

Edenfield Community Neighbourhood Forum

Response to Northstone

Blackburn Road Planning Consultation

1. Failure to engage with masterplan process

Policy background

1.1 The Northstone land is part of the site allocated for housing in the Rossendale Local Plan under reference H66 Land west of Market Street, Edenfield. The site-specific policy in the Local Plan for H66 supports development subject to eleven provisos, beginning -

Development for approximately 400 houses would be supported provided that:

1. The comprehensive development of the entire site is demonstrated through a masterplan with an agreed programme of implementation and phasing;

2. The development is implemented in accordance with an agreed design code.

1.2 The Local Plan is explicit that the masterplan must be for the entire site. Rossendale Borough Council (RBC) has pledged to work in partnership with key landowners and key stakeholders, including Edenfield Community Neighbourhood Forum (ECNF), to **ensure** that such a masterplan is prepared (Local Plan, paragraph 121, reproduced at paragraph xx below)).

Disregard of policy

1.3 At the Examination of the Local Plan, the Peel Group did not demur at the idea of a comprehensive masterplan. It is therefore unconscionable for Northstone to say now,

We have made a decision to come forward separately to sic the wider masterplan for the village as we want to work closely with the local community to deliver a development that works for Edenfield.

1.4 Irrespective of whether Peel objected at that time or agree with the concept of a comprehensive masterplan, it is incumbent on them to abide by the requirements and expectations of the Local Plan, which has been adopted by a democratically elected body after independent Inspectors deemed it to be sound. That is a prerequisite 'to work[ing] closely with the local community'. It is unacceptable for a developer to cherry-pick the parts of the Local Plan (such as the housing sites allocation) that suit its purpose and disregard the parts (such as the site-specific policies) that do not.

1.5 The statement about a 'wider masterplan for the village' is itself misleading, as no such masterplan exists. It is true that another developer has submitted a masterplan of sorts which Rossendale Borough Council have put to consultation and are currently considering, but that document is unsatisfactory in a number of respects and fails to demonstrate the comprehensive development of the whole of H66.

Purpose of masterplan

1.6 The first two paragraphs of Northstone's answer to FAQ 9 say -

The Rossendale Local Plan which allocates the site for development asks for a single masterplan to be delivered. This requirement was included to ensure that the community benefits associated with housing growth are delivered holistically and are coordinated across the H66 allocation.

At Northstone we believe in working with the local community to deliver a scheme that goes beyond the requirements of planning policy to truly tackle some of the challenges that the village faces, quickly.

1.7 The first of those paragraphs is largely untrue. The real reasons for the requirement of a site-wide comprehensive masterplan are set out at paragraphs 120 to 126 of the Local Plan -

120 Exceptional circumstances have been demonstrated to support the release of this land lying between the A56 and Market Street in Edenfield from the Green Belt. The area is very open in character and allows views of the surrounding hills and moors and will require a well-designed scheme that responds to the site's context, makes the most of the environmental, heritage and leisure assets, and delivers the necessary sustainability, transport, connectivity, accessibility (including public transport) and infrastructure requirements.

121 Rossendale Council therefore requires a Masterplan and will work in partnership with key landowners and key stakeholders, including the Edenfield Community Neighbourhood Forum, to ensure a Masterplan is prepared.

122 Edenfield Parish Church is Grade II and development would have to consider the effect of the development on the significance of the heritage asset and should safeguard the setting of the designated heritage asset located within close proximity to the site allocation. There are several non-designated heritage assets located within close proximity of the site allocation and other designated and non-designated heritage assets located in the area. Development would have to consider the effect of the development on the significance of these heritage assets and should safeguard the setting of the heritage assets.*

123 Sensitive landscaping using native species will be required in order to provide a suitable buffer to the new Green Belt boundary. Any biodiversity improvements should be directed to this landscaped area as well as to the mature woodland, identified as a stepping stone habitat.

124 [Please refer to paragraph 6.1 below.]

125 Any proposed development must make a positive contribution to the local environment and consider the site's form and character, reflecting the setting of features such as the Grade II Listed Edenfield Parish Church and incorporating appropriate mitigation. Development must be of a high quality design using construction methods and materials that make a positive contribution to design quality, character and appearance. The development must contribute towards the sustainable use of resources. Implementation of development must be in accordance with an agreed Design Code/ Masterplan across the whole development. The layout should be designed to allow glimpsed views towards the Church to continue, for example, by aligning the principle road(s) along a north- south or north east – south west axis, and building heights restricted.*

126 In light of the site's natural features and relationship to surrounding uses, development is likely to come forward in a number of distinct phases. The infrastructure associated with the overall development and each individual phase will be subject to the production of a phasing and infrastructure delivery schedule to be contained in the Masterplan. Site access will be a key consideration.

1.8 A single masterplan was necessary so that the many negatives (not benefits) resulting from the developments do not destroy the village. The Northstone development would impact those of the other developers and vice versa, meaning that the totality of the development of H66 must be considered at the outset.

Implementation and phasing

1.9 The Local Plan contemplates an agreed programme of implementation and phasing. There is good reason for this - see paragraph 126 of the Local Plan, reproduced above. There is nothing in this consultation to suggest that Northstone have any intention of complying with this. Indeed they are intending to begin construction in 2024, when another major developer is proposing work.

1.10 In the absence of such an agreed programme, four competing developers might be progressing construction simultaneously. Four concurrent sets of construction traffic and contractors' parking would be bad enough but with the addition of work nearby on the Haweswater Aqueduct would be unbearable.

1.11 The Construction Management Plan referred to in Northstone's answer to FAQ 21 **Will the construction traffic be dangerous for neighbours?** is another example of the issues created by developers working in isolation. The disruption to the village during the many years of construction will be enormous so should be minimised through a comprehensive H66 wide Construction Management Plan linked to the phasing.

1.12 In the absence of a masterplan it is pointless to consult on proposals for part of H66, as according to the Local Plan these would not be supported by the local planning authority.

2. Design Code

2.1 As noted at paragraph 1.1 above, development should be in accordance with an agreed design code. No such design code has yet been agreed.

2.2 A design code forms part of the emerging Edenfield Neighbourhood Plan, but it is not clear that the Northstone proposals comply with this. Of particular concern are the preponderance of brick in the proposed development and the height of the proposed development. There is repeated reference in the consultation to 'high(er) ceilings', but these are likely to increase the height of the houses, resulting in their being out of keeping with the existing built form and diminishing the openness of the landscape.

2.3 The claims in the professed 'Northstone approach' that Northstone 'design our developments [to] blend seamlessly with the local building style' and 'build beautiful homes to compliment *sic* their surroundings' therefore appear inapplicable to the present proposal.

3. Traffic - need for comprehensive Transport Assessment

3.1 A major concern is the impact on traffic of a 50% increase in housing in a village which already has significant traffic problems. This was recognised in the Local Plan which states, as noted in section 4 below, that development of H66 will be supported provided that a Transport Assessment is provided. Such an assessment will need to address issues arising from the proposed accesses from Blackburn Road, Market Street and Exchange Street, including the consequent reduced availability of on-street parking, as well as the impact of the inevitable increase in local traffic on the Market Place roundabout and at the beginning and end of the school day in the vicinity of an enlarged Edenfield CE Primary School. ECNF would say that Bury Road should be included in that assessment, as the section southwards from its junction with Bolton Road North is already frequently congested.

3.2 According to Northstone's answer to FAQ 17 **Site and car park access**, the promised Transport Assessment will cover "the highway network around the site". This is not good enough. It must form part of a comprehensive assessment for the entire village and beyond, as confirmed by two highway authorities.

3.3 First, Bury MBC object to another developer's pending planning application reference 2022/0451 for a different part of H66, on the ground that it fails to assess the impact of the proposed development upon traffic flow on roads and junctions in the Metropolitan Borough.

3.4 Secondly, the comments of Lancashire County Council (LCC) *qua* highway authority about planning application reference 2022/0451 would apply to any application for H66 to be submitted by Northstone. Referring to the site-specific policy and its first three provisos (reproduced at paragraphs 1.1 above and 4.2 below), LCC says -

Due to the known local sensitives/issues [LCC] Highways would have expected that the wider Masterplan with a detailed Transport Assessment would have informed all individual applications.

The above requirement was to ensure that any assessment of the H66 (400 residential unit) allocation was considered in its entirety. This was to avoid a piecemeal approach to assessing the impacts of development.

...

Appropriate measures must be put in place to address any impacts the full allocation may have on the strategic and local road networks. This must cover the details outlined above in the 3 [provisos]. The full allocation needs to be considered as a whole, not in individual phases this is to ensure the cumulative impacts of the full 400 unit allocation is appropriately assessed and mitigated against.

3.5 Northstone are now proposing an additional element, namely a car park and drop-off facilities, which requires evaluation, not in isolation but as part of a comprehensive Transport Assessment - see section 4 below.

4. Car park / drop-off facilities / play and recreation space and trails

4.1 It is alarming that, to justify developing former green belt, Northstone propose development of a car park, drop-off facilities and a play and recreation space and trails in the remaining green belt. If this is essential to the development of Northstone's part of H66, it should have been raised during the Local Plan process. If the Inspectors had considered it appropriate, allowance could have been made for a further incursion into the green belt in the same way as the Policies Map provides for the potential extension of Edenfield CE Primary School. The matter was not raised, and therefore what remains of the green belt around Edenfield should not be subjected to development. Northstone's scheme, including necessary car parking provision, should be confined to H66.

4.2 The third proviso to the site-specific policy is -

3. A Transport Assessment is provided demonstrating that the site can be safely and suitably accessed by all users, including disabled people, prior to development taking place on site. In particular:

i. safe vehicular access points to the site are achieved from the field adjacent to no. 5 Blackburn Road and from the field opposite nos. 88 – 116 Market Street. Full details of access, including the number of access points, will be determined through the Transport Assessment work and agreed with the Local Highway Authority;

ii. agree suitable mitigation measures in respect of the capacity of Market Street to accommodate additional traffic. Improvements will be needed to the Market Street corridor from Blackburn Road to the mini-roundabout near the Rawstron Arms. Measures to assist pedestrian and vulnerable road users will be required.

4.3 If Northstone's planning application for H66 were to include or be accompanied by proposals for a car park and drop-off facilities off Burnley Road, the need for and feasibility of such proposals, as well as their implications for traffic flows and the availability of parking on Burnley Road, would need to be considered, in addition to all the matters in the third proviso, as part of a comprehensive transport assessment, to be submitted at the same time as any planning application. It is to be noted that instead of proposing just one new access (from Blackburn Road to H66), Northstone are proposing another (from Burnley Road to the car park/drop-off), and that both these accesses will be close to the signalled junction of these roads and Market Street.

4.4 Northstone's argument in favour of the car park is plainly exaggerated. At FAQ 17 ***Will this proposal increase traffic?*** it is stated -

The proposals for the parking area will have a positive impact on traffic locally. It will reduce the issue of on street parking as well as remove traffic impact at peak times within the village at school drop off and pick up times and remove the necessity for a coach to reverse down Church Lane to turn.

It is improbable that the proposals would **remove** traffic impact at peak times. 'The necessity for a coach to reverse down Church Lane' is pure invention. It really strains credulity to say that a professional coach driver in a ten- or twelve-metre long vehicle would attempt reversing into or out of Church Lane in close proximity to the signalled junction, rather than run round via the Edenfield by-pass.

4.5 The shortage or absence of information about the proposed car park, drop-off facilities and play and recreation space and trails devalues the consultation. There is no clarity about the following:

- Will they be transferred out of Peel's ownership, and, if so, to whom?

- Notwithstanding the answer to FAQ 14 **Will local facilities be able to accommodate this many new homes in the area?** -

Whilst we appreciate that our proposal will increase the population size in the local community, as part of the application Northstone will agree a financial contribution to Rossendale Borough Council or other relevant providers of services. This contribution will mitigate against any impacts that the proposed development may have on local services. The providers will be able to invest this into the local infrastructure where deficiencies have been identified

- at Northstone's consultation event, one of the ECNF members was given to understand that, if Peel provide the proposed car park, drop-off facilities and play and recreation space and trails, they would set off the cost against the section 106 contributions that would be expected of a development of this nature. This is not apparent from the consultation documents which foster the impression that the proposed car park, drop-off facilities and play and recreation space and trails are a boon to be provided at no cost to the community. It appears that in reality RBC as representative of the local inhabitants will miss out on contributions which it could put to better use. Northstone's answer to FAQ 6 is that 'the site of the proposed car park is within Green Belt but what we are proposing represents appropriate development and a valuable asset to the local community'. The reality is that the community will be bearing both the financial cost and the loss of another field in the green belt.

- How would their introduction and continued availability for use be guaranteed?
- Who will manage them and be responsible for their maintenance, and how will such maintenance be funded?
- Will the car park be illuminated? If so, at whose expense?
- It would be dangerous for residents to use the proposed car park, as there is no footway on the east side of Burnley Road between the proposed car park entrance and the B6527 / Guide Court junction. They would have to walk in the carriageway or take a chance in crossing Burnley Road amid traffic speeding towards or away from the junction. How would these dangers be eliminated?
- On what evidential basis has it been determined that 34 is the appropriate number of parking spaces to be provided?
- The car park/drop-off proposal creates at least three potential traffic conflicts on Burnley Road: any queue at the traffic lights is likely to block the car park entrance/exit; in the event of such a queue right-turning vehicles emerging from the car park/drop-off would have limited views of northbound traffic; and traffic from the south waiting to enter the car park/drop-off might tail back, affecting the efficient operation of the signalled junction, How would those hazards be avoided?
- How, if at all, would sustainable drainage of the proposed car park and drop-off facilities be achieved? It emerged at the consultation event that Northstone are aware that drainage issues require attention.
- Have the play and recreation space and trails been requested by Edenfield CE Primary School for school use, or will they be available throughout daylight hours for public use?
- The 'Building beautiful' page states that 'dedicated cycle storage in the car park will be provided', but this is at odds with the 'Investing in your community' page, where the car park plan shows no space for cycle storage.
- In the absence of details about cycle storage, it is assumed that a building along the lines of the cycle hubs at transport interchanges in Greater Manchester would be provided. Such a building would be visually unacceptable on the edge of countryside and detrimental to the purposes of the green belt, but anything less is unlikely to offer adequate security for cycles.

5. Drainage

5.1 It is not clear how, if at all, sustainable drainage of the housing site will be achieved.

6. Compensatory Improvements in the Green Belt

6.1 The consultation is not clear as to what, if any improvements will be made in the remaining Green Belt to compensate for the proposed development on former Green Belt land. The seventh proviso to the site-specific policy for H66 is:

7. Compensatory improvements must be provided to the Green Belt land in proximity of the site in accordance with Policy SD4

The reason for the proviso is given in paragraph 124 of the Local Plan -

Due to the removal of the site from Green Belt it is necessary that there are compensatory improvements to the Green Belt within the local area in accordance with SD4 in particular these should relate to proposals identified at Edenfield Cricket Club and Edenfield and Stubbins Schools. Compensatory measures could also be directed towards footpath and cycleway improvements in the vicinity as set out in the Council's Green Belt Compensation Document.

6.2.1 Other relevant policies are:

In the Local Plan, Strategic Policy SD2: Urban Boundary and Green Belt:

Land has been removed from Green Belt [at H66] on the basis that exceptional circumstances exist . . . The Council will expect that the design of development on the [site] minimises the impact on the character of the area and addresses relevant criteria in policy ENV3.

Development will also be expected to contribute to compensatory improvements to land elsewhere in the Green Belt, enhancing both its quality and public access.

In the Explanation of Strategic Policy SD2, paragraph 51 of the Local Plan states:

Where land is to be released for development, compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land will be required.

In the Local Plan, Policy SD4: Green Belt Compensatory Measures provides:

Where land is to be released for development, compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land will be required.

Types of improvements that would be considered acceptable include the creation or enhancement of green or blue infrastructure; biodiversity gains (additional to those required under Policy ENV1), such as tree planting, habitat connectivity and natural capital; landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal); new or enhanced walking or cycling routes; as well as improved access to new, enhanced or existing recreational and playing field provision.

This policy applies to developments on land that is located within the Green Belt or on allocated housing and employment sites that were previously in the Green Belt as listed in Policy SD2

The Council has identified a number of projects where Green Belt compensatory measures can be delivered, or proportionate contributions made towards these schemes, listed below. Further details are contained in the Green Belt Compensatory Document or its successor:

Rossendale Forest

Rossendale Incredible Edible

New Hall Hey Gateway

Edenfield Cricket Club

Edenfield CE / Stubbins Primary School Extension

Public Rights of Way / Cycleway Upgrades and

NPPF, July 2021, paragraph 142 -

Where it has been concluded that it is necessary to release Green Belt land for development, plans . . . should . . . set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

6.2.2 The Local Plan offers six paragraphs of explanation for Policy SD4:

- *55 Exceptional circumstances exist within Rossendale to release land from the Green belt for the development of additional new housing and employment land. However, in developing on such land developers must provide compensatory improvements to the remaining Green Belt that will help to mitigate the loss of the Green Belt for existing residents.*
- *56 Rossendale has several specific areas of Green Belt – around Rising Bridge, between Haslingden and Rawtenstall, south of Rawtenstall to Edenfield and the Borough boundary with Bury, land around Turn, the Glen between Waterfoot and Stacksteads, and land around Whitworth, from Britannia in the north to the boundary with Rochdale.*
- *57 All improvements are expected where possible to be located in the same area of Green Belt to ensure local residents who are most affected by the loss of the Green Belt receive the benefit from the compensatory improvements.*
- *58 It should be noted that planning consent may be required for additional off-site compensatory improvements. The applicant will be responsible for ensuring all required planning consents for such compensatory improvements are obtained, where this is required.*
- *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*
- *60 The Council may ask developers to provide such measures on-site. Alternatively other land may be identified, for example, in the Council's land ownership. The Council is likely to use planning obligations to ensure the delivery of off-site measures.*

6.2.3 The first sentence of paragraph 60 of that Explanation is of course nonsense, and it is a sorry state of affairs that the Inspectors approved it. If, as paragraph 60 suggests, RBC were to ask developers to provide the compensatory measures on site, that would not satisfy the plain wording of the SSP, Strategic Policy SD2, Policy SD4 and the NPPF. It is the remaining Green Belt that must be improved or made more accessible.

6.3.1 Northstone's FAQ 8 and answer are as follows -

8. Will developing Green Belt land affect the environment locally?

At Northstone we pride ourselves on integrating our developments seamlessly into the surrounding area. Our proposals for the site will be designed sympathetically to Edenfield at a density that is appropriate to the village. Alongside our proposals we are proposing measures that will bring benefits to the local environment and mitigate any potential negative impacts. These include:

- *Community gardens focusing on food production and edible plants promoting the Incredible Edible Rossendale scheme*
- *Woodland planting to the rear of Edenfield C.E School*

- *Facilitation of improved cycle / pedestrian footpaths through the Blackburn Road site*
- *Improve pedestrian safety on Market Street*
- *The linked Burnley Road and Edenfield C.E School sites will improve accessibility and recreational value of Green Belt land*
- *Collectively our proposals will result in a biodiversity net gain across the two sites.*

6.3.2 It is claimed that the linked Burnley Road and Edenfield CE Primary School sites will improve accessibility and recreational value of Green Belt land. In other words they are claiming that the proposed car park, drop-off facilities and play and recreation space and trails count as compensatory improvements in the remaining green belt. This is inappropriate, as the car park and any cycle storage facility, whilst potentially marginally improving green belt accessibility, would not be of recreational value and would effectively extend the urban boundary, and an enclosed play and recreation space and trails, even if publicly available for recreation, which is questionable being inconsistent with school use, would detract from the openness of the land.

6.3.3 It is not obvious how Northstone would improve pedestrian safety on Market Street.

6.4 As matters stand, in the absence of clarity, consultees are unable to comment on the sufficiency or otherwise of any proposed compensatory measures for the removal of the Green Belt designation of H66. Accordingly, it cannot be said that the proposals conform with site-specific, local and national policy in this regard.

7. Scale of development

7.1 The consultation is vague about the number of dwellings proposed. 'Around 50' is unclear.

8. Geology

8.1 Because of the underlying laminated clay, it is probable that extensive piling will be required, to ensure the stability and protection of the A56 and the new homes. The consultation does not mention this or explain how the effect of this on residents will be mitigated.

9. Biodiversity

9.1 In view of the prospective requirements in the Environment Act 2021, the consultation should have demonstrated how the biodiversity value attributable to the development will exceed the pre-development biodiversity value of the onsite habitat by 11%. Northstone claim in their answer to FAQ 8 'Collectively our proposals will result in a biodiversity net gain across the two sites', but this is so vague as to be meaningless. It might mean a net gain of less than 0.01%.

10. Noise

10.1 It is not clear what, if any, noise attenuation measures Northstone would take in respect of noise from the A56. The promised triple-glazing might exclude noise, if the windows stayed closed, but would not protect the amenity of residents in their gardens or community members in their vegetable patches.

11. Conclusion

- 11.1** It is premature to consider a planning application for part of H66, when a comprehensive masterplan for the entire site, as required and justified by policy, has not been agreed. Disregarding the policy flies in the face of democracy.
- 11.2** With a site as large as H66, an agreed programme of implementation, as required by policy, is essential.
- 11.3** It is crucial that a holistic Transport Assessment be provided.
- 11.4** It is premature to consider a planning application in the absence of an agreed Design Code. The Design Code in the emerging Neighbourhood Plan should be the template for housing design in Edenfield.
- 11.5** It is wrong for Northstone to justify developing former green belt by proposing development of a car park, drop-off facilities and a play and recreation space and trails in the remaining green belt.
- 11.6** There are many unanswered questions about the car park/drop-off and recreation space and trails, including but not limited to, highway safety.
- 11.7** It is not clear how, if at all, the objective of sustainable drainage of the housing site will be achieved.
- 11.8** It is not clear what, if any, improvements will be made in the remaining Green Belt, as required by national, local and site-specific policy, to compensate for the proposed development on former Green Belt land.
- 11.9** The consultation is vague about the number of dwellings proposed.
- 11.10** The consultation avoids the issue of the effects of piling.
- 11.11** There is no commitment to a significant biodiversity gain, such as will be required by the Environment Act 2021.
- 11.12** There is no information about possible measures to attenuate noise from the A56.
- 11.13** ECNF does appreciate the extensive consultation with residents but this cannot negate the issues raised by developers working in isolation to their own agendas.

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