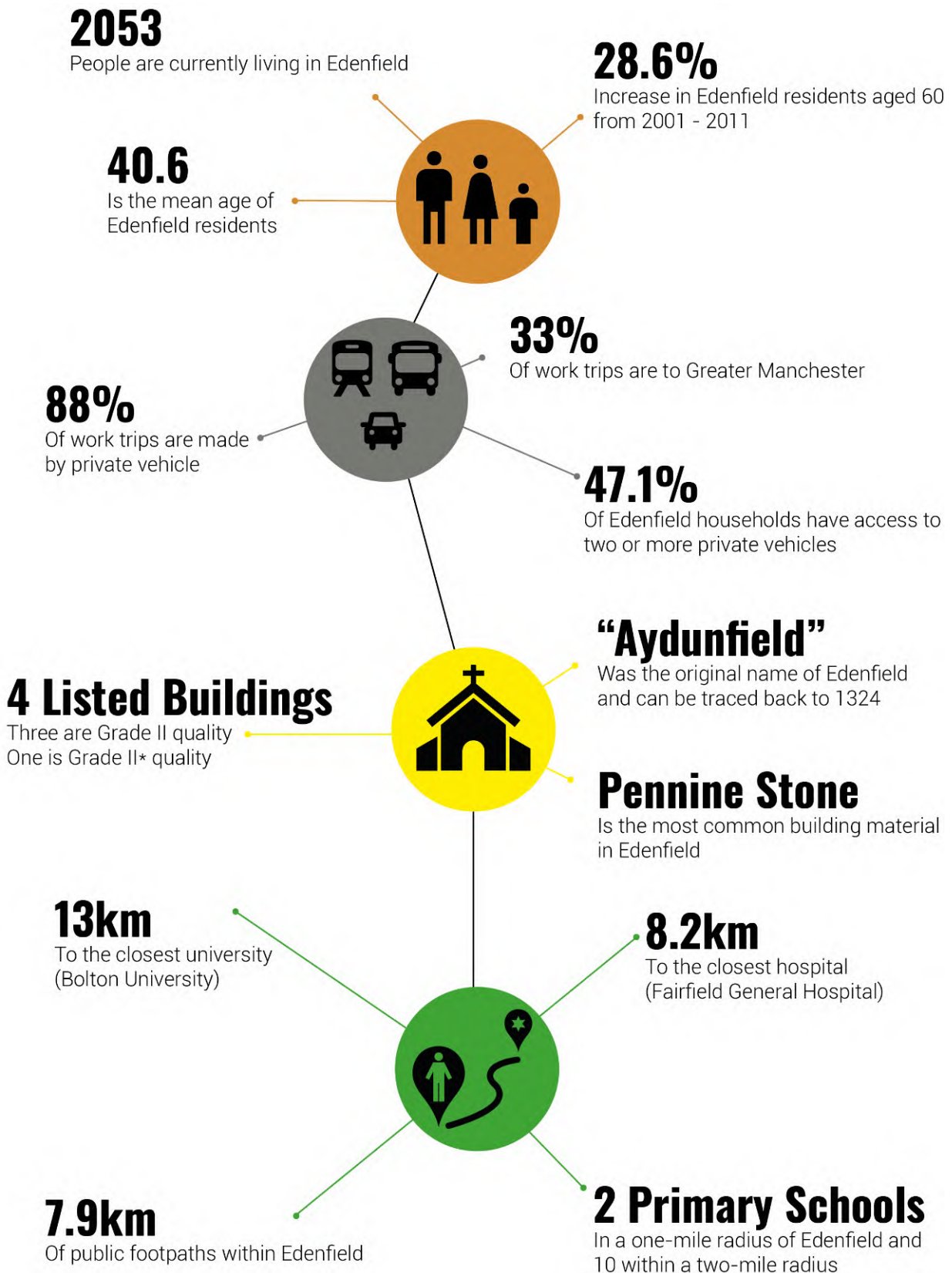


Figure 2. Edenfield Key Facts

Views of the community

- 3.6 Through the Neighbourhood Plan's engagement process, a range of matters were identified as important to address in the Neighbourhood Plan including:
- Recognition that Edenfield is a **rural settlement** with picturesque views of the countryside, and the Neighbourhood Plan must retain and strengthen this characteristic of the area.
 - A desire to protect connections to the natural environment through open and green spaces which are valued by local residents and visitors.
 - Clear support to enhancing the accessibility of important local services, especially doctors, dentists, post offices, recreational areas, and secondary schools.
 - A desire for policy requirements on new developments in the village to reflect the local scale and historic character of surrounding buildings
 - Acknowledgement that the private car and its impacts such as on-street parking, traffic, congestion, and speed of vehicles have an impact on journey times, and on pedestrian and cycle safety which must be addressed
- 3.7 These matters have informed the vision and objectives of the Neighbourhood Plan, outlined in the 'Edenfield Tomorrow' section of this document. Where planning policies cannot directly address these matters (for example, allocating a new dentist in Edenfield), the Plan has laid the conditions for future improvement, and enabled alternative solutions to the issues faced by the Edenfield community.

4. Edenfield Tomorrow

Vision

4.1 This vision for Edenfield is:

“Over the Plan period the rural character of Edenfield will be retained and strengthened. New growth will reflect the historic character of the village and its setting, with the role of the Community Centre and Cricket Club reinforced as focal points of the local community.

New growth that takes place will be in response to meeting local needs and those specified for Edenfield in adopted Rossendale Local Plans. Growth will also help Edenfield become more self-sufficient, supporting existing and new amenities and services, including improved public transport, walking and cycling facilities, providing a range of mobility choices for all to reduce the reliance on the private car”.

Objectives

4.2 The objectives of the Neighbourhood Plan as identified through engagement with the local community are as follows:

- 1) Using sustainable, high quality, traditional materials for new development to maintain and strengthen the character and heritage of Edenfield, whilst still allowing for high quality and sustainable design innovation and growth.
- 2) To ensure that any development on land designated as Green Belt is consistent with the purposes of that designation
- 3) To support sustainable development that reflects local housing needs and requirements of the local community – considering affordability, type and mix. The size, density and design of these dwellings should reflect the rural character of Edenfield.
- 4) To maintain, conserve and enhance the natural environment, particularly through designated Local Green Spaces and the retention of public views particularly of the Irwell Valley and Edenfield Parish Church, ensuring connections to the natural environment are maintained.
- 5) To ensure Edenfield Recreation Ground, the playground on Exchange Street, Edenfield Community Centre and Edenfield Cricket Club and are retained for their current use and maintained to a high standard.
- 6) To support existing local services and promote the establishment of new local services to serve the community through the utilisation of existing buildings for alternative purposes. Establishment of retail services will be subject to the

provisions of policies R1, R3, R4, R5 and R6 of the Rossendale Local Plan 2019-2036 particularly in relation to the Edenfield Neighbourhood Parade as defined in that Plan.

- 7) To support the preservation of existing community facilities for community events and support the establishment of new facilities.
- 8) To improve the pedestrian and cycling infrastructure and network.
- 9) To ensure that, where parking is provided, it is well-designed and suitably located, so that it is used as intended and does not have a detrimental impact on the street scene, character and amenity.

Vision/Objectives/Policy Table

4.3 The vision and objectives identified above have been instrumental in the creation of Edenfield's neighbourhood planning policies, as demonstrated in Table 3 below.

Vision	Objective	Policies
Over the Plan period the rural character of Edenfield will be retained and strengthened.	1, 2, 3, 8	UB1, D1, D2, HE1, LC1, E1, GI1, GI2, NE1, NE2, NE3, NE4, NE5, NE6
New growth will reflect the historic character of the village and its setting, with the role of the Community Centre and Cricket Club reinforced as focal points of the local community.	2, 4, 5, 6	UB1, D1, D2HE1, HE2, HE3, LC1, LC2, E1, E2, GI2, GI3, NE1, NE2, NE4, NE5, NE6
New growth that takes place will be in response to meeting local needs and strategic housing policy and help Edenfield become more self-sufficient, supporting existing and new amenities and services, including improved public transport, walking and cycling facilities, and providing a range of mobility choices for all to reduce the reliance on the private car.	2, 5, 6, 7, 8	UB1, HO1, HO2, HO3, T1, T2, LC1, LC2, E1, E2, GI1, GI2, GI3, GI4, DMR1

Table 3. Vision, objectives and policies

5. Development Within and Beyond Settlement Limits

- 5.1 Edenfield itself is inset from the Green Belt, but virtually all the land surrounding the village is designated as Green Belt. It is particularly important that local development is directed in the most sustainable locations and sprawl is avoided.
- 5.2 Edenfield is a classic example of the ribbon development which is common across the Rossendale landscape. Whilst this linearity is strong in the north, the south of the village has a more expanded structure, due to significant post-war development which saw the settlement grow around Bolton Road North, Bury Road and Rochdale Road. Through the development of Site H66, some change to the existing pattern of development of the settlement will take place with the northern extent of the settlement becoming less linear. This will deliver a sustainable pattern of development by bringing new homes, population and associated expenditure into the settlement in close proximity to the settlement's centre and associated services.
- 5.3 Maintaining the rural character of Edenfield is an important vision for its community. It is appropriate that the village is able to manage and accommodate an appropriate level of growth in order to prosper. However, this must be balanced against the need to preserve its role as a rural settlement that does not encroach into the open countryside and Green Belt that surrounds the village.
- 5.4 The Rossendale Local Plan 2019 - 2036 is part of the current adopted development plan. An extract from the Policies Map of relevance to Edenfield is presented in Figure 3. Here the Urban Boundary is clearly displayed with Green Belt surrounding. The adopted Rossendale Local Plan removed the Green Belt designation that applied to most of housing allocation reference H66, on the basis that the A56 provides a strong defensible boundary and the site offers the opportunity to provide good quality, well-designed housing to meet Rossendale's housing needs, including local affordable housing, and associated infrastructure benefits.
- 5.5 The adopted Rossendale Local Plan 2019-2036 is a key part of the current development plan. The preamble to Strategic Policy SS: Spatial Strategy in the Local Plan identifies Edenfield as an Urban Local Service Centre, as distinct from a Key Service Centre or Rural Local Service Centre. This "settlement hierarchy is based on the facilities that are offered at present [December 2021] at each location" (Local Plan, paragraph 25). Geographically, it remains a rural settlement.
- 5.6 Strategic Policy HS1: Meeting Rossendale's Housing Requirement, of the Local Plan, stipulates: "The housing requirement figure for Edenfield Community Neighbourhood Area from 2019-2036 is 456 dwellings". Policy HS2 allocates three sites in the Neighbourhood Area for housing development: H65 (9 dwellings), H66 (400) and H67 (47).

- 5.7 The Neighbourhood Plan policies support the Government’s objective to protect Green Belt land and reiterate that only in very special circumstances will inappropriate development be permitted in the Green Belt.

Policy UB1. Development and the Urban Boundary

1. Future development in the Edenfield Neighbourhood Area shall be focused within the Urban Boundary as identified on the Policies Map.
2. Development proposals will be supported within the Urban Boundary subject to compliance with other policies in the Development Plan.
3. Inappropriate development is, by definition, harmful to the Green Belt. Only in very special circumstances will inappropriate development be permitted in the Green Belt. Exceptions to inappropriate development are set out in the National Planning Policy Framework (NPPF).
4. Where development is proposed on land which was removed from the Green Belt by the Rossendale Local Plan 2019-2036, the developer will be required to provide for compensatory measures in the remaining Green Belt in accordance with Policy SD4 of the Local Plan and other guidance.

- 5.8 Other guidance to be taken into account by developers comprises national and local guidance for the time being in force. Currently, local guidance is contained in the January 2023 version⁴ of RBC’s paper *Compensation Measures for Green Belt*. This is not a Supplementary Planning Document, but the Explanation of Policy SD4 in the Local Plan includes (paragraph 59):

“Further details of precise measures are set out in the relevant site specific policy, and the Council’s Green Belt Compensatory Document or its successor. Additionally a Supplementary Planning Document (SPD) will be produced setting out the details of these schemes, for example, showing PROW improvements, locations for tree planting etc. These documents inform the site-specific policies and will inform future site-specific negotiations”.

4

[https://www.rossendale.gov.uk/downloads/download/11553/compensation measures for green belt release](https://www.rossendale.gov.uk/downloads/download/11553/compensation%20measures%20for%20green%20belt%20release)

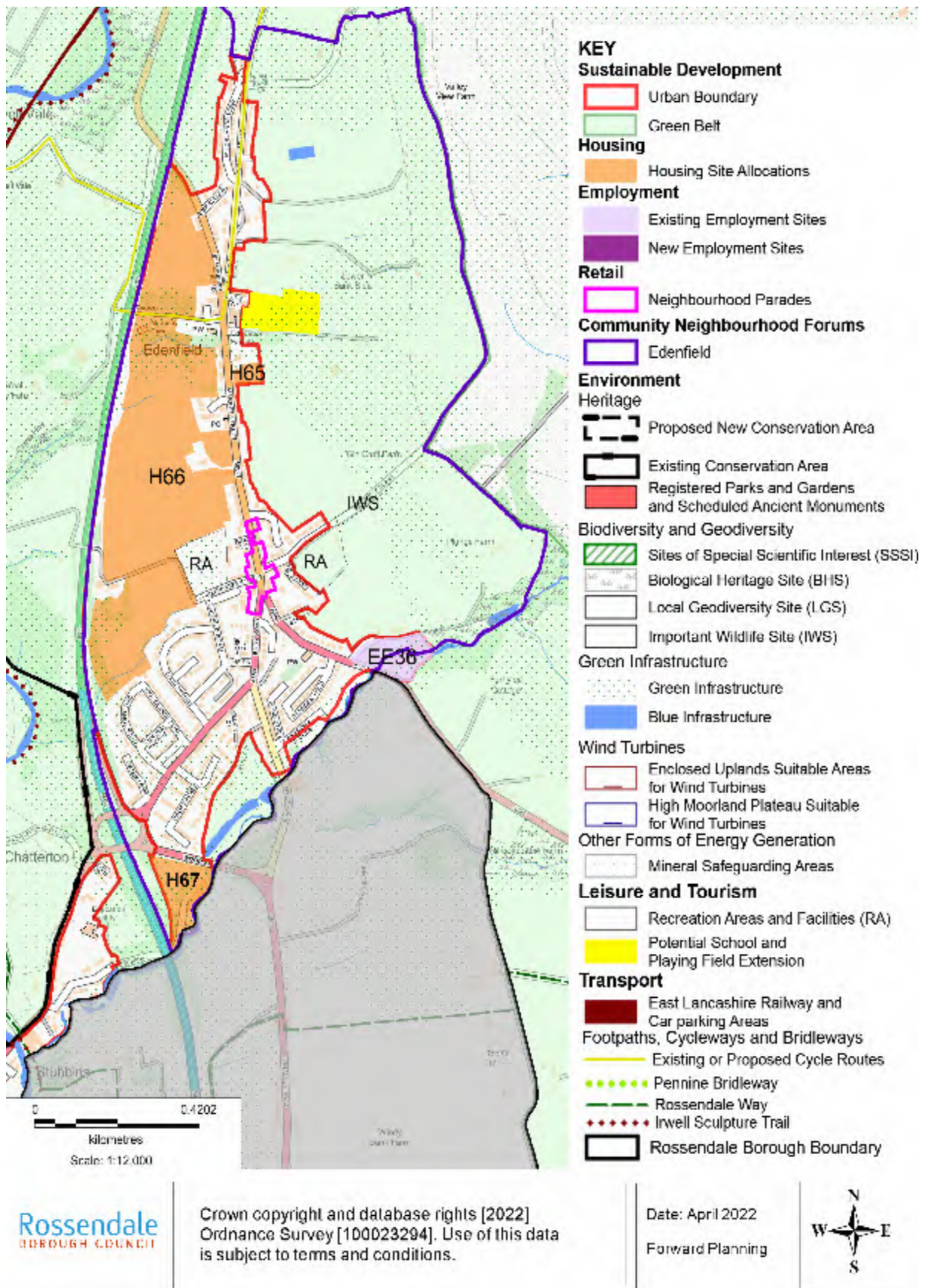


Figure 3. Rossendale Local Plan 2019 – 2036. Adopted Policies Map 2021

6. Housing

- 6.1 Rossendale Borough Council's 2019 updated Strategic Housing Market Assessment (SHMA) identifies that there is considerable need for affordable housing in Rossendale and that this matter must be tackled urgently. Furthermore, the SHMA highlighted that there is a particular need to provide for the growing elderly population as well as a growing need for housing for families with children.
- 6.2 As established within this Plan's evidence base⁵, housing within Edenfield is on average more expensive than in the wider borough of Rossendale and a lack of high-quality affordable housing was also raised as a key issue during the consultation process. The Neighbourhood Plan seeks to address this issue through supporting housing development which meets the needs of the local population.

Policy HO1. Identified housing needs

1. Proposals located within the Urban Boundary, which meet the identified housing needs (including affordable housing) will be supported subject to the other policies in the Neighbourhood Plan and wider Development Plan.

Policy HO2. Affordable housing delivery

1. Proposals for new residential development that secure the delivery of affordable housing and provide for the size, type and tenure of homes to meet local needs will be supported, provided they comply with other policies of the development plan and with policy HS3 of the adopted Local Plan, the objective of which is the provision of 30% on-site affordable housing from market housing schemes including 10% affordable home ownership. The application of this policy will maintain a focus on affordable housing but will be sufficiently flexible to take account of viability and changing market conditions over time. The size (number of bedrooms), type (flat, house, etc) and tenure (social and affordable rented, intermediate, shared ownership or other) of affordable homes for each proposal will be based on up-to-date evidence of local needs. It is recognised that housing need in the Neighbourhood Area in relation to tenure, mix and type will change over the lifetime of the Neighbourhood Plan.

⁵ Troy Planning + Design, 2020, Edenfield Factbook

Policy HO3. Affordable housing eligibility

1. The eligibility for affordable housing will be administered by Rossendale Borough Council as the Housing Authority. However, the affordable housing shall be first occupied by applicants who can demonstrate a local connection to the Edenfield Neighbourhood Area through either of the qualifications below.
2. Residency qualification:
 - a) have had their principal residence in the Edenfield Neighbourhood Area for a continuous period of twelve months immediately prior to the application; or
 - b) have lived in the Edenfield Neighbourhood Area for 3 out of the previous 5 years or for 6 out of the previous 12 months; or
 - c) have close family (parent, sibling, child or grandparent) who have been resident in the Edenfield Neighbourhood Area for 5 continuous years and who continue to reside there.
 - d) Members of the Armed Forces, veterans of up to 5 years and their spouses/civil partners are exempt from any local connection criteria. Armed Forces members are defined as: a member of the Royal Navy, the Royal Marines, the British Army or the Royal Air Force or a former member who was a member within the five years prior to the purchase of the First Home, a divorced or separated spouse or civil partner of a member or a spouse or civil partner of a deceased member or former member whose death was caused wholly or partly by their service.
3. Employment qualification:

An individual will be considered to have a local connection if he/she or his/her partner meets all of the following criteria:

 - a) works at or from an office or business establishment based in the Edenfield Neighbourhood Area; and
 - b) has been in paid employment or self-employed for 12 continuous months at a minimum average of 16 hours per week over a period of 12 continuous months at the time of application.
4. In the situation where affordable housing is available but no applicant can demonstrate a local connection to Edenfield, priority will be given to applicants who can demonstrate a local connection to Rossendale, such connection to be determined by reference to paragraphs 2 and 3 above as if "Borough of Rossendale" had been substituted for "Edenfield Neighbourhood Area".

Policy HO4. Site H66 design and layout

1. Development of site H66 (land west of Market Street) as identified in the Rossendale Local Plan 2019-2036 will be supported if it also takes into account the following design and layout criteria specified in the Local Plan:
 - a) Retention and strengthening of the woodland enclosures to the north and south of the church.
 - b) The layout of the housing parcels should be designed to allow views to the Church to continue.
 - c) The relationship of the new dwellings to the Recreation Ground to ensure safe non-vehicular access is provided.
 - d) Public open space to be provided along the woodland area south of the brook/Church enclosure.
 - e) Landscaping of an appropriate density and height is implemented throughout the site to "soften" the overall impact of the development and provide a buffer to the new Green Belt boundary.
 - f) Materials and boundary treatments should reflect the local context.

7. Design

- 7.1 The achievement of high-quality design is a core principle of the NPPF. It states, at paragraph 131, that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. The importance of the design of the built environment and its contribution to making better places for people is emphasised. It states that “Neighbourhood planning groups can play an important role in identifying the special qualities of each area explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers” (paragraph 132).
- 7.2 The Local Plan places great importance on the design of new developments, supporting the national objective of promoting good design.
- 7.3 Notwithstanding the policy drivers for achieving high quality design, it was also established through consultation events that the community of Edenfield also places high importance on the rural character of the village as this was identified as a key strength.
- 7.4 Through the plan preparation a Design Code for the area has been produced. The purpose of the Design Code is to raise an appreciation for Edenfield’s existing village character, and to use this understanding to provide design guidance to strengthen and protect the village setting. It will identify the various character areas of the village, and provide a set of guidance which aligns to the objectives of the Neighbourhood Plan and the ambitions of the Neighbourhood Forum,
- 7.5 The Neighbourhood Area is made up of a number of distinctive built character areas (as identified in the Design Code). These areas reflect the history of the area and are closely linked with phases of development over the years. These distinctive areas can be broadly identified as:
- Character Area 1- Village Cores
 - Character Area 2- Traditional Terraces
 - Character Area 3- Piecemeal Domestic Development
 - Character Area 4- Rural Fringe
 - Character Area 5- Former Rural Fringe
- 7.6 It is recognised that Edenfield has developed organically and consists of a variety of architectural styles. It is accepted that a number of properties (post 1940s) do not reflect the historic local vernacular and incorporate contemporary building materials that are not in keeping with their environs, however this is not a reason to allow further inappropriate development within it. Therefore, this plan seeks to ensure that new development is sympathetic to its rich built heritage and outstanding landscape

by using design principles and key design elements that are reflective of local character and context and use appropriate building materials in their construction.

- 7.7 The Design Code provides guidance for new development in the Edenfield neighbourhood area. Fundamentally, design policies aim to conserve and enhance the character and quality of the village’s built environment and ensure contextually appropriate design. A design-led response to development, referencing good practice principles⁶, will help create successful places. The design guidance provided in the Design Code seeks to protect the existing character of Edenfield and this is reflected in policy D1. The document also recognises the importance of enhancing the sense of place and this is reflected through Policy D2.

Policy D1. Design and amenity standards and village character

1. All development within the Edenfield Neighbourhood Area must:
 - a) meet the highest standards of design, make a positive contribution to the character of Edenfield; and
 - b) respect and enhance the built character of the village and its high-quality countryside setting; and
 - c) be of a good standard of amenity for all existing and future occupants; and
 - d) as appropriate reflect the vernacular of Edenfield and be in keeping with local character.
2. Any innovative and contemporary designs shall be complementary to their context.
3. To achieve this, and in support of the Design Code, development proposals will be supported, subject to their satisfying the following criteria as appropriate to the particular development:

⁶ Ministry of Housing, Communities & Local Government, 2021, National Design Guide: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf

- a) The context of the site in relation to topography, landscape, setting, character, local distinctiveness and building types; and
 - b) A density, scale, height and massing that is appropriate to its context; and
 - c) A layout that demonstrates how buildings, spaces and parking spaces relate to each other to create a practical coherent and legible structure; and
 - d) A hierarchy of linked routes and space that are permeable, relate to local facilities and provide parking provision that makes a positive contribution to the setting of buildings; and
 - e) The creation of a sense of place through massing and built form and sensitivity in respect of edge treatment, entrances, enclosures, active frontages, heights, detailing and rooflines; and
 - f) Landscape design and green infrastructure that contributes to a sustainable sense of place, such as wild areas for outdoor play, shelters, biodiversity buffers and wildlife corridors, and which softens the impact of the built form and is reflective of distinctive local landscape features; and
 - g) Materials and detailing relating to the design and context of development, including walls, roofs, openings, paved surfaces, signage and external lighting; and
 - h) Sustainable principles such as the curtilage storage of waste and recyclable material, cycle storage, homeworking and the durability and adaptability of buildings over time; and
 - i) Development forms and layouts that help reduce greenhouse gas emissions and utilise energy efficiency measures and water efficiency measures and the use of renewable de-centralised and low carbon energy generation; and
 - j) Proposals for development within the Green Belt will be supported only if they accord with national policy (currently set out at paragraphs 152-156 of the NPPF December 2023; and
 - k) The ten Principles of Active Design identified by Sport England and supporting guidance – <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>
4. Where planning permission is required extensions to dwellings, residential annexes, residential care institutions (Class C2) and detached buildings in residential curtilages shall be:
- a) In character with the host dwelling and subservient in scale taking into account any previous extensions or outbuildings added after the original building was constructed; and
 - b) Detached curtilage buildings shall be sited in a manner which minimises landscape intrusion; and
 - c) Proposals shall not be detrimental to the amenities of neighbours as a result of scale, siting, massing, impact, or overlooking.

Policy D2. Built heritage and character

1. All new development should actively respond to the rich built heritage and character of the Neighbourhood Area, with particular attention to layout, density, form, massing (on plot), setbacks, roof form, and boundary treatment to contribute to an improved quality of place. This should be achieved by:
 - a) As appropriate incorporating similar architectural features into the design as those that are found in traditional buildings in the village.
 - b) Having external materials reflect the palette of materials found in traditional buildings within the Neighbourhood Area.
 - c) The use of traditional, local materials is always preferred. However, modern construction materials such as reconstituted or cast stone may be an appropriate material provided that it results in an appearance that reflects and harmonises with the local stone material palette.
 - d) Other materials may also be appropriate, for example, in sustainably focussed, energy efficient buildings which require different material application.
 - e) Utilising external building materials and features that reflect the rich heritage of the Neighbourhood Area including Pennine stone, slate pitched roofing, chimney columns and off-set gable ends to match adjacent properties
 - f) Building frontages that align with the existing built form and overlook the street clearly defining the public and private realm.
 - g) Creating landscape schemes for housing which include the planting of trees and/or hedges
 - h) In the case of residential development providing private amenity space to the front and/or rear of the properties;
 - i) In the case of residential development providing parking within the plot and in accordance with adopted standards, unless it can be evidenced that the proposal will result in fewer spaces being required.
 - j) Creating parking spaces that are visually unobtrusive and use permeable surfaces to allow for rainwater absorption.
 - k) Taking full account in any proposal of any relevant considerations concerning the historic environment and designated and non-designated heritage assets in the area and their setting.
2. Nothing in this Policy shall be construed as preventing or discouraging appropriate innovation or change in a proposal for development.
3. Rear parking courtyards should be avoided unless there are no other practical solutions. Where rear parking courtyards are provided development should be arranged such that some residential units front onto and overlook this space.

4. Developers should demonstrate how they have responded to best practice design principles, including those set out in Building For a Healthy Life (or any subsequent update of this).

7.8. In addition to the National Design Guide and other guidance noted in Policies D1 and D2, there is a selection of current best practice guidance, or any relevant successor document, which should be taken into account by developers:

- National Model Design Code Part 1 The Coding Process (MHCLG) 20217
- National Model Design Code Part 2 Guidance Notes (MHCLG) 20218
- Building for a Healthy Life (Homes England / Design for Homes) 20209
- Streets for a Healthy Life (Homes England) 202210
- Planning Practice Guidance: Design Process and Tools (MHCLG) 201911
- Guidance for Outdoor Sport and Play (Fields in Trust) 202012
- Best Practice in Urban Extensions and New Settlements (TCPA, CABE) 200713
- Rising to the Climate Crisis (TCPA / RTPi) 201814
- Climate Change: Adaptation by Design (TCPA) 200715
- Cracking the Code (RTPi / RSPB) 202216
- Design for Play (Play England) 200817
- Manual for Streets (DfT) 200718

⁷https://assets.publishing.service.gov.uk/media/611152f98fa8f506ca458925/NMDC_Part_1_The_Coding_Process.pdf

⁸https://assets.publishing.service.gov.uk/media/6111531fd3bf7f043c4badd1/NMDC_Part_2_Guidance_Notes.pdf

⁹<https://www.designforhomes.org/wp-content/uploads/2020/11/BFL-2020-Brochure.pdf>

¹⁰ <https://assets.publishing.service.gov.uk/media/62cd61768fa8f54e8405571e/Streets-for-a-Healthy-Life.pdf>

¹¹<https://www.gov.uk/guidance/design>

¹² <https://fit.viewcreative.agency/content/files/Guidance-for-Outdoor-Sport-and-Play-England.pdf>

¹³ https://www.tcpa.org.uk/wp-content/uploads/2021/11/best_practice.pdf

¹⁴ <https://www.rtpi.org.uk/media/3568/rising-to-the-climate-crisis-1.pdf>

¹⁵https://www.preventionweb.net/files/7780_20070523CCALowres1.pdf

¹⁶ <https://www.rtpi.org.uk/media/11054/design-codes-report-final.pdf>

¹⁷ <https://www.playengland.org.uk/designforplay>

¹⁸<https://assets.publishing.service.gov.uk/media/5a7e0035ed915d74e6223743/pdfmanforstreets.pdf>

- Manual for Streets 2 (CIHT) 201019
- Secured by Design: Homes (UK Police) 202420
- Creating Civilised Streets (Lancashire County Council) 201021, referenced in the LCC Highways and Transport Strategy, 2023-2522.”

¹⁹ <https://www.ciht.org.uk/media/9351/manual-for-streets-2.pdf>

²⁰ <https://www.securedbydesign.com/images/HOMES%20GUIDE%20May%202024.pdf>

²¹ https://www.lancashire.gov.uk/media/81455/creating_civilised_streets.pdf

²² <https://www.lancashire.gov.uk/council/strategies-policies-plans/roads-parking-and-travel/highways-and-transport-strategy-2023-2025/>

8. Heritage Assets

- 8.1 These policies support a positive approach to conserving the historic environment and their setting as set out in the NPPF chapter 16 (Conserving and enhancing the Historic Environment) and Policy ENV2 of the Rossendale Local Plan 2019-2036.
- 8.2 Edenfield has a long and rich history, which has heavily influenced the character of the village and surrounding areas. The surrounding farmland greatly influenced the character of the village until the end of the 18th century. Industrial expansion through the late 18th and 19th centuries led to a decline in farmable land and a significant increase in industrial mills and houses for workers. During the 20th century, many of these mills were demolished to accommodate housing developments. Notwithstanding this, a high proportion of the elements that reveal the significance of this rich heritage have been retained and relatively well preserved. Table 4 and Figure 4 provide further details about some of the non-listed historic elements in the Edenfield Neighbourhood Area.
- 8.3 There are three listed buildings of Grade II²³ and one of Grade II*²⁴ in the Edenfield Neighbourhood Area (See Table 5 and Figure 7).
- 8.4 The Design Guide notes that the listed and non-listed assets are concentrated along Market Street but also include farmhouses to the east. As such, these policies seek to conserve and enhance the heritage assets and their setting.
- 8.5 The importance of these heritage assets to the local community has been acknowledged within the objectives of this Neighbourhood Plan.
- 8.6 The Rossendale Local Plan 2019 - 2036 identifies some non-listed heritage assets in the Neighbourhood Area. These are Chatterton Hey (Heaton House), Mushroom House and the former Vicarage (paragraph 4 of the site-specific policy for housing allocation reference H66 Land west of Market Street) and Edenwood Mill (paragraph 1 of the site-specific policy for site H67).

²³ Grade II Listed buildings are buildings that are of special interest, warranting every effort to preserve them

²⁴ Grade II* Listed buildings are particularly important buildings of more than special interest.

Name	Justification/Description
Chatterton Hey House	Elegant stone built two-storeyed house with eaves cornice and hipped slate roof. Glazed and panelled door with depressed arch (keystone dated 1765) and cornice. Long stair window with small panes for full height of house. Three windows on each floor. Similar wing on right. Chatterton Hey stands on one of the oldest sites in Edenfield and has connections with some of the most important families in the village's history (Haworths, Rostrons, etc.).
1-5, Green Street and 2-6, Sarah Street	Well-built back-to-back cottages, c.1840. These houses have an interesting history being built on land let by the trustees of the 'Sarah Green' charity. The original lettings conditions survive and specify the standards to which the houses were to be built.
59-69, Market Street	Early example of speculative building in the village. Row of cottages known as 'Badger Row' built c.1782 by the landlord of the 'Horse and Jockey'.
136-150, Market Street	A good example of the piecemeal development of a row of houses encouraged by the textile industry and the advent of the turnpike roads. The old name for the houses is 'Temple Row' and they were built over the period from 1791 to c.1830. No.144 was 'lately erected' in 1806. The name 'Temple' is often associated with places where there were handloom weavers and there is a blocked taking in door in the gable of no.150.
4-26, Rochdale Road	Early 19th century (c.1825) row of millworkers' houses built by the Rostron family, important millowners in Edenfield. Very few houses of this date and type survive in the village. Formerly called 'Commercial Row'.
Rostron Arms	A public house at Market Place.
Milestone on Market Street	On footway outside 16 Market Street. Defaced in anticipation of a German invasion in World War II and bears an Ordnance Survey bench mark with a small metal-domed brass rivet on top at the apex of the cut arrowhead marks

Table 4. Edenfield Buildings of Local Interest or Importance



Figure 4. Edenfield Buildings of Local Interest or Importance Map

Map No	List Entry	Name	Grade	List Date	Easting	Northing
1	1072820	Elton Banks	II	1984-11-30	379945	420081
2	1072821	Hey Meadow Farmhouse	II	1984-11-30	380326	419808
3	1163639	Elton Banks Farm	II	1984-11-30	380350	420239
4	1318084	Edenfield Parish Church	II*	1966-08-09	379858	419809

Table 5. List of Designated Heritage Assets in Edenfield



© Mapbox, © OpenStreetMap

Figure 5. Map of Listed Buildings in Edenfield

Policy HE1. Conservation and enhancement of heritage assets

1. Within the Edenfield Neighbourhood Area, any listed or non-listed heritage assets and their setting will be conserved or enhanced in a manner appropriate to their historic significance. Development within the Edenfield Neighbourhood Area must ensure that the local distinctiveness and character of these listed heritage assets are conserved or enhanced.

Policy HE2. Non-designated heritage assets

1. The Neighbourhood Plan identifies the properties in Table 4 of the Plan as locally important, non-listed heritage assets. Proposals for development that affect non-listed historic assets shall be considered taking account of the scale of any harm or loss and the significance of the heritage assets.
2. The effect of a proposal in a planning application on the significance of these non-listed heritage assets will be taken into account in determining the application in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Policy HE3. Planning applications and heritage assets

1. A planning application for or impacting a listed or non-listed heritage asset or its setting will be required to:
 - a) provide a description of the significance of any heritage asset affected, including any contribution made by its setting. The level of detail should be proportionate to the asset's importance and sufficient to understand the potential impact of the proposal on its significance. This should be undertaken by a suitably qualified expert.
 - b) where a site on which development is proposed includes or has the potential to include a heritage asset with archaeological interest submit an appropriate desk-based assessment and, where necessary, a field evaluation. This should be undertaken by a suitably qualified expert.
 - c) take account of potential harm to the significance of non-listed heritage assets;
 - d) avoid the total loss of significance or substantial harm to listed heritage assets in their setting through alterations or new development except where this accords with local and national policy requirements.

Policy HE4. Site H66 mitigation measures

1. Development of site H66 (land west of Market Street) as identified in the Rossendale Local Plan 2019-2036 will be supported provided suitable mitigation measures identified in the Local Plan are identified and secured to conserve, and where possible, enhance the setting of the Church and the non-designated heritage assets Chatterton Hey House (Heaton House) and Mushroom House and the former Vicarage.

9. Transport and travel

- 9.1 The village lies to the east of the M66, where it terminates and becomes the A56. The A56 allows vehicles to travel in a north/south direction and bypasses the village to the west. Burnley Road/Market Street is the main road which runs directly through the village. To the south, the road forks into Bury Road and the A680.
- 9.2 Within the Neighbourhood Area, there is a high reliance on private motor vehicles. The dominance of the private car and impacts were highlighted as a key issue during consultation events. Particularly, the volume of traffic along the main central routes has been identified as an issue through the consultation exercise.
- 9.3 Consultation responses showed a desire to improve walking and cycling conditions, in and around the Neighbourhood Area, providing travel choice and opportunity for all and this has been reflected within the vision of the Neighbourhood Plan. There are significant social, economic, health and environmental benefits to be gained through a modal shift from private vehicles to walking and cycling. As such, policy T1 seeks to ensure that any new development will promote sustainable forms of transport to support this modal shift.
- 9.4 Policy T2 seeks to address the transportation issues in the area by minimising the potential impacts of new developments. The policy also has a particular focus on minimising the impacts of new developments on the central routes which have been identified as being particularly problematic.

Policy T1. Promotion of sustainable forms of transport

1. Proposals for new development in the Neighbourhood Area should promote sustainable forms of transport, including measures to promote walking, cycling and the use of public transport and electric and low emission vehicles.

Policy T2. Mitigation measures and Transport Assessments

1. Mitigation of traffic impacts may be required in order to address the negative impacts of traffic generation arising from development proposals. Such mitigation measures could include the requirement for improved facilities for pedestrians, cyclists and public transport in the area, and will be secured by legal agreements linked to planning permissions granted.
2. Where a Transport Assessment (or equivalent) is required to support a planning application, this must evaluate the effects of additional traffic movements generated by the development on the core local road network comprising Market Street, Burnley Road, Bury Road, Bolton Road North, Rochdale Road, and Blackburn Road. Such traffic analysis must also evaluate the impact of additional traffic movements on/off these major thoroughfares.
3. Upon the request of the Local Planning Authority, and given the proximity of the Strategic Road Network, any development proposal within the Neighbourhood Area that would be expected to generate more than 30 two-way vehicle trips per day should include within the accompanying Transport Assessment an assessment of the impact of traffic generated at the M66 junctions 0 and 1 with the A56.

10. Local Community

Infrastructure facilities

- 10.1 The Local Plan recognises the importance of community facilities to the areas that they serve both for local residents and visitors. Figure 6 maps the community infrastructure facilities within the designated neighbourhood area.
- 10.2 During the consultation exercises, it was identified that whilst there are some community facilities within Edenfield, the current provision needs to be increased and improved. The provision of infrastructure is critical to ensuring that local residents have access to essential services and facilities to maintain a high standard of living and is important for community building. Locating such uses in easy access of the home and co-located with other activities will help increase access and use by the whole community.
- 10.3 Services which were highlighted as desirable during consultation by the community included a permanent library, local shop with fresh produce and an enlarged Community Centre.
- 10.4 The Rossendale Infrastructure Delivery Plan 2018 and its March 2019 update state that the Edenfield Community Centre, in line with other community centres in the borough, has been affected by cuts in central and local government funding. The consultation process also raised concerns regarding the current state of the village's infrastructure, where deficiencies were identified in both social and physical infrastructure, including transportation issues and local facilities. In order to address this and ensure that new development does not exacerbate the deficiencies, policy LC2 seeks to ensure that new housing developments are well supported by Infrastructure.

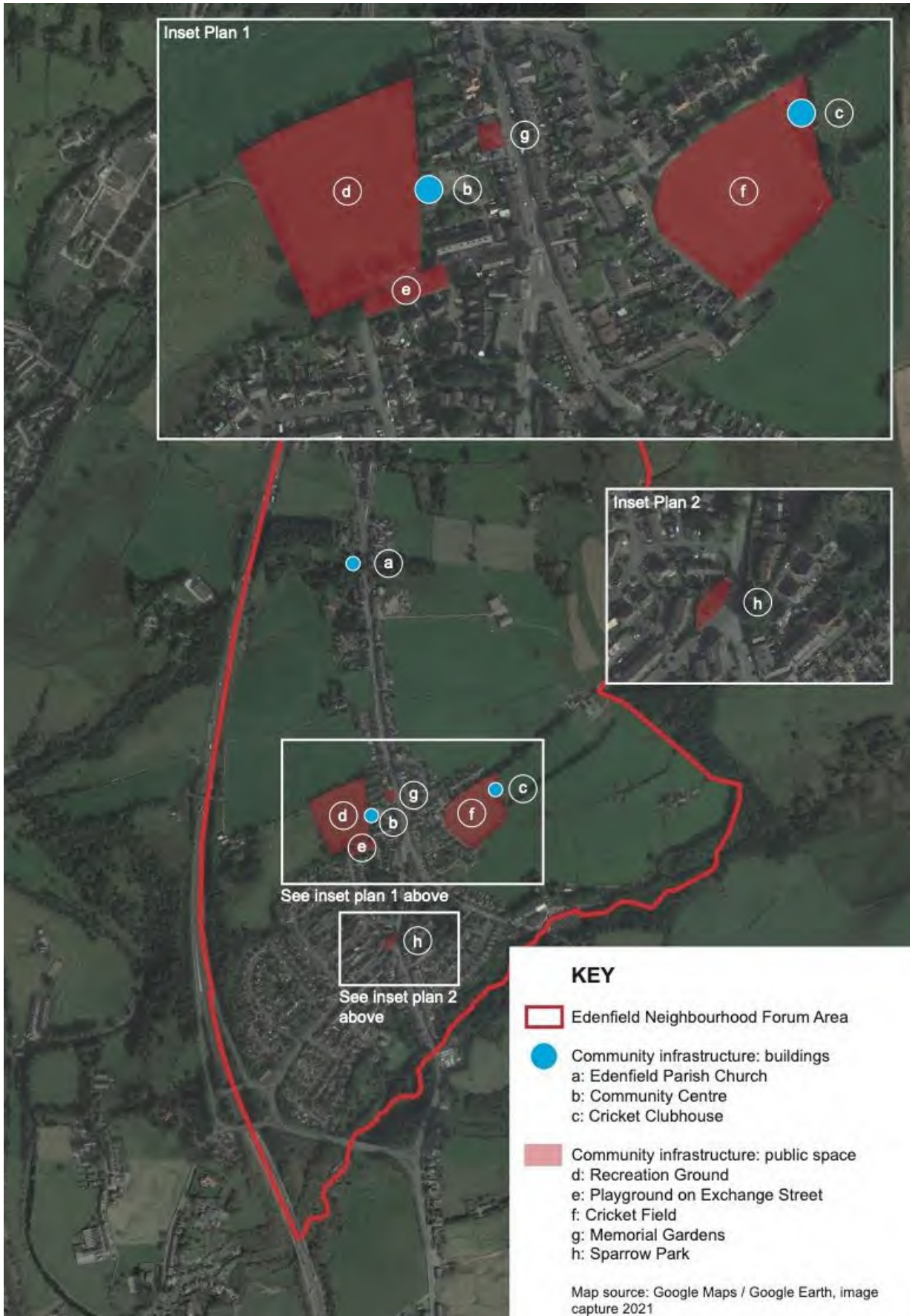


Figure 6. Edenfield Community Infrastructure Facilities

Policy LC1. New, improved or extended community facilities

1. Proposals for new, improved or extended community facilities will be supported subject to Policy GI1 and subject to the following criteria:
 - a) The proposal would be compatible with the character of the site and its surroundings.
 - b) The proposal would be well related to the built form of the settlement and close to existing development.
 - c) The site is accessible by a variety of modes of transport, including walking and cycling.
 - d) The amount of traffic generated by the proposal can be accommodated on the local highway network without harming road safety.
 - e) The proposal would not be detrimental to the amenity of neighbouring residents by reason of noise or traffic.
 - f) A need for the facility has been established.
 - g) Any new or improved sports facility in the Neighbourhood Area shall be designed in accordance with the latest design guidance issued by Sport England:
<https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>
2.
 - a) All existing premises last used as a community facility will be protected for that use unless a clearly justified case can be made for development of the premises for other purposes.
 - (b) Any proposal for such development will be required to demonstrate:
 - i. that the premises have not been in active use for a sustained period (normally at least twelve months)
 - ii. through a rigorous marketing strategy to be agreed with the local planning authority and normally of twelve months' duration and a full valuation report, that there is a lack of demand for their use as a community facility; and
 - iii. that the proposal is appropriate for the premises, having regard to other policies of the development plan and planning guidance.
3. Community facilities are community centres, sports facilities, places of worship, parks and recreation grounds

Policy LC2. Sports facilities

1. If existing sports facilities do not have the capacity to absorb the additional demand for sport generated by new housing development in the Neighbourhood Area financial contributions will be sought from the developer through negotiations with Rossendale Borough Council and secured as appropriate through a Section 106 planning application.

Policy LC3. Required local infrastructure

1. The provision of required local infrastructure will need to be planned and delivered alongside new housing development to ensure that local infrastructure is provided for and / or improved in relation to the size and scale of development proposed. This requirement will apply to all infrastructure including physical, social and green infrastructure.
2. A Local Infrastructure Delivery Plan will be kept up to date by the Neighbourhood Forum which prioritises infrastructure needs, estimates costs and assigns delivery responsibilities.

Policy LC4. Policies for sports facilities

1. Notwithstanding policies LC1, LC2 and LC3, any development proposals concerning current or proposed sporting facilities in the Neighbourhood Area shall have regard to:
 - i) The national policy for sport (as currently set out in NPPF, December 2023, especially paragraphs 102 and 103),
 - ii) The Playing Fields Policy and Guidance promulgated by Sport England:
https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport#playing_fields_policyand
 - iii) The RBC Sport Strategy:
<https://www.rossendale.gov.uk/downloads/download/11571/playing-pitch-and-outdoor-sport-strategy-2022>

11. Local Centre and Commerce

11.1 The NPPF highlights the role that local centres play at the heart of local communities and that development should seek to ensure the vitality of these areas. The Neighbourhood Area provides employment opportunities for the local population, as well as an accessible place to shop for residents.

11.2 Class E uses` are those listed in the Town and Country Planning (Use Classes) Order 1987, as amended, under Use Class E – Commercial, Business and Service, which took effect from 1st September 2020. Planning permission is not required to change between any of the uses within Class E. Class E is, in summary, use for any of the following purposes:

E(a) Display or retail sale of goods, other than hot food (excluding small shops selling essential goods, including food, where there is no such facility within one kilometre).

E(b) sale of food and drink for consumption (mostly) on the premises.

E(c) Provision of: (i) financial services, (ii) professional services (other than health or medical services), or (iii) other services which it is appropriate to provide in a commercial, business or service locality.

E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms and excluding swimming pools and skating rinks).

E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner).

E(f) Creche, day nursery, or day centre (not including residential use).

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

- (i) offices to carry out any operational or administrative functions,
- (ii) research and development of products or processes,
- (iii) industrial processes.

Class E uses benefit from permitted development rights that include:

- Changes to use Class C3 (dwelling houses) subject to prior approval
- Changes to mixed use for anything within Class E and as up to two flats (and back again) subject to prior approval
- Change to a state funded school or back to a previous lawful use.

11.3 The Local Plan for Rossendale supports this objective of the NPPF through focusing retail and other town centre uses within defined centres. Edenfield is identified as a neighbourhood parade in the Local Plan. The Local Plan makes reference to the Town Centre, Retail, Leisure and Tourism Study (2017). This study identified that while

neighbourhood parades are not 'centres' in the same way that town, district and local centres are, they should still be afforded some protection.

- 11.4 Policies E1 and E2 seek to support these national and local objectives through supporting proposals which generate and develop local business and opposing the loss of these services unless evidence to justify the loss can be provided. In order to generate employment and develop local business, policy E1 also highlights that these proposals may be supported outside of the local centre if appropriate.
- 11.5 While Policy E1 supports the national and local objectives of ensuring the vitality of local centres, it also seeks to ensure that proposals will not create significant adverse effects within the Neighbourhood Area. Proposals should have particular regard to factors which have been raised as key issues throughout the consultation events and these include neighbouring amenity, local and rural character and traffic-related nuisance.

Policy E1. Planning permissions – commercial, business and service establishments

1. Where planning permission is required for proposals for the provision of new E(a), E(b), E(c) uses or a drinking establishment with or without the provision of food these proposals will be supported, provided that they are in compliance with other policies of the development plan and in particular policies D1, D2 and T2 of the Neighbourhood Plan and avoid significant adverse effects in terms of:
 - a) Impact on neighbouring properties, or the locality in general in terms of noise, air pollution, odour or other nuisances; and
 - b) Impact on local and rural character in terms of scale, visual impact and nature of operations; and
 - c) Traffic generation, congestion and other vehicular traffic-related nuisance

Policy E2. Loss of commercial, business and service establishments

1. Where planning permission is required all existing premises last used for E(a), E(b), E(c) uses or as a drinking establishment with or without the provision of food will be protected for those uses unless a clearly justified case can be made for development of the premises for other purposes.
2. Any proposal for such development will be required to demonstrate:
 - a) that the premises have not been in active use for a sustained period (normally at least twelve months)
 - b) through a rigorous marketing strategy to be agreed with the local planning authority and normally of twelve months' duration and a full valuation report, that there is a lack of demand for their use for E(a), E(b), E(c) uses or as a drinking establishment; and
 - c) that the proposal is appropriate for the premises, having regard to other policies of the development plan and planning guidance.

12. Green Infrastructure

- 12.1 Paragraph 105 of the NPPF allows the designation of land as Local Green Space through Neighbourhood Plans. This will afford protection from development other than in very special circumstances. Paragraph 106 of the NPPF says that Local Green Space should only be designated where it is:
- in reasonably close proximity to the community it serves;
 - demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - local in character and is not an extensive tract of land.
- 12.2 A number of areas were identified by the community as being of value to them and in need of protection. These areas have been assessed against the criteria in the NPPF and the following areas are considered to be appropriate for designation:
- Playground on Exchange Street
 - Recreation Ground
 - Edenfield Cricket Club
- 12.3 The methodology used to consider the above areas is outlined in the Local Green Space report as part of the evidence base for this Plan.
- 12.4 It is further considered important to seek to enhance the green infrastructure assets of the area where possible as their inclusion in an area has a number of social and environmental benefits. Both the adopted and emerging development plans for Rossendale acknowledge the importance of Green Infrastructure and state that development should protect, manage, enhance and connect Rossendale's green infrastructure network.
- 12.5 The consultation exercises have identified that the form and function of these connections is highly valued by the local community and should be recognised as part of any new development proposals. This includes the existing relationship between built development and the countryside beyond, the relationship with locally important views and connections to the surrounding landscape. As such, policy GI3 seeks to ensure that any new developments will establish new connections to maintain this positive attribute of Edenfield.

- 12.6 The assessment of Chatterton Hey Field, showed this space was unsuitable for designation as a local green space, but revealed that the site was locally valued by the community as the only space for off-lead dog walking. As such, policy GI4 seeks to expand the opportunity for this activity throughout the village.

Policy GI1. Local Green Space designations

1. The following areas below, and as shown on the map in Figure 7 are designated as Local Green Spaces:
 - a) Playground on Exchange Street
 - b) Recreation Ground
 - c) Edenfield Cricket Club
2. Development shall be consistent with national and local policy for Green Belts.

Policy GI2. Wildlife areas and green spaces connectivity

2. Proposals that seek to improve the connectivity between wildlife areas and green spaces will be encouraged in order to enhance the green infrastructure of the Neighbourhood Area and its contribution to landscape character and local identity.

Policy GI3. Footpaths, cycle paths and green spaces accessibility

1. New development will provide for links from development sites to the wider footpath and cycle-path network and green spaces wherever possible.

Policy GI4. New development and Local Green Spaces

1. New development that impacts or affects Local Green Spaces or which will contribute to the increased use of Local Green Spaces through population growth will make provision for a proportionate increase in space that meets the criteria set out in the NPPF and/or enhancement of existing on-site facilities. Such provisions may include but are not limited to those as set out in policy DMR1.



Figure 7. Designations Map for Local Green Spaces

13. Natural Environment

- 13.1 The Lives and Landscape Assessment for Rossendale Borough Council (2015) highlighted that the irregular topography of Rossendale means that there are a number of expansive views across the area. The report makes specific reference to Edenfield, citing that “the cumulative effects of developments needs to be taken account of” with regards to their effects on the landscape character of the borough.
- 13.2 The 2015 Assessment defines Edenfield as being located within Settled Valleys character area: 8b Irwell Valley. This is characterised as an area with reduced densities of housing and extensive areas of open pasture. The report recognises that development is generally acceptable within the townscapes of this area, however specific regard should be had to where suburban areas abut the rural landscape.
- 13.3 One of the distinctive features of Edenfield Neighbourhood Area is the visual connectivity with the surrounding countryside from the village and public footpaths. The landscape character type of Edenfield is defined as a series of interlocking valleys with the built form laid out as ribbon development within the valley.
- 13.4 The local topography also enables long views from surrounding listed assets into the neighbourhood area. This is especially true with the long views from Peel Tower, a monument located to the south west atop Holcombe Hill. As well as protecting views out, these long views into Edenfield also need to be considered when determining the impact of any development, especially that which could affect the skyline of the settlement against the landscaped ridges. As such, the importance of Locally Important Views is highlighted within the Design Code.
- 13.5 Recent consultation events have highlighted that residents value highly the visual connection across the settlement and into the surrounding countryside. Through this a number of views were highlighted which bear importance for the local community. These views were critically assessed by consultants and shortlisted. It is important to protect and enhance the character and natural beauty of the countryside more generally whilst protecting the footpaths which allow access to it. Thus, the focus of the Key Views Assessment are those views of and from Edenfield Neighbourhood Area which contribute to local character and amenity.
- 13.6 Notwithstanding the views which have been regarded as locally important, the overall rural nature of the settlement and its countryside setting are fundamental to Edenfield’s character and this was highlighted as a key strength through the consultation exercises.
- 13.7 It is important that development should involve biodiversity net gain and the protection, and enhancement where possible, of watercourses and their ecological habitat value.

Policy NE1. Locally Important Views

1. The following, as identified in Figure 8, are identified as Locally Important Views which will be maintained to ensure continued visual connectivity with the surrounding countryside:
 - f) KV1 - Market Street, adjacent to its junction with Footpath 14-3 FP 126
 - g) KV2 - Market Street, adjacent to no 117 Market Street
 - h) KV3 - Lane leading west off Market Street by Mushroom House. 14-3 FP 126.
 - i) KV4 - Lane Leading west off Market Street by Mushroom House 14-3 FP 126.
 - j) KV5 - Gincroft Lane adjacent to Gincroft Farm. 14-3 BOAT 275.
 - k) KV6 - Footpath leading south from Hey Meadow Farmhouse 14-3 FP136
 - l) KV7 - Footpath leading south from Hey Meadow Farmhouse 14-3 FP136
 - m) KV8 - Church Lane and the Graveyard.
2. Development proposals should take into account Locally Important Views and minimise their adverse affect on the views.

Policy NE2. Development proposals and the local environment

1. All development proposals should seek opportunities to conserve or enhance the local environment commensurate with their scale and location and in accordance with other policies within the development plan. Proposals should demonstrate that they have taken account of locally distinctive landscape features and landscape character types contributing to the identity of locations within the Neighbourhood Area.

Policy NE3. Development and landscape and topography

1. Development will retain or enhance well-established features of the landscape, including mature trees, hedgerows and ponds. Any proposal for removal of such features must be justified by substantive evidence. If there is significant loss of trees and shrubs as part of development, then new provision will be expected elsewhere on the site or if not possible on sites elsewhere within the Neighbourhood Area providing equivalent coverage and acceptable contribution towards the natural environment and local character.
2. Development will be expected to reflect local topography and mitigate any adverse impact on views into and across the development from other locations through changes to skyline, hill slopes, height or mass.
3. Proposals for development will be expected to provide for biodiversity net gain (BNG) where possible in accordance with national policy (NPPF, December 2023, paragraphs 180(d), 185(b) and 186(d) and the Natural Environment Planning Practice Guidance). Developments shall comply with the requirements of the Environment Act 2021, including demonstrable minimum 10% BNG, when these come into force through the Town and Country Planning Act 1990 as amended.
4. Any trees or plants to be provided in a development as part of a landscaping scheme shall be of a species native to England and characteristic of the local area, in the interests of affording sources of suitable nectar and seed for bees and birds and of making a positive contribution to the local landscape.

Policy NE4. Development and ecology

1. Development should not adversely affect priority habitats and other areas of ecological importance and should, wherever possible, contribute to wider ecological networks.

Policy NE5. Site H66 watercourses and ecology

1. Development of site H66 (land west of Market Street) as identified in the Rossendale Local Plan 2019-2036 will be supported provided that existing watercourses on or adjoining the site are protected and, if possible, enhanced and that the site layout does not encroach into riparian corridors and does not negatively impact upon flood risk, water quality or ecological habitat value.

Policy NE6. Site H67 watercourses and ecology

1. Development Proposals for re-development of site H67 (Edenwood Mill) as identified in the Rossendale Local Plan 2019-2036 should, where possible, incorporate the removal of man-made structures from the river channel and the restoration of riverine habitats to reduce flood risk, improve water quality and enhance ecological habitat value.

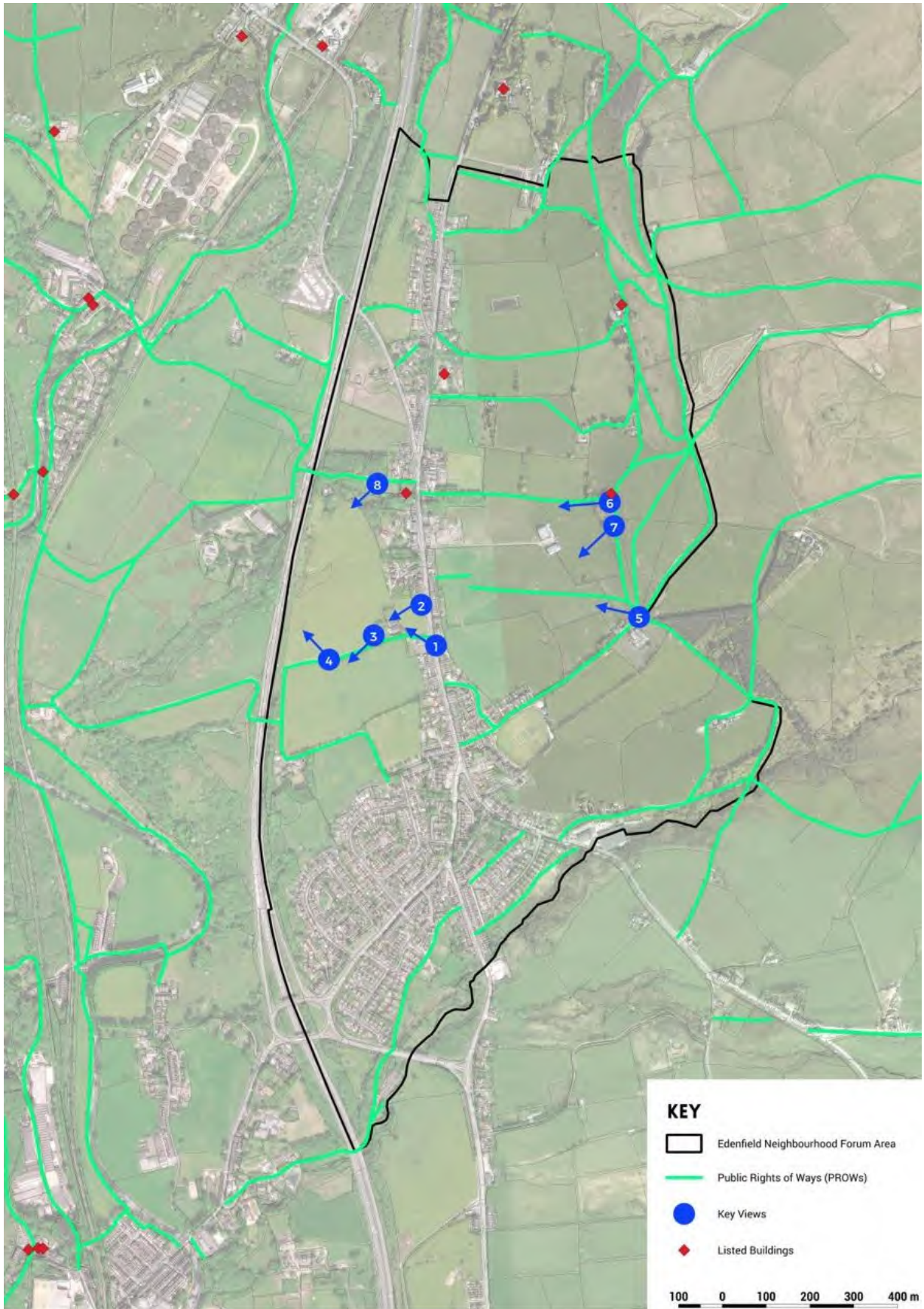


Figure 8. Map of Key Views in Edenfield

14. Delivery, monitoring and review

- 14.1 The Neighbourhood Plan is intended to guide development for a period of 15 years. It is recognised that there may be significant changes in national and local policy within this timeframe which the Neighbourhood Plan should respond to.

Policy DMR1. Local infrastructure delivery plan

1. The improvement or development of locally important infrastructure will be supported where it is needed to serve existing or new development, provided that the need for such facilities is consistent with other policies within this Plan and Paragraph 57 of the NPPF. A Local Infrastructure Delivery Plan (LIDP) which prioritises infrastructure requirements, priorities, funding and responsibilities will be kept up to date by the Neighbourhood Forum. This LIDP will inform infrastructure decisions whether they be through developer contributions, Section 106 agreements, Community Infrastructure Levy (as and when applicable in Rossendale) or other sources of funding.

- 14.2 This Neighbourhood Plan has been developed to plan sustainable growth for a period of up to 15 years (2021 – 2036). A formal review process in consultation with the community and Local Planning Authority should be undertaken at least once every 5 years, to ensure the Plan is still current and a remains a positive planning tool to deliver sustainable growth.

15. Appendices

Appendix 1: Policies Map

Appendix 2: Edenfield Factbook

Appendix 3: Edenfield Design Code

Appendix 4: Edenfield Local Greenspace Report

Appendix 5: Locally Important Views Report

Appendix 6: Consultation Statement and supporting documents

Appendix 7: Glossary

Acknowledgements

The Edenfield Community Neighbourhood Forum would like to extend their grateful thanks to the residents and businesses of Edenfield and the organisations listed below for their input, assistance and support. Without them this Neighbourhood Plan would not have been possible.

AECOM

Edenfield Cricket Club

Edenfield District Community Association

Edenfield Village Residents Association

Locality

Rossendale Borough Council Forward Planning Department

Troy Planning + Design

Edenfield Community Neighbourhood Forum

Edenfield Neighbourhood Plan (ENP), 2021- 2036

(Submission version: January 2024)



Edenfield Community Neighbourhood Forum

www.edenfieldcommunityforum.uk

neighbourhoodplan@edenfieldcommunityforum.uk



Regulation 18 Decision Statement: Edenfield Neighbourhood Development Plan

Planning and Compulsory Purchase Act 2004 and
The Neighbourhood Planning (General) Regulations 2012 (as amended)

Regulation 18 Decision Statement

1. Summary

- 1.1 Following an independent examination, conducted through written representations, the Examiner, Mr Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI, was satisfied that, with modifications, the Edenfield Neighbourhood Plan would meet the Basic Conditions of neighbourhood plans and could proceed to referendum.
- 1.2 Rossendale Borough Council now confirms that it has, in conjunction with the Qualifying Body (Edenfield Community Neighbourhood Forum), made those modifications to the plan, as set out in Table 1 below. The Plan can now proceed to a Neighbourhood Planning Referendum.
- 1.3 In accordance with the independent Examiner's recommendations, the Edenfield Neighbourhood Plan will proceed to referendum within the Edenfield Neighbourhood Area as formally designated by Rossendale Borough Council in April 2018.
- 1.4 The Edenfield Neighbourhood Plan sets out a vision, objectives and a number of planning policies relating to the designated neighbourhood area. If 'made', the plan will become part of the statutory development plan and will be used to determine planning applications within the Edenfield Neighbourhood Area, alongside other development plan policies.
- 1.5 This Decision Statement, the Examiner's Report and the draft Edenfield Neighbourhood Plan and supporting documentation are available on the Council's website:
[Edenfield Community Neighbourhood Forum | Neighbourhood Plans | Rossendale Borough Council](#)
- 1.6 Paper copies are available for viewing by appointment at the Council's Office, Futures Park, Bacup, OL13 0BB. Please phone 01706 252418 / 252412 / 252415 or email forwardplanning@rossendalebc.gov.uk
- 1.7 These documents can also be viewed on the Edenfield Community Neighbourhood Forum website:
[Neighbourhood Plan – Edenfield Community Neighbourhood Forum](#)



2. Decisions and Reasons

- 2.1 The Examiner has concluded that, subject to the specified modifications being made to the Plan, the Edenfield Neighbourhood Plan meets the Basic Conditions stated and other relevant legal requirements.
- 2.2 The Council accepts all of the modifications and the reasons put forward by the Examiner for them. The Examiner’s reasons and recommendations are set out in the Examiner’s Report.
- 2.3 The Council is satisfied that, subject to the modifications specified in Table 1 below, the Plan meets the relevant Basic Conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention Rights and complies with the provision made by or under s38A and s.38B of the Planning and Compulsory Purchase Act 2004.
- 2.4 To meet the requirements of the Localism Act 2011, a referendum which poses the question “Do you want Rossendale Borough Council to use the Neighbourhood Plan for Edenfield to help it decide planning applications in the neighbourhood area?” will be held in the Edenfield Neighbourhood Area.

This decision statement is dated 12 December 2024



Table 1: Examiner’s Proposed Modifications and Rossendale Borough Council Response

Proposed modification number (PM)	Page no/ other reference	Modification
PM1	Pages 16, 17 and 19	<p>References to the ‘settlement boundary’ in the Neighbourhood Plan should be changed to ‘Urban Boundary’, to ensure consistency with the Local Plan and Policies Map. These references are located in :</p> <ul style="list-style-type: none"> - Paragraph 5.4; - Policy UB1 (in three places: the title of the policy and in points 1 and 2); and - Policy HO1. <p>In the text supporting Policy UB1, identify the “other guidance” that is to be taken into account by applicants.</p>
PM2	Page 20	<p>In the first paragraph of Policy HO3, replace “priority will be given in the first instance to” with “the affordable housing shall be first occupied by”.</p>
PM3	Page 21	<p>Delete numbered paragraph 2 in Policy HO4.</p> <p>As a consequence, delete the words “and to the Community Centre” in paragraph 1.c) of Policy HO4,</p>
PM4	Page 23	<p>In Policy D1 d), add “as appropriate,” before “reflect”.</p>
PM5	Page 25	<p>In Policy D2 a), add “As appropriate” before “incorporating”.</p> <p>In numbered paragraph 4 of Policy D2, replace “Applicants” with “Developers”.</p> <p>In paragraph 7.8 of the text supporting the policy, list the best practice guidelines to be taken into account by developers.</p>
PM6	Page 32	<p>In Policy HE1, replace “conserved and enhanced” with “conserved or enhanced”.</p>



PM7	Page 35	In Policy T2, replace “traffic flows” with “traffic movements”. At the beginning of the third part of the policy, insert “Upon the request of the Local Planning Authority, and” before “given”.
PM8	Page 39	In the first sentence of Policy LC2, replace “the developer” and all subsequent words with the following: “... financial contributions will be sought from the developer through negotiations with Rossendale Borough Council and secured as appropriate through a Section 106 planning obligation.”
PM9	Page 39	In Policy LC4, replace “will be required to comply with” with “shall have regard to”.
PM10	Page 41	In Policy E1, delete the words: “within the Neighbourhood Parade or at other locations in the Neighbourhood Area.”
PM11	Page 42	At the commencement of Policy E2, add “Where planning permission is required” before “all existing premises”.
PM12	Page 44	Replace the second paragraph of Policy GI1 with the following: “Development shall be consistent with national and local policy for Green Belts.”
PM13	Page 44	In Policy GI3, replace “establish publicly accessible links” with “provide for links”.
PM14	Page 44	In Policy GI4, replace “proportionate increase in Local Green Space” with “proportionate increase in space that meets the criteria set out in the NPPF”.
PM15	Page 48	At the opening of Policy NE3, change the text so that it reads, “Development will retain or enhance...”.
PM16	Page 51	At the end of the first sentence in Policy DMR1, add “and Paragraph 57 of the NPPF”.



PM17	Pages 15 and 51	<p>Delete Policy DMR2. Include the content as part of the supporting text within Section 14 of the Plan.</p> <p>A change to Table 3 (paragraph 4.3) will also be required to reflect this deletion.</p>
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BIODIVERSITY IMPACT ASSESSMENT

Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)	Edenfield Neighbourhood Plan	
Lead Officer Name(s) & Job Title(s) :	Anne Storaah – Principal Planning Officer	
Department/Service Area:	Planning	
Telephone & E-mail Contact:	01706 252418	
Date Assessment:	Commenced: 27/11/2024	Completed: 28/11/2024

The Council has a duty to protect and enhance biodiversity under the Environment Act 2021. This assessment must be completed for all key decisions included in the Forward Plan to analyse the effects of our decisions, policies or practices.

Stage 1 This stage determines whether a full assessment is required

1.1 Description of the proposed decision

The Edenfield Neighbourhood Plan sets out a vision, objectives and local planning policies for development within the Edenfield Neighbourhood Area. The Plan has been prepared by Edenfield Neighbourhood Forum and has gone through an independent examination. The Plan Examiner has recommended the Plan to go to a Referendum subject to minor modifications prior to being “made” by the Council. Once made, the Edenfield Neighbourhood Plan will be a material planning consideration to determine planning applications in the Edenfield Neighbourhood Area.

The vision, objectives and policies relate to housing, design, heritage assets, transport and travel, local community infrastructure facilities, local centre and commerce, green infrastructure and the natural environment.

1.2 Will the proposed decision have any impacts on the type, area (or length) or conditions of natural habitats within the Borough?

Yes No

If no, proceed no further if yes continue to stage 2

Stage 2 This stage helps understand whether any impact on biodiversity is positive or negative.

2.1 Will the proposed decision have a positive or negative impact on biodiversity? (A positive impact would increase the range of species or habitats or increase the protection of existing habitats, a negative impact would do the opposite.)

Positive

Negative

2.2 Describe the impact, in particular drawing attention to scale. Also please state if the impact will affect a [Habitat or Species of Principal Importance](#), [Irreplaceable Habitat](#) (it is possible to check for those on [PlanWeb](#) or [Magic](#) map) or if the project will affect a habitat or specie identified on Lancashire's Biodiversity Action Plans (please visit <https://www.lbap.org.uk/home.htm> for more information).

The Edenfield Neighbourhood Plan contains policies which are likely to have a positive impact on biodiversity such the improvement of wildlife areas and green spaces connectivity (policy G12) the seeking of opportunities to conserve or enhance the local environment through development proposals (policy NE2), the provision of biodiversity net gain and the planting of native trees or plants within new developments (policy NE3), the protection of priority habitats and ecological networks wherever possible (NE4) and the protection of watercourses through development of housing site allocated in the Rosendale Local Plan (policies NE5 and NE6).

2.3 If the impact is positive you need go no further.

Equality Impact Assessment

The council carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices.

Throughout this document, policy refers to any policy, strategy, project, procedure, function, decision or delivery or service.

The EIA should be undertaken/started at the beginning of the policy development process before any decisions are made.

Policies are developed and reviewed using a consultative approach involving relevant internal and external stakeholders. Officers must consider what action needs to be taken to help overcome or minimise any disadvantages that people who share a protected characteristic will experience in compliance with the Equality Act 2010.

Name of policy:	Edenfield Neighbourhood Plan
Lead officer name	Anne Storah
Job title	Principal Planner (Forward Planning)
Service area	Planning
Telephone contact	01706 252418
Email contact	annestorah@rossendalebc.gov.uk
Date Assessment commenced	20/01/23
Date assessment completed	15/11/24

The main aims/objectives of this policy are:

The Edenfield Neighbourhood Plan 2021-2036 sets out a vision and objectives for the future of Edenfield. It has been prepared by ECNF and informed by consultations.

It is a requirement of the Neighbourhood Planning regulations that Neighbourhood Plans should conform to the strategic local policies namely the Rossendale Local Plan 2019-2036, which was adopted by the Council in December 2021.

Once approved the Neighbourhood Plan will form part of Rossendale's development plan. Together with other adopted planning policies, it will form the legal basis for planning decisions across the Edenfield Neighbourhood Area.

Indicate the status of the policy or decision

New/proposed Modified/adapted Existing

Indicate protected characteristics have been assessed

Age	<input checked="" type="checkbox"/>	Disability	<input checked="" type="checkbox"/>	Gender reassignment	<input checked="" type="checkbox"/>
Religion/belief	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>	Sex	<input checked="" type="checkbox"/>
Pregnancy/maternity	<input checked="" type="checkbox"/>	Race	<input checked="" type="checkbox"/>	Marriage or civil partnership	<input checked="" type="checkbox"/>

1. State any positive or negative impact on the protected characteristic(s) (added additional rows if needed)

Protected characteristic	Positive/Negative	How does it impact?
Age	Neutral	ENP aims to secure the delivery of affordable housing (size, type, tenure) to meet local needs of the defined Edenfield Neighbourhood Area. There are policies on new, improved or extended community facilities and sports facilities.
Disability	Neutral	The benefits of the document would be equal as they apply to the public generally.
Religion/belief	Neutral	The benefits of the document would be equal as they apply to the public generally.
Race	Neutral	The benefits of the document would be equal as they apply to the public generally.
Pregnancy/maternity	Neutral	The benefits of the document would be equal as they apply to the public generally.
Sexual orientation	Neutral	The benefits of the document would be equal as they apply to the public generally.
Gender reassignment	Neutral	The benefits of the document would be equal as they apply to the public generally.
Sex	Neutral	The benefits of the document would be equal as they apply to the public generally.
Marriage or civil partnership	Neutral	The benefits of the document would be equal as they apply to the public generally.

2. Explain and give examples of any evidence/data used (add additional rows if needed)

Evidence	How does this have an impact on the protected characteristic?
FACTBOOK	https://www.rossendale.gov.uk/local-plan/neighbourhood-plan/3 The Edenfield Factbook is the baseline assessment for the Edenfield Neighbourhood Plan. A baseline assessment is used to gather evidence

	on various demographic and land use factors for the area. This baseline assessment includes information on population breakdown, health and education, access to greenspace and other socioeconomic data. It also includes information on relevant Local Plan policies. This document helps support emerging work on the Edenfield Neighbourhood Plan
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3. Outcome of EIA

What course of action does this EIA suggest you take?	Please indicate
Outcome 1- The EIA has not identified any potential for negative impact on the protected characteristics. Progress to EIA approval – section 5	<input checked="" type="checkbox"/>
Outcome 2- The EIA has identified a possibility for negative impact on the protected characteristics. An EIA Action Plan must be completed to mitigate the negative impact – section 4 before approval section 5	<input type="checkbox"/>

4. EIA action plan

Based on the above impact assessment, findings/evidence and outcomes identified, please complete the Action Plan below. The action plan should address:

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential impacts
- How you will address any gaps
- What practical changes/action that will help reduce any negative impacts identified
- What practical changes/action that will help enhance any positive contributions to equality

Negative impact identified	Action required	Lead officer	To be completed

Monitoring and reviewing the effect of the policy

Please state how you will monitor the impact and effect of this policy

The Affordable Housing SPD will be monitored for effectiveness as part of the annual Authority Monitoring Report (AMR), this will cover how many affordable dwellings have been approved / delivered in the monitoring period and what tenure they are.

The need for a review of the policy will be determined as part of the AMR process and also any future Local Plan review.

5. EIA approval (to be completed by the relevant Head of Service/Director)

- Outcome of EIA agreed/approved by Management Team: (date) 21 November 2024

- Published on council website: (date)

Signed: (Head of Service/Director) (date)

Subject:	Review of Public Space Protection Orders for Alcohol, Nitrous Oxide and Off Road Bikes	Status:	For Publication
Report to:	Full Council	Date:	11 th December 2024
Report of:	Public Protection Manager	Lead Member:	Environment and Corporate Services
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: No	Attached:	No
Biodiversity Impact Assessment:	Required: No	Attached:	No
Contact Officer:	Susan Chadwick	Telephone:	01706 238 648
Email:	susanchadwick@rossendalebc.gov.uk		

1. RECOMMENDATION(S)

- 1.1 That the attached Public Spaces Protection Order as amended be formally varied and extended for a further 3 year period.

2. EXECUTIVE SUMMARY

- The original order relating to the control of nitrous oxide, alcohol consumption away from licensed premises and off-road bikes was approved by Council on 15th December 2021.
- The order has been amended to remove the provisions around nitrous oxide.
- The order creates two new offences relating to the provision of identity details and insurance documentation.
- It is proposed to amend the order as attached and extend it for a further period of 3 years.

3. BACKGROUND

- 3.1 The Anti-social Behaviour, Crime and Policing Act 2014 introduced a variety of powers for local authorities to deal with anti-social behaviour including Public Spaces Protection Orders (PSPO's).
- 3.2 They are designed to address specific anti-social behaviours in public spaces.
- 3.3 The original order was approved by Council on 15th December 2021 and it is therefore appropriate to consider whether the order requires variation and extension.
- 3.4 As a result of legislative changes, a draft amended order was consulted upon. That consultation ran for a period of 4 weeks which ended on 25th October 2024.
- 3.5 The consultation was published on the Council's website and promoted through the Council's social media pages.
- 3.6 The Police, Crime & Commissioner's office as well as the Neighbourhood Policing Inspector were specifically consulted upon and their views sought on the proposed amended order.

4. DETAILS

- 4.1 The Order has been amended to reflect new offences with regard to the provision of identity details and insurance in relation to MPV's. These are found at paragraphs 3.3 and 3.4 of the Order.
- 4.2 The previous provisions around nitrous oxide have been removed from the amended order.
- 4.3 At the time that the original order was adopted, it was illegal to produce, supply, import or export nitrous oxide where a person knew, or was reckless as to whether it would be consumed for its psychoactive effects.
- 4.4 Possession was not illegal and its anti-social use was sufficiently significant to warrant its inclusion in the order.
- 4.5 Since 8th November 2023, it has become illegal to possess the Class C drug for wrongful inhalation under the Misuse of Drugs Act 1971.
- 4.6 Consultation responses were supportive of the amended order and supportive of its extension. Those responses also highlighted that off-road bikes continue to be a problem for the community.
- 4.7 Only 1 response did not agree with the removal of nitrous oxide canister offences from the PSPO but did not cite a reason for the disagreement.
- 4.8 All respondents supported the introduction of a new offence for failing to provide insurance documentation when requested.
- 4.9 Only 1 respondent did not support the introduction of a new offence of failing to provide identity information when requested.
- 4.10 Further comments on the proposed Order made reference to alcohol and drug use around Bacup town centre being off-putting for people as well as off road bikes being out of control in the borough riding the moors and roads without fear often taunting others whilst doing so.
- 4.11 There were comments about these bikes running the trails around the Valley which volunteers are striving to improve and that the Police need as much power as possible to confiscate the bikes and prosecute the offenders.
- 4.12 It should be noted that there are a range of powers available for dealing with off-road bikes and the PSPO is merely one such tool.
- 4.13 The order remains largely unchanged and it is only the removal of what is now an existing offence under separate legislation and a small addition of 2 further offences that make this a variation.

5. RISK

- 5.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
 - Failure to have specific measures in place to tackle the increasing issues of on street and public space drinking will lead to increased anti-social behavior.
 - Anti-social use of motor vehicles, including motor bikes used "off-road" continue to frustrate communities and agencies and powers to deal with the problems must be made available.

6. FINANCE

6.1 There are no further financial implications from the variation and extension of the order and any arising will be contained within existing budget resources.

7. LEGAL

7.1 The implementation of the PSPO can be challenged at the High Court by any interested person within 6 weeks of the making of the order on the basis that the local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order or that a requirement under the statute was not complied with in relation to the order. This has been mitigated by the Council following due process in compliance with the legislation.

7.2 Any order approved by the Council may be extended both in terms of the time and the area that it covers and it can be extended more than once.

7.3 Section 60 of the Anti-Social Behaviour, Crime and Policing Act 2014 states that a PSPO may not have effect for a period of more than 3 years, unless extended. Before the time when an order is due to expire, the Council may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent— (a) occurrence or recurrence after that time of the activities identified in the order, or (b) an increase in the frequency or seriousness of those activities after that time. An extension under this section may not be for a period of more than 3 years. If the orders are not extended they will lapse which would be detrimental to the borough.

8. POLICY AND EQUALITIES IMPLICATIONS

8.1 No equality issues were identified as part of the consultation.

9. REASON FOR DECISION

9.1 The facilities and enjoyment of our towns, parks and open spaces should be open to everyone without fear, intimidation or harassment, and these measures will ensure that this is the case for the foreseeable future.

Background Papers	
Document	Place of Inspection
Draft Order - Alcohol, Vehicular Nuisance & Other Matters	Appendix A

Anti-Social Behaviour, Crime and Policing Act 2014



Public Spaces Protection Order

Alcohol, Vehicular Nuisance & Other Matters

This Order is made by Rossendale Borough Council ("the Council") under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 ("the Act").

This order may be cited as the Rossendale Borough Council, Public Spaces Protection (Alcohol, Vehicular Nuisance & Other Matters) Order.

This order came into force on 15th December 2021 and was varied and extended for a further 3 years from **(date to be confirmed)**.

This Order relates to all areas within the Borough of Rossendale, including public space in the Council's area and privately owned land made available to the public, to which the Act applies ("the Restricted Area").

This order shall apply at all times.

The Council is satisfied that the two conditions below have been met, in that:

- activities carried on or in the restricted area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
- the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

By this order

The effect of the Order is to impose the following prohibitions and/or requirements in the Restricted Area at all times, unless specifically stated.

Prohibitions

1) Consumption of alcohol in public areas, away from licensed premises

1.1 It will constitute an offence should any person, when requested by an Authorised Officer, not cease from drinking alcohol in a public place away from licensed premises and not surrender any opened vessels of alcohol. Any unopened alcoholic drinks may be subject to confiscation or disposal should the officer believe the person is either:

- i) Under 18 years of age;
- ii) Intoxicated;
- iii) Likely to consume the alcohol in public and cause nuisance if left with them

2) Mechanically Propelled Vehicles

- 2.1 Mechanically propelled vehicles (hereafter referred to as “MPV”) are prohibited from being used on any publically owned land/highway in the Borough, or on any other land without express or implied permission.
- 2.2 A person is prohibited from parking up a motor vehicle or trailer on any road or land without the land owners permission, with the intention to then off load any MPV to be used on any publically owned land/highway in the Borough, or any other land without the express or implied permission.
- 2.3 A person is prohibited from having a MPV in their possession but not being ridden when in a public space or on a highway or pavement, unless they can produce appropriate insurance for use of the MPV on a public highway.
- 2.4 The only exception will be granted for persons wheeling a MPV to a clearly identified van or trailer for onwards transportation.
- 2.5 A person is prohibited from engaging in, promoting, encouraging or assisting in the carrying out of any anti-social behaviour connected to the use of a mechanically propelled vehicle in or on a public highway, public car park and other land to which the public has access in the Rossendale District area (the restricted area).

The following list is of mechanically propelled vehicles which are included in this order, but this list is intended to be indicative, not exhaustive:

- Motorbikes (road going and off road) including mini “pee-wee” bikes
- Electrically propelled motor bikes
- Scooters
- Quad Bikes and mini quad bikes
- Motor Cars

The following MPV’s are exempt from the Order:

- Vehicles for use by a person with a mobility impairment, and being used by someone with a mobility impairment.

Offences under this Public Space Protection Order:

- 3.1 It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
- 3.2 In accordance with section 67 of the Act, a person found to be in breach of this Order is liable to be issued with a Fixed Penalty Notice in the sum of £100 or if guilty on summary convictions liable to a fine not exceeding level 3 on the standard scale.
- 3.3 It shall be an offence under this Order for any person to fail to give their true name and ordinary residential address to an Authorised Officer of Rossendale Borough Council or to a Police Constable when requested or to otherwise obstruct such officers in the course of their duty.
- 3.4 It shall be an offence for a person to fail to provide evidence of insurance for any MPV when requested to do so by an Authorised Officer of Rossendale Borough Council or Police Constable.

THE COMMON SEAL OF ROSSENDALE)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)

DRAFT

Subject:	Response to recommendations under paragraph 2 of Schedule 7 of the Local Audit and Accountability Act 2014	Status:	For Publication
Report to:	Full Council	Date:	11 th December 2024
Report of:	Director of Resources	Lead Member:	Resources
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: No	Attached:	No
Biodiversity Impact Assessment:	Required: No	Attached:	No
Contact Officer:	Chris Warren	Telephone:	01706 252328
Email:	chriswarren@rossendalebc.gov.uk		

1. RECOMMENDATION(S)

- 1.1 That Council notes the report and actions taken to date.
- 1.2 That Council accepts the recommendations in the auditors' letter of 27th November 2024.

2. EXECUTIVE SUMMARY

- 2.1 As part of the finalisation of the Council's 2019/20 accounts under audit backstop arrangements, its auditors have made recommendations which have to be brought to the attention of Full Council, in accordance with Schedule 7 of the Local Audit and Accountability Act 2014.
- 2.2 In the financial year 2023/24, the Council put in place measures to address the control weakness noted by its auditors and has deployed additional resource to resolve discrepancies in the financial statements from 2018/19 to 2023/24 financial years by the end of the financial year 2024/25.

3. BACKGROUND

- 3.1 The Council adopted its financial statements for the financial years 2018/19 through to 2022/23. at the Audit and Accounts Committee on 3rd December 2024 These accounts have been adopted under the backstop regulations in place to address the national backlog relating to the completion of Local Authority Audits.
- 3.2 The Council has received recommendations from the auditors under paragraph 2 of Schedule 7 of the Local Audit and Accountability Act 2014 in relation to the finalisation of the statutory accounts for 2019/20. These regulations dictate that the recommendations and the Council's response are to be considered and minuted at Full Council.

4. DETAILS

- 4.1 The Council has received recommendations from the auditors under paragraph 2 of Schedule 7 of the Local Audit and Accountability act 2014 in relation to the finalisation of the statutory accounts for 2019/20.
- 4.2 The recommendations and respective officer reply are as follows:

- 1) That the Council should resolve and correct the discrepancies between the financial statements for the financial years 2018/19 through to 2023/24 financial years before the end of the 24 25 financial year.

To address this recommendation, the Council has deployed additional resource to resolve the discrepancies by 31st March 2025.

- 2) That the Council should carry out a bank reconciliation at 31st March 2020, 2021, 2022 and 2023.

This recommendation has been addressed and completed with reconciliations in place for those years.

- 3) That the Council should from April 2023 onwards reconcile its bank statements with the balances recorded in the general ledger on a monthly basis for each month and to complete each month's bank reconciliation within one month of the month end.

This recommendation has been addressed with timely reconciliations signed off by the Council's Head of Finance on a monthly basis.

- 4) That the Council should report its compliance with this control to each meeting of the Audit and Accounts Committee.

The Council will comply with this recommendation until further notice.

5. RISK

All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Failure to accept and act on the recommendations given and comply with the legislation would risk further intervention by the auditors and Secretary of State.
- Failure to address concerns raised in a timely manner would be detrimental to the public confidence in the Council's ability to ensure effective financial and operational management. This has clearly been mitigated by the swift action taken to address the concerns upon notice being given with future systems of monitoring and reporting now being in place.

6. FINANCE

There are no further finance aspects that are not covered in the body of the report.

7. LEGAL

- 7.1 Paragraphs 5(5) and 5(6) of the Local Audit and Accountability Act 2014 requires Full Council to consider the report or recommendations given by the auditors to be held before the end of the period of one month beginning with the day on which it was sent to the authority. At that meeting, members must decide—

(a) whether the report requires the authority to take any action or whether the recommendation is to be accepted, and

(b) what, if any, action to take in response to the report or recommendation.

7.2 Paragraph 10 of the Act requires the Council, as soon as is practicable after making its decision to notify the auditor of those decisions, and publish a notice containing a summary of those decisions, which has been approved by the auditor, on its website.

8. POLICY AND EQUALITIES IMPLICATIONS

There are no policy or equality implications arising out of this report.

9. REASON FOR DECISION

As required by Schedule 7 of the Local Audit and Accountability Act 2014 the Council is required to consider the recommendations of the Auditors made under paragraph 2 and confirm its acceptance of the same with action to be taken as necessary.

Background Papers	
Document	Place of Inspection
Auditors letter under para 2 of Schedule 7 of the Local Audit and Accountability Act 2014 dated 27 th November 2024.	Rossendale Borough Council, The Business Centre, Futures Park, Bacup OL13 0BB
Audit and Accounts Committee 3 rd December 2024	https://www.rossendale.gov.uk/meetings/meeting/1409/audit-and-accounts-committee

Rossendale Borough Council
Futures Park
Bacup
OL13 0BB

27 November 2024

Dear Members of the Council

Rossendale Borough Council – Audit of Accounts 2019/20

Recommendations under paragraph 2 of Schedule 7 of the Local Audit and Accountability Act 2014

Our audit work has identified material unexplained discrepancies between the closing balances reported in the Council's draft accounts for the 2018/19 financial year and the opening balances reported in the draft accounts for the 2019/20 financial year. Similar unexplained discrepancies were present in the subsequent draft accounts up to and including the 2023/24 financial year. In addition, the Council has not been able to provide evidence that it reconciled its bank statements with the balances recorded in its general ledger during the 2019/20, 2020/21, 2021/22, and 2022/23 financial years.

We recommend the Council should resolve and correct the discrepancies between its draft financial statements from the 2018/19 to 2023/24 financial years before the end of the 2024/25 financial year.

We also recommend the Council should

- carry out a bank reconciliation at 31 March 2020, 2021, 2022 and 2023,
- from April 2023 onwards reconcile its bank statements with the balances recorded in the general ledger on a monthly basis for each month,
- complete each month's bank reconciliation within one month of the month end, and
- report its compliance with this control to each meeting of the Audit & Accounts Committee.

These recommendations will be sent to the Secretary of State for Housing, Communities and Local Government. The Council is required to consider the recommendations at a meeting held before the end of the period of one month beginning with the day on which the recommendations were sent to them. At that meeting the Council must decide what action, if any, to take in response to the recommendations. The Council is required to publicise the meeting and, subsequently, the decision taken at the meeting.

Yours sincerely



Alastair Newall

Key Audit Partner

Subject:	Public Meeting Schedule	Status:	For Publication
Report to:	Council	Date:	11 December 2024
Report of:	Committee and Member Services Manager	Portfolio Holder:	Environment and Corporate Services
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: No	Attached: No	No
Biodiversity Impact Assessment:	Required: No	Attached: No	No
Contact Officer:	Carolyn Sharples	Telephone:	01706 252422
Email:	carolynsharples@rossendalebc.gov.uk		

1. RECOMMENDATION

That Council agree the Public Meeting Schedule containing dates of public meetings for 2025/2026 as detailed at Appendix A.

2. EXECUTIVE SUMMARY

- To ask members to consider and agree the public committee meeting dates for 2025/2026.
- To enable councillors to be aware of key meeting dates.
- To inform and publicise public meetings for 2025/26.

3. BACKGROUND

The Council is required to agree an annual meeting schedule.

4. DETAILS

4.1 The proposed schedule of public meetings for 2025/2026 is attached at Appendix A for consideration and approval.

4.2 Early approval of the meeting schedule assists with:

- enabling councillors to plan their workloads for the coming year
- informing of expected committees and planning training dates
- informing partner organisations of councillor availability to attend other meetings
- enabling deadlines and lead-in times to be communicated to the relevant officers

4.3 Consultation has taken place with relevant managers, Corporate Management Team, the lead member, Cabinet members and group leaders.

5. RISK

All the issues raised and the recommendation in this report involve risk considerations as set out below:

- A meeting schedule is required in order to provide good customer service, promote local democracy and encourage public participation and involvement in the decision making process.
- Decisions made at any unscheduled or unpublicised meetings would be breaking the statutory legal requirements, thus making the Council open to legal challenge.

6. FINANCE

There are no specific financial implications arising from this report.

7. LEGAL

There are no specific legal implications identified as arising from this report, other than the need to meet Access to Information requirements for public meetings that take place during the municipal year.

8. POLICY AND EQUALITIES IMPLICATIONS

There are no identified policy implications or equality impacts for the Council arising from this report.

9. REASON FOR DECISION

To agree a committee schedule in order to ensure that the Council can effectively conduct its business.

No background papers

Appendix A

Version draft 1 - Rossendale Borough Council – Public Meetings Timetable 2025/26

All the meetings below are held at 6.30pm in the Council Chamber unless otherwise stated on the agenda.												
Meeting	May 2025	June 2025	July 2025	Aug 2025	Sept 2025	Oct 2025	Nov 2025	Dec 2025	Jan 2026	Feb 2026	Mar 2026	Apr 2026
Full Council	16 AM		16			8		10			4 B	1
Cabinet	14		2		17	22		3		11 B	18	
Development Control	13	24	15		2	7	18	16	20		3	14
Overview and Scrutiny		16			8		10		12	9 B	30	
Licensing											10	
Audit and Accounts			9		24		26				11	

AM = Annual Council Meeting

B = Budget Meeting

E = Extraordinary meeting

S = Special

Community Partnership Meetings are held in a local area venue and usually start at 6.30pm. Please note that these are <u>not</u> Council meetings and dates may be subject to mid-year changes.												
Meeting	May 2025	June 2025	July 2025	Aug 2025	Sept 2025	Oct 2025	Nov 2025	Dec 2025	Jan 2026	Feb 2026	Mar 2026	Apr 2026
Bacup		26				23				12		
Haslingden		5				16				5		
Rawtenstall		19				2			22			
Whitworth		10			23				27			

SPECIAL URGENCY DECISION

Deputy Leader of Council:

Name: Councillor Andrew Walmsley
Date agreed: 14/10/2024

Chair of Overview and Scrutiny:

Name: Councillor Samara Barnes
Date agreed: 15/10/2024

Decision Taker:

Name: Rob Huntington

Details of Decision and Reasoning:

1 Accept the £337,936 Household Support Fund 6 (HSF6) grant from Lancashire County Council. This is made up of core Household Support Fund of £310,345 and £27,591 for Affordable Warmth Grant.

2 Approve funding to partner organisations to enable them to support the most financially vulnerable Rossendale Residents.

3 That any minor amendments to the criteria and budget be delegated to the Director of Resources in consultation with the Lead Member for Resources.

The grant allocation is for the period 1st October 2024 – 31st March 2025. It is imperative that the Council proceeds with the grant process as soon as possible to ensure full utilisation of the grant within the time period.

The funding will be allocated:-

An in house application process will be delivered by RBC

Citizens Advice will be commissioned to deliver benefit and debt advice

Affordable Warmth grants via Homewise Support via Food Banks, support for

refugee & asylum seekers, funding for household items for vulnerable families

supported by the Housing Options Team and an emergency discretionary fund. In

addition there will be investment in an income maximisation project (year 2).

Distribution of grant funding continues to be in line with the scheme eligibility.

Spend of the fund will be reviewed in January 2025 and should there be an underspend, a targeted approach to pensioner household will be considered.

To delay making payments until the next meeting of Council would be a detriment to those most in need.

Decision to be taken by:

Rob Huntington

Documents to be considered by the decision taker:

HSF6

Implications:

The HSF6 scheme commenced in on 1st October 2024 and is due to run until March 2025. The scheme is fully funded by Government. To seek approval at the next Council meeting would delay the distribution of grants to vulnerable residents.

Status:

For publication

Date:

15/10/2024

NOTES

A Key Decision is defined as one that either:

- a) is, in value worth more than £100,000, or
 - b) has a **significant impact** because (for example) it either:
 - (i) affects individuals or organisations outside the Borough; or
 - (ii) will have a long term (more than 5 years) or permanent effect on the council or the borough.
-
1. Status - Is the issue an open and public matter or is it a private and excluded matter as described in Schedule 12 A of the Local Government Act 1972. If it is an open matter it is for publication. If it is a private matter it is not for publication and you state the reason why and the appropriate paragraph number of Schedule 12A.
 2. Implications – List any financial staffing and legal implications and remember to consult with legal, human resources and finance. Also consider implications such as LA21 Environment, Human Rights Act 1998. Equal opportunities, Community Safety, IT, Land and Property and Partnership Working.
 3. When the decision has been made and the form signed by the decision taker and the portfolio holder the form should be sent to the Committee Services Manager.

Subject:	Dispensations		Status:	For Publication	
Report to:	Council		Date:	11 th December 2024	
Report of:	Monitoring Officer		Lead Member:	Environment and Corporate Services	
Key Decision:	No - reserved for Council	Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>	
Equality Impact Assessment:		Required:	No	Attached:	No
Biodiversity Impact Assessment:		Required:	No	Attached:	No
Contact Officer:	Clare Birtwistle		Telephone:	01706 252438	
Email:	clarebirtwistle@rossendalebc.gov.uk				

1. RECOMMENDATION

1.1 To agree to update the Council’s Constitution in relation to the granting of a general dispensation to all members of the Council for a period of 4 years from 14th December 2024.

2. EXECUTIVE SUMMARY

- To amend the Constitution regarding the granting of a dispensation for a 4 year period.
- The decision will facilitate the annual setting of the Council’s budget and Council Tax.

3. BACKGROUND

3.1 The Council’s Monitoring Officer is able to grant dispensations. This includes general dispensations relating to the setting of the Council’s Budget and Council Tax.

3.2 Dispensations can only be granted for a maximum period of 4 years.

4. DETAILS

4.1 A general dispensation was granted to all members of the Council for a period of 4 years from 14th December 2020 and is currently due for review.

4.2 It is recommended that a general dispensation be given for a further 4 year period as detailed at 4.3. This will enable each member to participate in any discussion relating to the setting of the Council’s budget and participate in the vote taken on the setting of the Council Tax.

4.3 The following changes are recommended to Part 3 – pages 65-66:

6.6 The Monitoring Officer is able to grant dispensations:

This includes general dispensations relating to:

- a) any allowance payment or indemnity granted to a member.
- b) setting the Council Tax or a precept under the Local Government Finance Act 1992.

(A general dispensation has been granted to all members of the Council for the period of four years from ~~14th December 2020~~ 14th December 2024).

4.4 The Governance Working Group were consulted on this Constitution change at the meeting on 4th September 2024, where they recommended Council approval.

5. RISK

All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Failure to maintain and follow an up-to-date Constitution risks legal proceedings being taken against the Council, and risks members of the community being dissatisfied with the action of the Council.
- Monitoring risks and reviewing systems of controls.
- Councillors being unable to participate in any discussion relating to the setting of the Council's budget.
- Councillors being unable to participate in the vote taken on the setting of the Council Tax.

6. FINANCE

There are no immediate financial implications arising from the report.

7. LEGAL

There are no immediate legal considerations attached to the recommendation in this report, other than the considerations as detailed in section 5.

8. POLICY AND EQUALITIES IMPLICATIONS

There are no equalities or HR implications.

9. REASON FOR DECISION

9.1 To enable councillors to participate in any discussion and vote taken in relation to the Council's budget and the setting of Council Tax.

9.2 The Council is required by law to implement a Constitution and it is in the interests of the Council to regularly review and update the document.

Background Papers	
Document	Place of Inspection
The Constitution of the Council	Constitution Rossendale Borough Council