

Edenfield Community Neighbourhood Forum

H66 Land West of Market Street, Edenfield

Masterplan / Design Code (Version V17 - Randall Thorp - September 2023)

Representations

1. Interpretation, Summary Reasons for Rejection and Background

1.1 Interpretation, abbreviations and definitions

in these representations, extracts of Policies and Strategic Policies and their Explanation in the Local Plan are coloured blue, and expressions and abbreviations have the following meanings -

Section or paragraph number followed by 'above' or 'below' - a Section or paragraph of these representations, unless otherwise apparent from context

application - planning application reference 2022/0451 submitted to RBC on behalf of TW for the construction of 238 dwellings in the central portion of H66

CE PS - Church of England Primary School

DAS - Design and Access Statement submitted with the application

dph - dwellings per hectare

ECNF - Edenfield Community Neighbourhood Forum

Executive Summary - Executive Summary in the MDC (unnumbered page 08, continued on page 09)

H66 - the site allocated for housing by the Local Plan under reference H66 Land West of Market Street, Edenfield

ha - hectares

LAP - local area of play

LCC - Lancashire County Council

LLFA - Lead Local Flood Authority

Local Plan - the Rossendale Local Plan adopted by RBC on 15 December 2021

MDC - the Masterplan and Design Code dated September 2023 (Version V17) and presented by Randall Thorp that is the subject of consultation and these representations

NPPF - National Planning Policy Framework (September 2023)

page, with a number - unless otherwise stated, a page of the MDC

Planning Statement - Planning Statement (Including Heads of Terms, Waste Management Strategy and Affordable Housing & Parking Provision Statements) submitted in 2022 with the application

Policy - a Policy of the Local Plan

PPG - Planning Practice Guidance, promulgated by the Government

PROW - Public right(s) of way

RBC - Rossendale Borough Council

SCI - Statement of Community Involvement, dated July 2022 and submitted with the application

SHLAA - Strategic Housing Land Availability Assessment

SK - SK Transport Planning Limited

SPD - Supplementary Planning Document

SSP - the site-specific policy in the Local Plan for H66

Strategic Policy - a Strategic Policy of the Local Plan

SUDS - Sustainable Drainage System(s)

TRO - traffic regulation order

TW - Taylor Wimpey

unnumbered page - page of the MDC, the number of which is not shown and has to be reckoned by reference to one or more adjacent pages

1.2 Summary Reasons to Reject the MDC

a) The MDC cannot be assumed to apply to the whole of site H66, as the SSP contemplates, because it is questionable whether all the site owners were involved in its preparation, and because the MDC does not state on whose behalf it was prepared or which owners support it (paragraphs 1.3.8, 3.1.2 to 3.1.6, 10.9.4 and 12.4.2 below).

b) Contrary to its bogus claim, the MDC is not accompanied by an agreed, or any, programme of implementation and phasing and therefore does not comply with the SSP. Nor is there an infrastructure delivery schedule. See paragraphs 3.2.1 to 3.2.10 and 3.3.2 below;

c) The design code in the MDC is riddled with errors and inadequate (see Sections 3.3 and 13 to 15 below);

d) MDC accords insufficient weight to the Design Code in the emerging Neighbourhood Plan, which should be the basis for the design and layout of H66 and an updated version of which is submitted alongside these representations (Section 5 below);

e) The comprehensive development of the entire site has not been demonstrated and in particular (paragraph 2.8 below) there is -

- no planned highway network for the whole site,
 - no clarity about drainage arrangements for the whole site,
 - no overall provision for landscaping and open space, and
 - no assessment of required developer contributions;
- f) RBC must insist on a comprehensive masterplan and design code for the whole site, as it is a policy requirement of the Local Plan (paragraph 2.2 below) and because the opportunity for a masterplan was a reason for removing H66 from the Green Belt (paragraph 2.1 below);
- g) MDC mistakes the availability outside H66 of FP126 and FP127 for cycling (paragraphs 12.2 and 12.3 below);
- h) MDC does not accord with national planning policy or with planning practice guidance (Section 6 below);
- i) MDC content is inadequate or incorrect in:
- its Vision (paragraph 7.3 below),
 - its assessment of visual context (Section 7.4 below),
 - not acknowledging the existing defined and defensible Green Belt boundary and showing it in the wrong place (paragraphs 7.1 and 7.2 below),
 - lack of site-wide ecological assessment (paragraph 7.6 below),
 - not requiring the removal of a large mound of spoil (paragraph 7.5 below),
 - Code MP 01 (paragraph 7.7 below)
 - Code US 01 and failure to provide for self-build/custom-built dwellings (paragraph 7.8 below)
 - provision for ridge height (paragraphs 7.9 and 14.15 below),
 - failing to promote suitable levels of internal daylight and privacy (paragraph 7.11 below)
 - failing clearly to identify and distinguish between public and private rights of way (paragraphs 8.5 to 8.10 below),
 - proposing estate roads of less than adoption standard (paragraph 8.4 below),
 - describing the street hierarchy and emergency access (paragraphs 8.1 to 8.3, 8.12.1 to 8.12.3 and 8.13 below),
 - proposing access to development at Alderwood by the existing driveway to the bungalow (paragraph 8.11 below), and
 - forbidding essential and/or desirable removal of vegetation (paragraph 13.1 below)
- j) MDC does not protect the drystone walls along the Market Street boundary and the boundary with 5-8 Alderwood Grove (paragraphs 9.1.1 and 9.1.2 below);
- k) MDC disregards the SSP by failing to specify landscaping throughout the site, including the interface with existing dwellings (paragraph 9.2 below);
- l) Proposed off-site car park and LAP are unacceptable as they -
- involve loss of street parking,
 - the need for parking/set down/pick up facilities has been exaggerated and not evidentially demonstrated,
 - the proposed parking/set down/pick up facilities would not encourage active travel,
 - involve encroachment into Green Belt, which should have been raised and considered during the Local Plan process,
 - present danger to traffic and pedestrians, insufficiently addressed in the Highways Consideration of Masterplan Note and Market Street Corridor Improvement Plan,
 - are in a location that does not meet accepted LAP criteria,
 - are not accompanied by information about their dimensions, surfacing, drainage, lighting and maintenance, and
 - cannot be assumed to receive planning permission.

Any such facilities must be contained within H66 and provided at nil cost to RBC and the community. The MDC must be rejected if these proposals are not deleted (see Section 10 below);

m) MDC fails to acknowledge that it has yet to be demonstrated that SUDS can be safely accommodated (Section 13 below);

n) MDC misunderstands requirement of compensatory improvements within the Green Belt (paragraphs 12.1.1 and 12.1.2 below);

o) MDC's proposed housing density is too high (Section 15 below);

p) MDC is confused about boundary treatment at the interface of development and the Green Belt (paragraphs 7.1 and 13.2.2 to 13.2.6 below)

q) Simplistic approach to enabling appreciation of heritage assets (paragraphs 7.3 and 14.8 below);

r) Discrepancies between the plan on unnumbered page 48 and the one on pages 7 and 51 and the confusing nomenclature render the MDC unfit for purpose (paragraphs 12.4.1 to 12.4.4 below);

s) Various deficiencies in Area Type Codes, including building materials, failure to protect heritage assets and safeguard their setting, and failure to protect westward views and views to and from the Parish Church (all considered in further detail in Section 14 below);

t) The developers' transport assessment, Market Street Corridor Improvement Plan and Highways Consideration of Masterplan Note are inadequate as shown in Section 11 below, in the letter dated 9th August 2023 from SK on behalf of ECNF responding to consultation about Version V13 of the MDC and in Appendix 3 hereto (both now resubmitted as representations about current Version V17);

u) A car park concealed by a mound would attract criminals and be contrary to national and local policy, and its approval would be a breach of RBC's duty under section 17 of the Crime and Disorder Act 1998 (paragraph 11.9 below);

v) Loss of street parking would be inconvenient to local residents, detrimental to businesses and harsh on households with a disabled member who relies on their motor vehicle (paragraphs 11.7 and 11.8 below);

w) Proposed obstruction of busy footway with rain garden (paragraph 11.6 below); and

x) An equality impact assessment of the application should be conducted (Section 16 below);

1.3 Table of responses to Council comments Separately from the MDC, an anonymous Table of the Developers' Responses to RBC's Comments about Version V13 of the MDC has been produced, purporting to demonstrate how the MDC addresses comments from RBC. It was publicised by RBC in September 2023. This is considered at Section 18 below, where analysis shows that the Table is unreliable.

1.4 Background

1.4.1 A local consultation of sorts was conducted on behalf of TW in June/July 2022. This is being misrepresented by the authors of the MDC as being for a masterplan for the whole of H66, when in reality it was only for the land of TW and Anwyl. ECNF pointed this out in January 2023 and August 2023 in response to the consultations on previous versions (V7, V8 and V13) of the MDC, and it is deeply regrettable that the MDC (page 21) perpetuates the error (please refer to Section 4 below).

1.4.2 TW, apparently with the support of Anwyl, submitted to RBC in Autumn 2022 Version V7 of a Masterplan and Design Code for H66, which was taken out of the Green Belt and allocated for housing in the Local Plan. In the central portion of H66, TW own a large part and other potential developers are the respective owners of Alderwood and the former Vicarage. Anwyl represent the owners of the southern portion. The northern portion is in two separate ownerships: Peel L&P and Mr Richard Nuttall, neither of whom was involved in preparing Version V7.

1.4.3 TW's portion of H66 is the subject of the application. The documents supporting that application included Version V7 of the MDC, dated 3 October 2022. RBC committed, rightly, to putting the MDC to consultation, and launched a concurrent statutory consultation about the application, which, because of time constraints, RBC did not wish to delay.

1.4.4 Notably, Version V7 stated by whom, but not on whose behalf, it was prepared. Version V7 included the logo of Peel L & P on the first two pages, as well as those of TW and Anwyl, thereby dishonestly giving the impression that it was endorsed by Peel.

1.4.5 On the RBC website pages relating to the consultation about the Masterplan and Design Code, but not on the RBC website pages relating to the application, Version V7 was replaced by Version V8 dated 30 November 2022 which omitted the Peel L & P logo. Version V8 still did not state unequivocally on whose behalf it was produced. RBC's website page introducing the Masterplan and Design Code advised that the document was amended to

- *Remove Peel Land and Property's logo from the cover/introduction;*
- *Make it clear that Peel Land and Property did not input into the document; and*
- *Correct a small number of typing errors.*

1.4.6 In Version V8 a paragraph was added on the unnumbered page 8 in bold print:

Peel have not had input to this document as they were not in a position to engage when it was produced. This is confirmed in the Masterplan at Fig. 2.1.

1.4.7 Version V13 of the MDC was received by RBC in June 2023 and was the subject of consultation. It did not state on whose behalf it was prepared. Around the same time a raft of revised documents was submitted in support of the planning application, which RBC also put out to consultation. There are two basic objections to that approach by TW. One is that the Masterplan and Design Code need to be settled first. Then, informed by those agreed documents, applications for planning permission can be made. It was difficult to escape the conclusion that the MDC was drafted to fit the planning application. Secondly, a repeat consultation in duplicate, which TW forced on RBC, was calculated to cause confusion, particularly among the general public, not all of whom will be familiar with the intricacies of planning procedure.

1.4.8 Version V17 of the MDC was received by RBC in September 2023 and is the subject of these representations. It does not state on whose behalf it was prepared or which owners support it.

1.4.9 The MDC has from the outset been, and continues to be, badly presented. More than half its pages, and most of those with text, do not carry a number, causing gratuitous inconvenience to readers and those who wish to comment by reference to pages.

Section 2 Masterplan for whole of H66 is a policy requirement

2.1 H66 was removed from the Green Belt and allocated for housing despite considerable opposition. Part of RBC's justification was that allocating it for housing presented the opportunity to masterplan a large site. A key topic in Strategic Policy SS: Spatial Strategy (paragraph 30) is:

- **Strategic Green Belt releases** for housing are proposed in Edenfield. The development in Edenfield creates the opportunity to masterplan a substantial new addition to the village that would have a limited impact on the openness of the Green Belt.

In the Explanation of Strategic Policy SD2, paragraphs 50 and 51 of the Local Plan state:

- 50 At Edenfield the justification for Green Belt release particularly relates to the strong defensible boundary of the A56 and the opportunity to masterplan the site to produce a high quality planned housing development that minimises impact on openness. There is strong market demand in the area
- 51 Masterplanning or, for smaller sites, the development of a design framework, will be expected to demonstrate how the design of the scheme minimises impacts on openness such as through the location of development within the site; the scale of the buildings and appropriate landscaping

2.2 Accordingly, the Local Plan included a SSP, of which the parts directly relevant to this consultation stipulated:

Development [of H66] 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 . . .

2.3 The SSP includes an Explanation for those provisos, at paragraphs 120, 121 and 126, as follows:

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.

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.

2.4 Having set much store by the opportunity to masterplan a large site and used that as a reason for removing the site from the Green Belt, RBC will wish to uphold the SSP and the commitment in paragraph 121 to ensuring the preparation of a masterplan covering H66 in its entirety.

2.5 It has been suggested that the respective landowners are not minded to co-operate on producing a masterplan and that the RBC cannot force them to do so. That may be the case, but it does not dispense with the need for a masterplan.

2.6 If any of the respective landowners anticipated difficulty in preparing a site-wide masterplan, they should have flagged this up at the Examination of the Local Plan. None of them did so, the Inspectors approved the policy, and the Plan was duly adopted.

2.7 The landowners' disinclination to produce a comprehensive masterplan need not frustrate development of H66. RBC itself can organise the production of a masterplan. As the site was promoted by RBC for housing development, it would not be inappropriate for RBC rather than the developers to take the lead on this, particularly in view of RBC's stated commitment at paragraph 121 of the Local Plan (see paragraph 2.3 above), to ensure that a masterplan is prepared.

2.8 A comprehensive masterplan for the whole of H66 is a Policy pre-requisite for development, and the lack of one would have at least four consequences:

1. There is no planned highway network for the whole site. Piecemeal development risks creating ransom strips that could hold up development on the rest of H66.
2. It is not clear that there is an overall drainage system for the whole allocation.
3. There is no overall landscaping plan including open space provision.
4. There is no indication as to how the necessary developer contributions might be determined, apportioned and agreed.

Section 3 MDC does not meet the requirements of a Masterplan for H66

3.1 Comprehensive development of the entire site

3.1.1 The masterplan must demonstrate the **comprehensive** development of the **entire** site - criterion 1 of the SSP.

3.1.2 It might reasonably be expected that any proposed MDC would not be submitted until all potential developers had been given the opportunity to participate and that the MDC would state that this had been done and indicate exactly which potential developers do or do not support it.

3.1.3 This is especially important, given that TW were exposed for having used another owner's logo without permission on a previous proposed MDC (paragraphs 1.4.4 and 1.4.5 above). However, the MDC contains no such statements. Indeed, the MDC does not specify on exactly whose behalf it is put forward.

3.1.4 It is not clear whether the owners of the former Vicarage have been considered in the process.

3.1.5 The MDC fails to identify clearly the ownership and control of Alderwood. Unnumbered page 22 (reinforced by the land ownership plan on page 23) states that the land is controlled by David Hancock, but that individual's only connection appears to be that he acted as an agent in a planning application. Unnumbered page 54 states that David Warren has primary land control.

3.1.6 It is obvious that without the stated involvement of all relevant landowners the MDC does not and cannot demonstrate an achievable "comprehensive development of the entire site".

3.2 Phasing and infrastructure delivery schedule

3.2.1 With the MDC must be an agreed programme of implementation and phasing. An infrastructure delivery schedule is also required. See criterion 1 of the SSP and paragraph 126 of the Local Plan (reproduced at paragraphs 2.2 and 2.3 above).

3.2.2 Pages 54 (unnumbered) and 55 consider phasing. They identify five phases of development. The unnumbered page 54 says about Phasing:

The Masterplan demonstrates the independent nature of each developer's landholding, ensuring that each parcel can be delivered independently without prejudicing any other. As a result, the ordering of development phases may be varied or delivered (sic) simultaneously.

3.2.3 Unnumbered page 54 provides

All construction works and associated traffic across the allocation will be coordinated (sic) and managed to minimise impacts on the existing community and highway network, through detailed Construction Management Plans to be agreed as part of each subsequent planning application

That does not constitute compliance with, and is no substitute for, the fundamental SSP requirement for a Masterplan with an agreed programme of implementation and phasing. Furthermore, in the absence of evidence, it may be doubted whether co-ordinated detailed Plans would be achievable, effective or enforceable. Nor is it clear how a failure to agree such Plans would be managed.

3.2.4 The Executive Summary claims (unnumbered page 8) to address fully criteria 1 and 2 of the SSP and underlines (unnumbered page 6) *'with an agreed programme of phasing and implementation'*. Unnumbered page 6 claims to present *"a phasing and implementation strategy"*. Unless a free-for-all counts as a strategy, those claims are false.

3.2.5 The only Phasing Code (Code PH 01, unnumbered pages 54 and 92) does not deal at all with phasing as such. There needs to be a Code providing that the Phases shall be developed in a specified order and that, until a specified milestone in one development has been reached, the next development shall not commence. It also needs to make clear at what stage the affordable housing, green spaces and play areas shall be developed. This is particularly important, as there is evidence that elsewhere TW have pressed on with housebuilding to the exclusion of open space and play area provision and have delayed the provision of affordable housing.

3.2.6.1 The MDC therefore runs completely counter to the SSP requirement for the Masterplan to be accompanied by an agreed programme of implementation and phasing. Not the least concern is the need to avoid the pressure on site accesses, concurrent excavations in the highway, build-up of traffic and workers' parked vehicles associated with four or five adjacent construction sites on H66. Simultaneous developments in different parts of H66 are likely to cause traffic chaos in the village

3.2.6.2 RBC flagged this up, and the response - in the Table of Developers' Responses to RBC's comments (see paragraph 1.3 above and Section 18 below) - is breathtaking in its arrogance and defiance of the Local Plan policies that were determined after an exhaustive process of consultation, examination and refinement:

. . . we reiterate that each parcel can be delivered independently without prejudicing any other, and therefore the phasing could change/overlap without significant impact. As such, there is no need (or policy requirement) to specify time periods, and it is not reasonable or practical for a multi phase, multi ownership allocation to commit to this at this stage of the process anyway.

If the developers truly believed that it was unreasonable or impractical for a multi-phase, multi-ownership allocation to be subject at the outset to a programme of phasing and implementation, then they should have argued against the policy at the Examination and then challenged the policy in the High Court on the basis that it was so unreasonable as to render the Local Plan unsound.

3.2.6.3 The Table uses the expression *'to specify time periods'*, but that is not what the Policy requires. A programme of phasing might identify the order in which development takes place and then set triggers or milestones at which the next phase might start.

3.2.6.4 In any case the detriment that the policy seeks to avoid is not, or not only, that delivery of one parcel might prejudice another, but the adverse cumulative impact of concurrent developments on a large site in a small village.

3.2.6.5 Nor does the MDC conform with paragraph 41 of the Local Plan, explaining Strategic Policy SS: Spatial Strategy and saying of H66 (incorrectly referred to as H62):

This will be perceived as the main block of settlement within Edenfield, growing incrementally north and will to fill (sic) the gap between the A56 and the linear settlement along Market Street, to create a stronger Green Belt boundary and settlement edge.

To conform with the Local Plan, the basis of the phasing must therefore be that development of H66 will begin in its southernmost part.

3.2.7 The MDC is silent about an infrastructure delivery schedule. Infrastructure may be taken as including (but not being limited to) new and improved roads, water supply, wastewater collection, electric power supply, gas supply, education facilities and health facilities.

3.2.8 Accordingly, before the infrastructure delivery schedule can be settled, it is necessary to identify all the new roads to be provided and all the alterations required to the existing roads (including TROs for proposed additional prohibitions and restrictions of waiting and one-way traffic schemes), arising from the entire development of H66. This should include a comprehensive traffic assessment and road safety audit of the effect of the whole development on the local road network taking account of existing data and projections for the next twenty years (not just ten). Any proposed TRO would of course be subject to consultation and consideration of any objections. Only when the issues regarding roads have been fully addressed can the road infrastructure and compensatory car parking be included in the infrastructure delivery schedule, which would deal with all the matters indicated at paragraph 3.2.7 above and which would be linked to the programme of phasing and implementation.

3.2.9 Without the framework of a programme of phasing and implementation and an infrastructure delivery schedule, the effect of planning applications for different parts of H66 cannot be assessed. It must be emphasised that H66 was allocated as one site for development by the Local Plan, that none of the owners objected to that or to the SSP, and that it is contrary to Local Plan policy for the development of any part of H66 to be approved before a Masterplan and Design Code with a programme of phasing and implementation and infrastructure delivery schedule has been approved by RBC.

3.2.10 Developers' disregard and indeed defiance of the requirements for an implementation programme and infrastructure delivery schedule is an attempted subversion of the Local Plan which has been through a democratic process of consultation, examination and refinement. That attempt must be rejected by RBC outright. There is evidence from across the country that developers, particularly TW, fail to deliver on the road infrastructure, which is a huge risk in a large development. RBC must be alert to prevent such a situation here.

3.2.11 ECNF has concerns about some of the transport assessment work to date - please see Section 11 below.

3.2.12 Unnumbered page 54 shows that Phases 1A and 1B are subject to a planning application. Therefore, page 55 should do likewise with Phase 4.

3.2.13 Throughout the 'Phasing and associated key deliverables' table on pages 54 (unnumbered) and 55 "maintenance" is mis-spelt.

3.2.14 The "Key deliverables" on pages 54 (unnumbered) and 55 appear not to be a comprehensive list of the monetary contributions that might be required by means of a planning obligation. For example, there is no mention of the financial support LCC are seeking for the X41 bus service.

3.2.15 An error on unnumbered page 54 is to be noted. It states that there will be emergency access to Phase 1A via FP126, but the plans on pages 7 and 51 clearly show it will be via FP127.

3.3 No agreed Design Code

3.3.1 The SSP states:

The development [of H66 for 400 houses] would be supported provided that . . . 2. the development is implemented in accordance with an agreed design code.

One of the Local Plan Objectives (page 12) is:

ensuring good design that reinforces Rossendale's local character.

Strategic Policy SS: Spatial Strategy includes:

Greenfield development will be required within and on the fringes of the urban boundary to meet housing and employment needs. The Council will require that the design of such development relates well in design and layout to existing buildings, green infrastructure and services.

Paragraph 234 of the Explanation of Strategic Policy ENV1 states:

Design briefs or design codes will be required for major development and other sites as appropriate to help deliver high quality proposals. The Council will work with developers to address the nature and scope of these documents. The Council will prepare a Design Guide SPD to provide specific advice to developers. An SPD addressing climate change will also be produced.

3.3.2 It is not stated in the MDC that all the landowners have been involved in its preparation. Therefore, RBC's only proper course is to reject the MDC. No Masterplan and Design Code should be entertained by RBC unless it is stated to have, and has, involved all the landowners.

3.3.3 The Executive Summary (unnumbered page 8) claims that the agreed design code in accordance with which development is to be implemented is fully addressed within the MDC. The Executive Summary refers to Sections 04 and 05 of the MDC, which are appraised at Sections 13 to 15 below.

3.4 Summary

3.4.1 The MDC does not meet the requirements of a site-wide Masterplan and should be rejected. It is not clear about which landowners have been involved in its preparation and about which of them support it. It does not cover the whole of H66 in sufficient detail. Nor is there an agreed programme of phasing and implementation and an infrastructure delivery schedule. A masterplan and an agreed programme of implementation and phasing are specific policy requirements, as is an agreed Design Code. Without them there can be no guarantee as to how the totality of the housing allocation can function adequately or be of good design.

Section 4 Stakeholder engagement

4.1 Page 21 states under the heading 'Stakeholder Engagement':

This Masterplan and Design Code has been developed in consultation with the Local Planning Authority (LPA) and local stakeholders.

A public consultation exercise for the H66 Masterplan process was undertaken prior to the submission of a planning application for the Taylor Wimpey land. This public consultation exercise related to the whole H66 allocation, seeking to gain views on the overall Masterplan and agreeing high-level principles. The consultation provided the opportunity for local residents to provide feedback online and via post/phone. A webinar was also held for residents to ask questions of the Development Team. Local residents were informed about the consultation by a leaflet drop and a letter was also sent to local councillors.

4.2 TW's masterplan consultation leaflet, distributed in June 2022, declared that the subject land was the site promoted by Taylor Wimpey and Anwyl Land ("*our site*"), and the home page of the TW/Anwyl consultation website referred to the land "*that is in Taylor Wimpey and Anwyl's control*". It is therefore simply untrue to claim, as the MDC does, that a site-wide masterplan had been the subject of public consultation before the application was submitted. ECNF drew attention to this in their response to RBC's consultations on Versions V8 and V13 of the MDC, as well as in their observations about the SCI as part of their representations about the application. It is deplorable that, in an apparent desire to pursue their false narrative, the authors of the MDC have ignored the facts placed in front of them and doubled down on their original lie.

4.3 There is a lot more that is wrong with page 21 -

- It is not clear which, if any, local stakeholders were consulted, but no part was developed in consultation with ECNF, which is obviously local and which, as a group concerned with town and country planning and established pursuant to statute, is obviously a stakeholder. RBC regard ECNF as a stakeholder - see paragraph 121 of the Local Plan, quoted at paragraph 2.3 above
- In turn that raises doubts about how much, if any, consultation actually took place with other stakeholders and RBC
- The TW consultation was about the TW and Anwyl sites only, not H66 as a whole - see paragraph 4.2 above
- There was no opportunity to respond by post
- It is not claimed that any responses during the consultation period were fed into the MDC - certainly ECNF's response was not (see for example Section 5 below).

4.4 Readers of the consultation leaflet and website pages (and the letter to RBC and LCC councillors and the press release) could not have used the postal address that has been said to have been available, as it was not published in those places. Unsurprisingly, zero letters were received (paragraph 3.3 of the SCI).

4.5 People who did not have access to or who were not comfortable with using a telephone or electronic device were thereby excluded.

4.6 The SCI claims that a dedicated email address was established to answer enquiries, although it does not claim that enquiries by email were actually answered. ECNF is aware of cases where an email enquiry received no response.

4.7 Page 21 refers to the Design Code's having been "*reviewed and updated to address many of the comments made*" by the Places Matter Design Review Panel in March 2023. Meanwhile it appears that many of the Panel's criticisms continue to apply, *e.g.*, generic design, "one lump and wall of development", lack of integral green spaces, key views, lack of nuance of topography, suburban attitude, inferior building materials.

Section 5 Local planning policy - no reason to give only limited weight to the Design Code in the emerging Neighbourhood Plan

5.1 The MDC refers at unnumbered page 18 to

the initial informal Regulation 14 consultation on a draft [of the Neighbourhood] Plan (and Design Code Report prepared by AECOM) undertaken by ECNF] in March and April 2023.

5.2 In fact there was nothing informal about that consultation, which was carried out in strict accordance with the Neighbourhood Planning (General) Regulations 2012, as amended, and with the benefit of advice from RBC. ECNF condemn the misrepresentation and in their response to Version V13 requested deletion of the word “informal”. It is appalling that the misrepresentation persists in the current Version V17.

5.3 The MDC continues:

It is pertinent that the plan and Design Code largely ignore the allocation of H66 and Edenfield’s elevated status as a ‘Urban Local Service Centre’ in the adopted Local Plan, and focuses on the existing vernacular and characteristics of the village.

5.4 The Neighbourhood Plan and Design Code were prepared in the knowledge that the (then emerging) Local Plan allocated H66 for housing. Prior to the Regulation 14 consultation it was amended after consultation with RBC. In the light of responses to the Regulation 14 consultation, the Plan and Design Code are being further amended to take account of the adopted Local Plan. As regards the issue of whether Edenfield should be treated as urban or as a village, we note the comment at the top of page 8 of Places Matter’s assessment dated 25th March 2023 of Versions V7 and V8:

You are forgetting about the things that make this sort of village attractive and showing a suburban attitude to what the new place will look like.

5.5.1 In any case the word ‘Urban’ in the expression ‘Urban Local Service Centre’ is not to be taken as a *carte blanche* for development. Whilst Edenfield is identified as an Urban Local Service Centre by Strategic Policy SS: Spatial Strategy, paragraph 30 of the Local Plan makes clear that “[The development in Edenfield creates the opportunity to masterplan a substantial new addition to the village that would have a limited impact on the openness of the Green Belt](#)”. H66 “[will require a well-designed scheme that responds to the site’s context](#)” (paragraph 120, *ibid.*) and “[development must be of a high quality design using construction methods and materials that make a positive contribution to design quality, character and appearance](#)” (paragraph 125). See also paragraphs 50 and 51 of the Local Plan (noted at paragraph 2.1 above).

5.5.2 Elsewhere the MDC repeatedly affirms that Edenfield is a village. See, for example, unnumbered pages 10 (*Vision to allow the characterful and varied grain of the village to continue to evolve*), 18 (*MDC ensuring that settlement character can be preserved as the village evolves*). 24 (five references in the context of H66 in the Settled Valley Landscape), 26 (visual context), 28 (two references under Architectural character) and 30 (describing Market Street), page 31 (describing South Edenfield), unnumbered pages 32 (three references under Street Hierarchy), 34 (nine references under Non-vehicular movement and open space), 42 (one reference under Green and blue infrastructure), 46 (two references to Edenfield Village and one to the village), 50 (*The Masterplan will deliver approximately 400 new homes for Edenfield, set within a strong landscape structure and characterful village setting*), and 60 (*landscaped front gardens and pockets of green space contribute to ‘greening’ the street scene in parts of the village*), page 67 (*scale of the H66 allocation site within the village*) and numerous references in the Area Types section as well as the Area Type designation ‘Village Streets’

5.6 The MDC declares at unnumbered page 18:

Given this conflict with the Local Plan, the early stage of the document, and the fact it postdates the submission of this Masterplan & Design Code, the Policies within the Neighbourhood Plan cannot be afforded due weight at this stage.

5.7 In similar vein the MDC states at page 21:

This Masterplan and Design Code also takes account of the AECOM Design Code Report within the emerging Neighbourhood Plan, albeit this has only been given limited weight, due to its early stage of

production (with the initial Regulation 14 consultation undertaken in March and April 2023, some time after this document was submitted) and the fact that it largely ignores the development of the H66 site and is primarily focused on the existing vernacular and characteristics of the village.

5.8 ECNF denies that the emerging Neighbourhood Plan is in conflict with the Local Plan and considers it to have progressed to its middle to late stage. The MDC's use of the word 'postdates' is puzzling: being dated 22nd September 2023 (see unnumbered page 2), the MDC obviously postdates the Regulation 14 consultation version of the Neighbourhood Plan. It is simply wrong to say that the Regulation 14 consultation took place after submission. The reasons for giving limited weight to the Neighbourhood Plan and Design Code are therefore completely spurious.

5.9 Furthermore unnumbered page 18 promptly contradicts itself by saying, after claiming the Neighbourhood Plan postdates the MDC,

[its] useful local insights and observations . . . have positively contributed to the preparation of this Masterplan and Design Code.

5.10 That being said, ECNF asked AECOM to review the Design Code in the light of the adoption of the new Local Plan and the responses to the Regulation 14 consultation. The outcome is an up-to-date document, taking full account of relevant national and local policy, compiled by consultants who are experts in their field, who are free of any vested interest and whose brief was not to produce a document that suited the client's preferred development. Developers may quibble about how much weight should be attached to it at this stage of the Neighbourhood Plan process, but the fact is that it provides an authoritative yardstick against which the MDC may be assessed.

5.11 Accordingly, ECNF is submitting as part of their consultation response (separately, for reasons of convenience) the AECOM Design Code as an exemplar which the MDC should emulate, and respectfully suggest that the MDC needs to be amended accordingly.

Section 6 MDC is contrary to National Planning Policy and to Planning Practice Guidance

6.1 Unnumbered page 14 of the MDC refers to the NPPF:

The NPPF was updated in July 2021. The revised NPPF promotes a presumption in favour of sustainable development for both plan making and decision-taking (Paragraph 11).

Section 12 of the NPPF, "achieving well- designed places", states (paragraph 126) that 'good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities'

Paragraph 130 states, 'planning policies and decisions should ensure that developments:

- Will function well and **add to the overall quality of the area**, not just for the short term but over the lifetime of the development;*
- **Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;***
- **Are sympathetic to local character and history, including the surrounding built environment and landscape setting**, while not preventing or discouraging appropriate innovation or change (such as increased densities); and*

- *Establish or **maintain a strong sense of place**, using the arrangements of streets, spaces, building types and materials to **create attractive, welcoming and distinctive places** to live, work and visit'.*

Paragraph 131 requires 'planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as park and community orchards), that appropriate measures are in place to secure the long term maintenance of newly-planted trees, and that existing trees are retained wherever possible'.

*Paragraph 134 emphasises that '**development that is not well designed should be refused**'.*

Section 14 of the NPPF, Meeting the Challenge of Climate Change, Flooding and Coastal Change (paragraph 154), sets out that in order to plan for climate change, new development should be planned for in ways that:

- *a) Avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
- *b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards'.*

Section 15 of the NPPF, Conserving and Enhancing the Natural Environment, (paragraph 174) sets out how planning policies and decisions should contribute to and enhance the natural and local environment by:

- *'**Protecting and enhancing valued landscapes**, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and*
- *Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of best and most versatile agricultural land, and of trees and woodland'.*

The Masterplan proposals presented within this document consistently follow the principles set out in the NPPF.

6.2 Given that the MDC is said to have been checked on 22nd September 2023 (unnumbered page 2), it is regrettable that it does not refer to the NPPF update on 5th September 2023.

6.3 The emboldened extracts in paragraph 6.1 above indicate areas in which the MDC fails to follow NPPF principles.

6.4 It is significant that the MDC does not quote paragraph 129 of the NPPF, which provides:

. . . all [Design] guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area.

The absence of meaningful stakeholder engagement (Section 4 above) and the dismissal of the Design Code (Section 5 above) in the Neighbourhood Plan, which fully reflects local aspirations, clearly demonstrate that the MDC does not conform with national planning policy.

6.5 Unnumbered page 14 and page 15 go on to consider PPG, which is referred to as NPPG and wrongly called “Planning Policy Guidance”. Emboldened in the extract below are the areas where the MDC does not measure up to PPG:

*The design section of the NPPG establishes the **importance of high quality design** as part of wider sustainable development and considerations alongside NPPF policies*

*The guidance states that proposals should be **responsive to the local context**. It is established that highly sustainable, well- designed developments should not be refused where there are concerns about compatibility with existing townscape, unless proposals cause significant impact or material harm to heritage assets. **Great weight is given to outstanding design quality which raises the local design standard.***

*The guidance establishes that **good design can help schemes achieve social, environmental and economic gains** and that the following issues should be considered:*

- **Local character (including landscape setting);**
- *Safe, connected and efficient streets;*
- **A network of green spaces (including parks) and public places;**
- **Development context;**
- **Crime prevention;**
- *Security measures;*
- *Access and inclusion;*
- *Efficient use of natural resources; and*
- **Cohesive and vibrant neighbourhoods.**

*Acknowledgment is given to the value which is attributed to well designed places. The criteria establishing what a 'well designed place' should seek to achieve are: be functional; support mixed uses and tenures; include successful public spaces; be adaptable and resilient; **have a distinctive character; be attractive;** and encourage ease of movement.*

*Guidance is given on how buildings and the spaces between buildings should be considered. In terms of layout, developments should promote connections with the existing routes and buildings, whilst providing a clear distinction of public and private space. Care should be taken to design the **right form for the right place**, but the extent to which this is achieved can depend on architectural and design quality.*

It is considered that the proposed development of this site accords with the NPPG.

Crammed layout, disregard of landscape and local context, lack of architectural and design quality actually make the MDC contrary to PPG.

6.6 At page 16 the MDC considers Local Planning Policy. It says that SPDs from RBC that should be considered in any planning application include “Open space and play contributions”. (It should have said “play equipment contributions”.) It is curious that it does not mention RBC’s Climate Change SPD.

Section 7 Content of MDC

7.1 Green Belt boundary It is nonsensical to claim (unnumbered page 42):

The masterplan allows space to create a defined Green Belt boundary which will follow the route of the A56 to the west of the site. Existing vegetation along this edge of the allocation will be retained and enhanced with a new woodland structure planting which will frame the western extent of Edenfield, preventing encroachment of development into the lower slopes of the valley.

During the Examination of the Local Plan it was stated that the A56 itself would provide a strong defensible boundary for the Green Belt. (See, for example, paragraph 50 of the Local Plan reproduced at paragraph 2.1 above.) The boundary needs no further definition. Encroachment of development into the lower slopes of the valley is already prevented by the A56 and the remaining Green Belt. Furthermore the proposal for a new woodland structure is inconsistent with the last bullet on page 60 (see paragraph 13.2.2 below).

7.2 The map on page 43 incorrectly implies by the position of the words 'GREEN BELT BOUNDARY' that the A56 is not in the Green Belt. Another error in this map is the inclusion of the words "and play area" in the caption to the green patch on the south east boundary of H66.

7.3 Vision The Vision on unnumbered page 10 includes:

- *Retain and enhance the existing public footpath network . . . to enable the appreciation of locally valued buildings located throughout the allocation site and in the local context.*

The word 'throughout' is misleading: the fact is that there are only two substantial buildings (the former Vicarage and the private house Alderwood) located in H66, whilst three heritage buildings (Parish Church, Mushroom House and Chatterton Hey) are adjacent. As stated at paragraph 14.8 below, it is not necessary to enhance the footpath network to 'enable appreciation' of the Church or desirable to do so in the case of private property.

7.4 Visual Context

7.4.1 The unnumbered page 26 is plainly wrong in stating:

There are limited views to the allocation site from rising land to the east of Edenfield due to topography and existing development within the village.

In fact H66 is clearly visible from much of the lengths of Footpaths 136, 137, 138, 140 and 143 and Restricted Byways 147 and 277, shown on the map at Appendix 1 hereto.

7.4.2 The unnumbered page 26 adds that

. . . a circa 1.5m high stone wall [on Market Street] generally screens views of the undeveloped site from passing vehicles.

That very much depends on the height of the vehicle's seats. Moreover, an adult pedestrian's view of the site from the western footway is unimpeded, notwithstanding the impression given by the photograph from the eastern side of Market Street.

7.4.3 The 'Design influences' box on unnumbered page 26 should require development to retain visual appreciation of the landscape to the west from viewpoints outside as well as within the development, and this needs to be carried forward to the Design Code.

7.4.4 The caption to the lower photograph on unnumbered page 26 "View across northern parcel from Blackburn Road" is wrong. Blackburn Road is seen in the middle distance. The viewpoint is no closer than Burnley Road.

7.5 Artificial mound The MDC fails to address the need to clear the mound of spoil created during construction of the bypass from the area to the west and north west of Mushroom House. Restoration of the natural contours would mitigate the loss of views resulting from the development and reduce the dominance of the new housing.

7.6 Ecology Criterion 6 of the SSP requires that “an Ecological Assessment is undertaken with mitigation for any adverse impacts on the Woodland Network and stepping stone habitat located within the site” The Executive Summary states:

The Masterplan accounts for known ecological constraints across the allocation site. The TW Phase 1 application includes a detailed Ecological Assessment, as will subsequent applications to allow detail to be refined/ agreed.

That does not disguise the fact that there is no site-wide ecological assessment, which is what criterion 6 demands.

7.7 A Landscape-led Masterplan There is much that is wrong with the MDC, as shown in these representations, and it is best to ignore the hyperbole on unnumbered page 50, but, assuming for the moment that the MDC were in good order, where Code MP 01 on unnumbered pages 50 and 92 provides:

Future planning applications relating to the H66 allocation must be delivered in accordance with principles of The Masterplan

it is recommended that “Future” be deleted, and “The” changed to “this”.

7.8 Self-build and Custom-built Houses On unnumbered pages 58 and 92, in Code US 01, “Policy HS3”, dealing with Affordable Housing, should be changed to “Policies HS3 and HS16”. According to Local Plan Policy HS16 some 40 plots at least on H66 should, subject to site viability, be made available for sale to small builders or individuals or groups who wish to custom build their own homes. The MDC needs to identify the general location and the phasing of the affordable and self-build/custom-built homes. In particular it needs to identify whether or not the plots for self-build/custom-built will be distributed proportionately between the various ownerships and, if not, how they will be distributed numerically.

7.9 Ridge height and roof pitch With the exception of the Pilgrim Gardens (site of former Horse & Jockey) development, on a brownfield site outside the former Green Belt and not subject to the stringent planning policy requirements imposed on H66 by the current Local Plan, steeply pitched roofs are not typical of Edenfield. They make a building dominant, with the result that it blocks any long-distance views and increases the loss of openness, which as far as possible the MDC should aim to protect. It is therefore necessary to delete the following bullet on unnumbered page 76:

- *Variations in ridge height and roof pitch across the site should be utilised to create an interesting roofscape.*

7.10 Identity Unnumbered page 58 states:

Development should create a distinctive new place that complements and enhances the character of Edenfield by drawing upon the baseline analysis as presented within this Code.

It is not clear where in the Code (the Codes begin at unnumbered page 50) any baseline analysis is presented.

7.11 Internal daylight and Privacy Code HB 02 (pages 77 and 93) provides:

All homes should be designed to maximise internal daylight and have appropriate privacy distances in accordance with Local Plan policies.

7.11.1 It is not obvious which Local Plan policies the MDC is contemplating when it speaks of policies addressing internal daylight and privacy distances, but in any event Code HB 02 should specify the policies concerned.

7.11.2 Only Policy HS8 refers to privacy, but even then only in general terms and not to the specifics of distance. It requires all new residential development to provide useable private outdoor amenity space with an adequate level of privacy.

7.11.3 Strategic Policy ENV1: High Quality Development in the Borough provides

All proposals for new development in the Borough will be expected to take account of the character and appearance of the local area, including, as appropriate, each of the following criteria:

- a) Siting, layout, massing, scale, design, materials, lighting, building to plot ratio and landscaping;
- b) . . .
- c) Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area;
- d) The scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive, overlooking, or resulting in an unacceptable loss of light;- nor should it be adversely affected by neighbouring uses and vice versa . . .

7.11.4 The ‘Homes and buildings’ Codes need to embed and elaborate upon those principles of Policy HS8 and Strategic Policy ENV1. The Codes must not be confined to issues within the new development but must specifically control and minimise the impact of development on adjacent properties. This would be entirely consistent with the principle at unnumbered page 38:

Existing housing both backs and fronts towards the site at various locations along the eastern site boundary. Proposed development should ensure that residential amenity of existing dwellings is protected

In this context it is noted that the application fails to mitigate the over-bearing and oppressive impact of the proposal on properties on Market Street and Alderwood Grove.

Section 8 Street Hierarchy, Estate Roads, Rights of Way, Vehicle Movements and Emergency Access

8.1 Street Hierarchy The plan on unnumbered page 32 exaggerates the extent of shops, school and community facilities along Market Street, Bury Road and Bolton Road North. There is no shop, school or community facility on Bury Road/Bolton Road North between the Rostron Arms and Edenfield Mini Market (save for little-used Sparrow Park at the junction of those roads) and none on Market Street between Elizabeth Street and the Coach (formerly Coach and Horses) public house

8.2 The reference in the text on that page to “the M66/A56 roundabout” is confusing as the roundabout has no connection with the M66.

8.3 On unnumbered page 70, Code MO 04 provides:

A secondary street will be provided along the controlled circulatory road link between Market Street and Exchange Street.

This is unclear. Ordinarily there will be no road link within H66 between those highways. If the controlled emergency access (see paragraphs 8.12.1, 8.12.3 and 8.13 below) were in use, there would still be no link, as the emergency would preclude use of the normal access.

8.4 Estate roads By implication, the headings to the Table on page 69 suggest that secondary and tertiary roads are to be considered for adoption, private drives being expressly stated to be non-adoptable. It is therefore pointless to specify carriageway widths less than LCC's minimum adoption standard.

8.5 Rights of Way Unnumbered page 38 refers to PROW FP 126 and FP127 and the (private) vehicular right of access to Chatterton Hey:

Three Public Right of Way routes pass through, or close to, the H66 allocation. PROW FP126 and FP127 link Market Street and Exchange Street with the southerly footbridge across the A56. PROW FP127 also provides vehicular access to Chatterton Hey at the west of the allocation.

For completeness it should have identified also the private rights of way with vehicles to Mushroom House, Alderbottom and Swallows Barn.

8.6 It may be that for practical purposes access to the last two mentioned properties is taken via Exchange Street, FP127 past Chatterton Hey and onto the bridge over the A56 and along FP126, and indeed the properties might enjoy an express or prescriptive right of way with vehicles along FP127, but historically the access from Market Street was along FP126, which ran in a more or less direct line before it was diverted for construction of the A56 bypass. It is understood that that historic private right of way with vehicles is extant.

8.7 Unnumbered page 54 appears to acknowledge that private right by stating in respect of TW's land:

Retained vehicular access to Mushroom House (and other properties to the west) via Market Street/FP126

It is good to know that no interference with Mushroom House's access from Market Street is proposed, especially as that length of FP126 lies outside H66 any way.

8.8 However, there are difficulties with the plan on pages 7 and 51, which shows only orange triangles (proposed pedestrian/cycle access) at the Market Street/FP126, FP126/FP127 and Exchange Street/FP127 junctions. The plan needs at least two corrections. First, it must clarify that there is to be no interference with any private vehicular right of way. Secondly, the orange triangle at the Market Street/FP126 junction needs to be relocated to the point where FP126 crosses the H66 boundary.

8.9 In representations in January 2023 about the application, ECNF stated at paragraph 9.7.5 thereof:

We have read the comments [dated 11th January 2023] of the LCC Public Rights of Way Officer (Development). The expression 'vehicles restricted from use [on Footpath 126]' is unclear. Does it mean prohibition, or some lesser restriction? How would that sit with claimed private vehicular rights of way to Mushroom House and Alderbottom?

8.10 It is therefore concerning that the LCC PROW Capital Project Officer's response to the MDC posted by RBC on 12th October 2023 repeats,

The cattle grids on the western and eastern section of the path [FP126 between Chatterton Hey bridge over the A56 and Market Street] are to be removed and vehicles restricted from use.

This is in complete disregard of existing private vehicular rights of way.

8.11 Vehicular movements Page 45, supported by a plan, states:

Land at Alderwood bungalow can be served either via the existing access onto Market Street or via the central land parcel.

Unnumbered page 54 says of this land:

Primary vehicular access via Market Street or Phase 1a

This is disingenuous, as LCC in their response to planning application 2022/0577 made it crystal clear that the existing access would be totally unsuitable for a development of nine more dwellings at Alderwood. The text on both pages should be amended to make clear that the access would be via the field opposite 88-116 Market Street, and the plans on pages 7, 45 and 51 should be amended accordingly. Saying that access would be via the central parcel is too vague and might refer to Church Lane. The actual access point must be specified.

8.12.1 Emergency access Page 45 states also:

A controlled emergency vehicular access point will be provided between the southern and central land parcels, close to Chatterton Hey.

This is marked on the plan on page 45, as well as the plans on pages 7, 39 and 51. This implies permanent two-way emergency access between the sites, but pages 54 (unnumbered) and 55 state otherwise: TW's land (the central parcel) is to have **temporary** (ECNF emphasis) *controlled emergency vehicular access via PROW FP 126* (this must mean FP127), and the Anwyl (southern) parcel **permanent** (ECNF emphasis) *emergency vehicular access via Phase 1A* (TW's land). That means one-way emergency traffic off but not onto Anwyl's land. It will be dangerous if TW's projected 238-home estate does not enjoy a permanent emergency access arrangement.

8.12.2 Some assumptions appear to be made here by the MDC as to the order of phasing and implementation, which the MDC expressly (and wrongly) leaves open. There is an unacceptable lack of clarity.

8.12.3 Also unacceptable is the lack of clarity about the design of the emergency access. How will its use otherwise than in emergency be prevented? How will it prevent vehicle movements between the H66 internal roads and FP127?

8.13 Unnumbered pages 38 and 68 add to the confusion by implying a two-way emergency connection between TW's land and Anwyl's:

[Unnumbered page38] *An emergency access link across PROW FP127 will ensure that the larger southern part of the allocation site can be safely accessed from two locations; and*

[Unnumbered page 68] *Fixed [overall principles for the street network] include . . . Principle of a controlled vehicle access across PROW FP127 which will enable emergency access between land parcels*

Section 9 Blue and green infrastructure

9.1.1 Unnumbered page 42 provides:

The green infrastructure network is designed to ensure that valued existing landscape features can be retained. These are mainly limited to existing trees around Edenfield Parish Church and Chatterton Heys (sic), and dry stone walls located along the PROW routes through the allocation site.

The MDC needs also to commit expressly to retention and maintenance of the drystone wall along the site boundary with Market Street, except at the point of site access. Where Market Street is to be widened, the MDC needs to confirm that the drystone wall shall be re-erected.

9.1.2 The MDC needs too to commit to protecting the drystone wall at the site boundary with 5-8 Alderwood Grove and not allowing any development that might harm its integrity or obstruct its maintenance.

9.2 The Executive Summary says of SSP criterion 5 v (“[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](#)”)

The Masterplan includes a substantial buffer along the western boundary to include landscape structure planting, with detail to be refined/agreed through individual planning applications.

In other words there is complete disregard of the full SSP requirement in 5 v of landscaping **throughout** the site. Without prejudice to the generality of that requirement, there needs to be, in particular, reference to the necessity of landscaping the eastern boundary at the interface with existing residential properties.

Section 10 Off-site car park and public open space

10.0 Unnumbered page 44 notes:

The Masterplan indicates an area for community car parking and public open space to the east of Blackburn Road, outside of the H66 allocation, with the detailed requirements and justification for this provision to be addressed through subsequent planning applications, subject to a proportionate contribution to cost, including cost of land

The accompanying plans (unnumbered pages 44 and 46) show the area, located east of Burnley Road. The access point is marked on the plan on page 46, which shows 33 car parking bays plus 10 drop-off spaces, with the unquantified loss of street parking on Burnley Road. There is no information about the dimensions of the bays.

10.1 The purpose of the MDC is to guide the development of H66, as a site allocated for housing. It has no legitimacy to propose development of a detached, unrelated site in the Green Belt. The MDC acknowledges on page 44 that it does not contain justification for the car park. It cannot be assumed that planning permission would be granted for the proposed drop-off area/car park. Therefore, unless the drop-off area/car park were granted planning permission, it is wrong for the MDC to proceed on the basis that it is an achievable proposition.

10.2 Whether the location of proposed car park is desirable, given that it is outside H66 and in the Green Belt, is extremely doubtful. Whether it is required has not been evidentially demonstrated. The possibility of this car park, on land owned by Peel, together with drop-off facilities and a play and recreation space and trails was first raised by Peel’s subsidiary, Northstone, in a pre-application public consultation in 2023. It forms part of the recent planning application 2023/0396, currently the subject of consultation.

10.3.1 It is alarming that, to bring forward development of former Green Belt, the site promoters are proposing a car park and drop-off facilities and public open space in the remaining Green Belt. If this is essential to the development of H66 or Northstone’s part of H66, it should have been raised during the Local Plan process. If the Inspectors had considered provision for a new car park necessary to make the Local Plan sound, RBC could have allowed for a further incursion into the Green Belt in the same way as the Policies Map provides for the potential extension of Edenfield CE PS. The matter was not raised, and therefore what remains of the Green Belt around Edenfield should not be subjected to urbanising development. All necessary car parking provision should be confined to H66.

10.3.2 The provision of local transport infrastructure is not something to be considered on an ad hoc basis. It needs proper planning, and the appropriate way to plan it is through the Local Plan. See, for example, Strategic Policy TR1: Strategic Transport and its protection of a site for Park and Ride facilities at Ewood Bridge. The Local Plan requires a Transport Assessment for H66 (paragraph 10.4 below) but contains no suggestion that a car park outside H66 should be provided.,

10.4 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 [Rostron] Arms. Measures to assist pedestrian and vulnerable road users will be required.

10.5 The MDC does not justify the provision of the proposed car park and drop-off facilities, and it lacks crucial detail about their design as well as about their implications for traffic flows and street parking currently available on Burnley Road. It is to be noted that as well as the anticipated new access (from Blackburn Road to H66), the MDC proposes another (from Burnley Road to the car park/drop-off), and that both these accesses will be close to a school and the signalised junction of these roads with Market Street.

10.6 The vagueness of the Market Street Corridor Improvement Plan as quoted in the third bullet on unnumbered page 46 is not acceptable:

details to be confirmed through subsequent planning applications.

10.7.1 Northstone's justification for the car park, offered separately from the MDC, is plainly exaggerated. FAQ 17 ***Will this proposal increase traffic?*** in their pre-application consultation 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.

10.7.2 Paragraph 7.24 of the planning statement accompanying application reference 2023/0396 is to like effect:

The Burnley Road proposals will provide a significant benefit to the local community by improving the local environment and improving the safety of the village and school children. The proposals will reduce the proliferation 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.

10.7.3 That justification is desperate. There is no evidence of accidents injuring pupils of Edenfield CE PS on their way to and from school. 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 fiction. It is well established that school coaches load and unload on the school side of Market Street and achieve this by using the A56 Edenfield bypass as appropriate. A professional driver in a twelve-metre long vehicle would not attempt reversing into or out of Church Lane in close proximity to the signalised junction. There is simply no evidence that this happens.

10.7.4 As regards 'traffic impact at peak times', consultants Eddisons reported in a Highways Consideration of Masterplan Note www.rossendale.gov.uk/downloads/file/18151/highways-consideration-of-masterplan-note at paragraph 1.12 that

Importantly, the surveys [in April 2023] reveal that traffic levels have reduced compared to pre-pandemic levels, and which formed the evidence base at the time of the preparation of the Local Plan.

Moreover, according to paragraph 1.56,

A detailed consideration of existing conditions confirms that traffic flows have generally reduced since the preparation of the evidence base that supported the Local Plan.

They found also (paragraph 1.11, *ibid.*) that the weekday AM peak ended at 0845 hours and that the PM peak began at 1645 hours. It can therefore be inferred that school drop-offs have minimal impact on the AM peak and that pick-ups have none at all on the PM peak.

10.8 There is a shortage, if not an absence, of information about the proposed car park and drop-off facilities and public open space. 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 Northstone's 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 and drop-off facilities, they would set off the cost against the section 106 contributions that would be expected of a development of this nature. That is not apparent from the MDC which fosters the impression that the proposed car park and drop-off facilities are a boon to be provided at no cost to the community. It appears that in reality RBC as representative of the local community will miss out on contributions which it could put to better use. Northstone's answer to FAQ 6 **Isn't this site located within the Green Belt?** 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 would 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 33 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 approaching northbound traffic; and traffic from the south waiting to enter the car park/drop-off might tail back, affecting the efficient operation of the signalised junction. How would all 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.
- Would street parking spaces on Burnley Road be lost to allow for traffic flow at its access, and, if so, how many?

10.9.1 Even if the above-mentioned questions were answered satisfactorily, there could be no guarantee that the requisite planning application for change of use from grazing to a car park involving the effective extension of the Urban Boundary into the Green Belt would be approved. Northstone say (paragraph 5.8 of

the planning statement accompanying application 2023/0396) that the car park could be considered as 'local transport infrastructure which can demonstrate a requirement for a Green Belt location' as defined at NPPF, paragraph 150 c), but the case has yet to be made either that the car park is required or that it must be in the Green Belt.

10.9.2 Much was said at the time of the Local Plan Examination about extending either Edenfield CE PS or Stubbins Primary School and the consequent prospect of more drop-offs and pick-ups at Edenfield, but the likelihood of an extension seems to have receded in the light of falling birth rate and primary school capacity predictions from LCC in response to recent planning applications. There is no commitment yet to extending either school.

10.9.3 It may be that the development of H66 will change the mix of Edenfield CE PS pupils to include more who live within easy walking distance. That would tend to reduce the number travelling by car.

10.9.4 If off-street provision for school drop-off and pick-up is necessary, it should be provided within H66, on either Peel/Northstone's or Mr Nuttall's land. If the MDC were fit for purpose, it would have provided an on-site solution for this and for public open space/play facilities. This demonstrates the importance of the SSP requirement for a **comprehensive site-wide** MDC, that prioritises holistic planning over landowners' narrow interests.

10.9.5 There could be no objection on safety grounds to a pick-up/drop-off area in the location proposed in paragraph 10.9.4 above. The children and their carers would have only one main road to cross on their way to and from school, where they would be protected by a 'lollipop' school crossing patrol.

10.9.6 There is no requirement or official guidance that children travelling to school by car must be set down or picked up in a position where they do not have to cross a road. Crossing a road safely is a lesson that children need to learn as early as possible. Facilitating and normalising car travel to and from school runs counter to the current policy of promoting active travel, with its benefits to health. If car travellers have to find street parking at a distance from school, the walk will be beneficial.

10.9.7 RBC cannot allow themselves to pre-empt the determination of a planning application for the car park on a site outside the remit of the MDC by approving a MDC containing this proposal. Nor can RBC approve a MDC, a component of which might not receive planning permission.

10.10 At unnumbered page 22 it is stated:

Peel also control land to the east of Burnley Road, some of which can be made available for school expansion land, public open space and/or community car parking subject to planning requirements in accordance with the Rossendale Local Plan.

The problem with that extract is that it conflates school expansion land, for which the Local Plan provides, and a site for public open space and parking, which is not contemplated in the Local Plan. Particularly as this site is in the Green Belt, it is wrong to assume that the proposal for a car park and some sort of leisure area (see paragraph 10.12 below) with its myriad unanswered questions, would receive planning permission.

10.11 Accordingly, in Code US 03 on unnumbered page 58, the words "subsequent" and "off-site community car parking and/or" should be deleted.

10.12 Having described the proposed car park as "community car parking and public open space" (unnumbered page 44) and "off-street parking area" and "Northstone off-street car park area" (both on unnumbered page 46), "car park, public open space" (unnumbered page 50) and "community car park and public open space" (page 51), the MDC changes tack at unnumbered page 64 where it is called "Local Area for Play (LAP)", part of "a dispersed range of play experiences".

10.13 For a play area, the location is truly sub-optimal. Users would need to cross at least one busy road, enter and leave where there is no footway on the road and navigate through a drop-off area and car park. It

must be relocated within H66 (paragraph 10.9.4 above) and the “Green infrastructure and play provision’ plan on unnumbered page 64 redrawn accordingly, because it fails to meet the parameters set out in the MDC (unnumbered page 66):

Local Areas for Play (LAPs) will provide informal open spaces with natural play opportunities, in accessible locations close to dwellings. They should be designed to appeal to all ages as a place for incidental play, social interaction amongst neighbours and a common space for people to enjoy in the close setting of their homes. LAPs should occur often and should offer variety in terms of their character, features and the play opportunities they provide. LAPs may be situated within housing areas or on the edge of housing parcels, bringing greenways into the development, enhancing the setting and play opportunities provided. . . . LAPs are more versatile as a result being accessible to the whole community for a variety of uses, such as a meeting place for friends or taking a quick break during a walk home from school.

10.14 Any proposal for a car parking area would need to be assessed against Local Plan Policy TR4: Parking, which provides among other matters:

Where parking is being provided to serve new development or to address specific local parking problems in existing residential and business areas . . . the Council will expect the parking provision to:

- Be conveniently located in relation to the development it serves;
- Be safe, secure and benefit from natural surveillance;
- Be designed to ensure that the use of the parking provision would not prejudice the safe and efficient operation of the highway network;
- Not . . . detract from the character of the area;
- Incorporate secure, covered cycle parking in line with the Parking Standards set out in the Local Plan unless otherwise agreed;
- Where appropriate, incorporate adequate soft landscaping and permeable surfaces to avoid the over-dominance of parking and to limit surface water run-off;and
- Incorporate electric vehicle charging points, in the following scenarios as a minimum:
 - One charger per every five apartment dwellings;
 - One charger per every individual new house on all residential developments;
 - One charger per every ten parking spaces in non-residential car parks.

Exceptions to the minimum provision of electric charging points will only be considered if it can be demonstrated to the satisfaction of the Council that this is not technically feasible or prohibitively expensive. [Presumably that meant to say “is prohibitively expensive or not technically feasible.] Paragraph 316 of the Local Plan notes the importance of charging points in encouraging the take-up of electric vehicles.

10.15 Taking those bullets one by one -

- If the car park is meant to serve the development of H66 west of Blackburn Road, users will have to cross two main roads without the benefit of a footway on the side of road adjacent to the car park - see paragraph 10.8 above, sixth bullet
- Natural surveillance is minimal
- There are at least three potential traffic conflicts - see paragraphs 10.5 and 10.8 (eighth bullet) above - in addition to the prospect of 12-metre coaches entering and leaving - cf. paragraph 10.7 above.
- The car park would be perceived as an urban extension, detrimental to the character of the Green Belt
- There is no provision for cycle parking
- Drainage is likely to be a problem - see paragraph 10.8 above, ninth bullet
- There is no information about proposed charging points

10.16 Accordingly, it is extremely doubtful that the suggested car park would be compliant with Local Plan policy. The proposal in the MDC for a car park/open space east of Burnley Road must be deleted and replaced with provision within H66.

Section 11 Transport

11.1 In the last preceding consultation, on V13 of the MDC, SK submitted a letter dated 9th August 2023 on behalf of ECNF. There is a link to that letter at Appendix 2 to these representations. Additionally, ECNF submitted a document reflecting local concerns about traffic arrangements, reprinted at Appendix 3 hereto. Those documents are hereby resubmitted as part of ECNF's response to the present consultation as the concerns they contain have not been allayed. They demonstrate the considerable issues arising from the transport/traffic proposals. A letter from LCC dated 25th August 2023, to which there is a link at Appendix 4 hereto, was considered at a meeting between RBC, ECNF and SK on 28th September 2023. A note SK prepared to assist discussion at that meeting is reprinted at Appendix 5 hereto. ECNF and SK then sought a meeting with LCC and RBC (see email from SK reprinted at Appendix 6 hereto), although it has not yet been arranged.

11.2 Unnumbered page 46 wrongly includes under the heading "Off site highway improvements" the proposed on-site car parks off Market Street and Exchange Street.

11.3 The map on page 46 does not take account of the potential new or improved access to site H65. The map on page 47 is out of date: it fails to show the junction of Market Street and Pilgrim Gardens and the new houses in the vicinity.

11.4 The maps on pages 46 (unnumbered) and 47 are unclear, lacking any key to the colours and symbols used, failing to show clearly (if at all) the extent of proposed restriction and prohibition of waiting, failing to show existing restriction and prohibition of waiting and showing yellow lines on Exchange Street without any explanation at all.

11.5 Coloured chippings/aggregate seem pointless. It is not clear what 'gateway features' are being proposed, what purpose they would serve or how they might be safely accommodated in a narrow highway with a zebra crossing or at a junction.

11.6 A bizarre and unexplained feature of the map on unnumbered page 46 is a rain garden on Market Street, seemingly in the footway, near nos 155 and 157. Obviously this would represent an inconvenience to the numerous users of the footway. The proposal can be viewed only as a gesture of contempt to the public, negating any credibility that the MDC might have had.

11.7 The proposed restriction and prohibition of waiting will inconvenience residents who rely on the availability of street parking. It will be harmful to the businesses whose customers might go elsewhere if they cannot find a place to park.

11.8 The extensive proposed prohibition of and restriction on waiting outside existing houses will bear harshly on disabled occupiers and their carers who might otherwise have been able to apply for a disabled person's parking space outside their door.

11.9 One aspect of the on-site parking area intended to replace lost spaces on Market Street causes particular concern. It is proposed to be concealed by a mound, which, in addition to its aesthetic deficiencies and problems around its landscaping, would conceal criminals intent on damaging or breaking into vehicles or assaulting people going to or from the vehicles. It is wholly inimical to the concept of "Designing out Crime" or "Crime Prevention through Environmental Design". RBC is required under section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to their likely effect on crime and disorder, and to do all it reasonably can to prevent crime and disorder. The mound is contrary to NPPF, paragraph 130 f), PPG (crime prevention to be considered - paragraph 6.5 above) and the second bullet in the extract of Local Plan Policy TR4: Parking, quoted at paragraph 10.14 above.

11.10 ECNF notes the claim in the anonymous Table of the Developers' Responses to RBC's Comments about Version V13 of the MDC (see paragraph 18.1 below) that

A Full Transport Assessment has been submitted alongside the Masterplan & Design Code (with a summary included at Appendix C) and this has been largely endorsed by LCC (in their comments dated 25.08.2023), subject to some minor amends to the 'Market St Corridor Improvement Plan' which have been incorporated in the updated (September 2023) document. The 7th bullet in the 'Access and parking typologies' section of the Site Wide Codes (page 74) confirms that the level of new visitor/ community parking will exceed that displaced as a result of the development. The current TW application meets this commitment and the detailed arrangements for how these spaces will be managed will be negotiated and agreed with LCC through the individual planning applications for each phase.

11.11 It is noted that the MDC makes reference to the involvement of LCC Highways in the transport/traffic proposals. As set out in this submission ECNF have considerable concerns in respect of these proposals (paragraph 11.1 above and Appendices 2 and 3 to these representations) so it is disappointing that ECNF's suggestion of a meeting with LCC Highways has not been taken up (Appendices 5 and 6). In these circumstances it is felt that the MDC's transport/traffic proposals should be subjected to an independent review and report to RBC before any consideration thereof.

11.12 As ECNF's comment in Table 4 in paragraph 18.1 below about 'Replacement parking for residents' shows, the developers' response is inadequate.

11.13 Eddisons' Highways Consideration of Masterplan Note (referenced at paragraph 10.7.4 above) speaks at paragraphs 1.41 to 1.43 to the Market Street/Northstone Site Access junction, but the Local Plan is clear that the Northstone site would take access from Blackburn Road.

11.14 The Note goes on to consider the 'Market Street/Blackburn Road/Burnley Road signalised junction' at paragraphs 1.44 to 1.46. This junction has four arms under signal control. An accurate Note would have included Guide Court in the description. Table 4 at paragraph 1.45 refers to the 'Blackburn Road (S)' approach, which we take to mean the approach from south of the junction, but Blackburn Road does not lie on the south side of the junction. The options for traffic from the south are: right/ahead/filter left giving way to right-turning vehicles from Burnley Road, but the Note does not show this. The Note states two options for traffic from Guide Court, but in fact there are three.

11.15 It is therefore apparent from the Note that the compilers lacked a clear understanding of the subject.

Section 12 Compensatory improvements to Green Belt; Pedestrian and cycle connectivity

12.1.1 The Executive Summary (Criterion 7) claims:

*The Masterplan confirms that applications will improve accessibility to wider Green Belt through enhancement of PROWs and local recreation facilities. Off-site compensation for improvements to the wider PROW network and local recreation facilities are noted at **page 48** and can be secured through S106 contributions from individual applications.*

12.1.2 It is disputed that the MDC confirms anything of the sort. Furthermore, it is unclear what is meant by "wider Green Belt". The expression "the wider PROW network" suggests that the sentence preceding it is concerned with on-site PROWs. If the MDC is suggesting that PROW enhancements within H66 (outside the Green Belt) count as a compensatory improvement within the Green Belt, the authors are misdirecting themselves. What is clear is that they are in persistent denial of the requirements of national, local and site-specific policy, where green belt designation is removed, for compensatory improvements in the remaining

green belt. The sentence “*Off-site compensation . . . are noted . . .*” makes no sense, as the subject “*compensation*” does not relate to the verb “*are*”. No specific improvements to the PROW network and local recreation facilities are noted at page 48. All that page 48 says on this subject is

Off-site Green Belt compensation measures for improvements to the wider PROW/Bridleway network and local sports and recreation facilities can be secured through proportionate S106 contributions from individual applications.

Page 48 does not make clear that those improvements must be made within the remaining Green Belt.

12.2 We question why the plan on pages 7 and 51 shows “Proposed pedestrian/cycle access” at the junction of FP126 with Market Street and at its junction with FP127 when the plan shows that Footpath 126 at these points and Footpath 127 at its junction with FP126 are outside H66. There is no PROW for cycles on these footpaths, and that would continue to be the case unless the relevant authority reclassified them or the owner re-dedicated them. The MDC does not assert that any of the owners of H66 owns the footpaths at these points and is thereby in a position to re-dedicate them.

12.3 The statement in the text on unnumbered page 68 -

Existing PROW routes through the site should be made suitable for cycling where viable to act as an informal expansion of the local cycling network -

fails to acknowledge that, whilst within the site the owner might re-dedicate public footpaths for use by cyclists as well, outside the site there is no public right to cycle on FP 126 and FP127.

12.4.1 The plan ‘Strategic Principles: Pedestrian and Cycle Connectivity on unnumbered page 48 differs from that on pages 7 and 51 in its treatment of proposed pedestrian and cycle routes, as shown in Table 1 below.

Reference	Location of route in H66	Caption on plan on page 48	Caption on plan on pages 7 and 51
1	Exchange Street to Woodlands Road	Proposed pedestrian connection	Indicative pedestrian/cycle route
2	Recreation ground towards: north-west part of TW land (page 48) OR top north-west corner of TW land (pages 7 and 51)	Captions at both ends: Proposed pedestrian and cycleway connection. Caption at south end adds: to land ownership boundary	Indicative pedestrian/cycle route. (Co-extensive with estate road for part length).
3	Top north-west corner of TW’s land to Church Lane	[Not marked]	Potential pedestrian/cycle route’
4	North-west part of TW land to Market Street via the driveway serving Alderwood	[Not marked]	Potential pedestrian/cycle route’
5	Church Lane to Blackburn Road via western edge of H66	Potential future (sic) pedestrian link	Indicative pedestrian/cycle route

Table 1: Comparison of plan on unnumbered page 48 with plans on pages 7 and 51

12.4.2 The marking of routes within H66 as ‘Potential pedestrian/cycle route’ demonstrates that the respective owners of the potential routes are not on board with the MDC.

12.4.3 The variety of adjectives - proposed, potential, indicative - is confusing.

12.4.4 The plan on unnumbered page 48 marks two routes as for pedestrians, but the other shows them as pedestrian/cycle. This is despite the fact that the main sub-heading on page 48 is 'Pedestrian and cycle connectivity'. The confusion alone renders the MDC unfit for purpose.

Section 13 Landscape Design Principles and SUDS

13.1 The second bullet on unnumbered page 60 needs to allow the removal of invasive, poisonous or dangerous plants and the removal of vegetation in accordance with good horticultural and arboricultural practice.

13.2.1 In the penultimate bullet on unnumbered page 60 insert after "pond/s" "in strict accordance with a design previously approved in writing by the Lead Local Flood Authority and by National Highways or other body responsible for maintaining the adjacent A56".

13.2.2 The last bullet on page 60 is nonsensical as it avoids a crucial point - the Green Belt boundary is now the A56. It is hard to understand the purpose of the word 'retained' in the bullet - land is either Green Belt or it is not. The bullet, which is inconsistent with the new woodland structure proposed on unnumbered page 42 (see paragraph 7.1 above), states:

Development proposals that interface with retained Green Belt land will need to consider and justify an appropriate boundary treatment of dry stone walls, native hedgerows or open boundaries depending on the character of the development and views towards the boundary interface.

13.2.3 It is probably the case that the Green Belt boundary is entirely on, and short of the boundary of, land within the ownership of National Highways. In that case, no development proposal on H66 will interface with Green Belt. If the bullet means development proposals in proximity to the A56, it should say so.

13.2.4 The Response by National Highways to the application posted on the RBC website pages for the application on 25th September 2023 (repeating comments posted on 26th June 2023 and 8th December 2022) stated:

Landscaping and Safety

Notwithstanding the comments in the section above, we welcome the fact that the proposed development would include a significant area of landscaped separation between the dwellings and the A56 boundary. Besides the SUDS pond, the landscaping is shown to also include a children's play area, areas of planting as well as incorporation of the existing public rights of way and access to the Chatterton Hey accommodation bridge.

The applicants need to be aware that the adjoining landowner has responsibility for fencing the boundary with the trunk road, not National Highways, and that the existing wooden post and rail boundary fence (which is in relatively poor condition) is their responsibility to maintain. The existing fence is of a stock-proof type typically associated with adjoining agricultural use and is not suitable where adjoining land is developed and where the risks of pedestrian or animal intrusion onto this high-speed trunk road dual carriageway are greater and of a different nature.

National Highways will therefore be requesting that the existing wooden post and rail boundary fence with the A56 is replaced for the entire length of the development boundary with the trunk road with a close-boarded or mesh type of fencing of an appropriate height so as to prevent children, or dogs not on a lead, from wandering onto the A56; something that may have catastrophic results. The likelihood of this is much greater due to the presence of the dwellings themselves, a children's play area and the landscaped public open space (as opposed to private farmland at present that is some distance from existing residences in the area).

We also suggest that the lines of planting shown on the detailed layout (colour) drawing are widened and made denser, especially along the boundary zone with the A56 to act as a further barrier and natural deterrent to unauthorised access onto the trunk road. Care will however need to be taken to ensure that any buried highway drainage is unlikely to be damaged by tree roots. We also suggest that these planted areas should also be fully enclosed with appropriate fencing on all sides (at least temporarily for the first 10 years or so to protect the planting whilst it establishes.

*There is presently no continuous verge safety barrier on the A56 southbound adjoining this site. **In light of the change in land use from agricultural to housing / public open space, National Highways requires that a Road Restraint Risk Assessment safety barrier requirements assessment is carried out by the applicants under the Road Restraint Risk Assessment Process in accordance with standard CD377 of the Design Manual for Roads and Bridges.***

13.2.5 It is thoroughly dishonest for the MDC to present a supposed landscape design principle that completely ignores National Highways' well-publicised requirements for the closest fence to the Green Belt.

13.2.6 Unnumbered page 38 of the MDC states that acoustic fencing might be a way to mitigate noise from the A56. The source of the noise is marked on the 'Site constraints and opportunities' plan on page 39. An 'A56 acoustic mitigation corridor' is marked on the plans on pages 7 and 51. Therefore the last bullet on unnumbered page 60 needs to own up to and discuss the likelihood of an acoustic barrier, its height and its appearance, as this too is a candidate for the closest fence to the Green Belt.

13.3 The text and Codes on unnumbered page 62 must be amended to show that any SUDS must be constructed in strict accordance with a design previously approved in writing by the Lead Local Flood Authority and by National Highways or other body responsible for maintaining the adjacent A56 and maintained in strict accordance with arrangements previously approved by those bodies.

13.4 Criterion 8 of the SSP requires "[Geotechnical investigations to confirm land stability and protection of the A56, and suitability of locating SUDs close to the A56](#)". The note in the Executive Summary (page 9) that

The Masterplan accounts for ground conditions and land stability. The TW Phase 1 application includes a detailed Site Investigation worked up in dialogue with relevant consultees, as will subsequent applications to allow detail to be refined/agreed.

is misleading. The MDC does not demonstrate compliance with the SSP. The suitability of the proposed SUDS has yet to be ascertained. National Highways are yet to be satisfied that the application will not adversely affect the A56. RBC's consultants continue to investigate geotechnical issues.

13.5 On page 63 Code NA 06 should be amended by the addition of 'or, in the case of an application made before this Masterplan and Design Codes were approved, at the date of approval of the application'. Otherwise, a developer could take advantage of submitting an application before the MDC is approved, despite the fact that the application should conform with the latter.

13.6 Unnumbered page 38 states:

The lowest lying land within the allocation is generally located along the western site boundary. This is the most suitable location to accommodate sustainable drainage ponds associated with development.

That might be so, but the text needs to be qualified by noting that it has yet to be demonstrated that H66 can safely accommodate one or more SUDS without detriment to the safety and stability of the A56.

13.7 Likewise, unnumbered page 42 stating:

Additional space is allowed along the south western edge of the site to provide surface water attenuation areas in the lowest lying parts of the site

needs to be qualified by noting that it has yet to be demonstrated that H66 can safely accommodate SUDS and that any such pond will need the approval of LCC as LLFA.

13.8 If we accept the definition of 'spring' as 'place where water naturally flows out of the ground', it is hard to understand the statement on unnumbered page 38 that

Another small spring passes through the southern part of the allocation site, located to the rear of Eden Avenue and Oaklands Road.

Similarly difficult is the key's description "Spring" for the long green dotted lines on the map on page 39.

13.9 In respect of criterion 5 v, the Executive Summary claims:

Existing landscape features are retained throughout the allocation and green corridors permeate larger development parcels.

That is arrant nonsense - it is obvious that the existing landscape will be obliterated by large-scale housing development. The one landscape feature that should be removed, the artificial mound (paragraph 7.5 above), is retained. Brief reference to the plan on pages 7 and 51 confirms that it is wild exaggeration to state that the larger parcels are permeated by green corridors.

Section 14 Area Types

14.1 The proposed use of reconstituted stone (or fake stone, as the Places Matter assessment called it) as the building material in Edenfield Core (unnumbered page 82) is unacceptable. The reasoning is said to be:

Should complement the aesthetic of building materials found in the historic centre of the village due to visibility from Market Street, the immediate PROW network and wider views from the west of Edenfield.

We take this to mean that the building material is required to complement the aesthetic of the village centre, but fake stone will simply appear incongruous with the built environment, as the image (of FP126 bounded on one side by a drystone wall and on the other by a wall of reconstituted stone) at the top of page 83 shows.

14.2 The philosophy behind the Village Streets area type (unnumbered page 84) appears to be: 'It can't be seen, so design and appearance don't matter'. The fact is that it will be seen, from the A56, from the opposite side of the valley, from the churchyard, from properties along Market Street, from Exchange Street and the Recreation Ground and from higher ground to the east. It would also be seen from the Edenfield Core area.

14.3 The use of red brick on such an extensive development is out of keeping with the built environment. It would immediately stigmatise Village Streets as the 'cheap streets', an inferior part of the development compared with Edenfield Core. In the area bounded by Exchange Street, FP 127, the A56 and the B6527 there are only thirteen brick buildings: 43 and 45 Market Street, Alderwood, 1-9 Alderwood Grove and a small electricity substation. If Randall Thorp consider that the Alderwood Grove development, dating from the late 1970s, serves as a precedent or some sort of justification for extensive brick development in their Village Streets Area Type, they must think again. The Alderwood Grove development is very small in comparison with H66 and its building material may be regarded as anomalous. It must be noted also that it

was not subject to strict policies such as those that require high-quality development at H66. As the MDC states at page 28 -

New development should be influenced by the positive architectural elements found in the village. Avoid recreating less successful architectural styles which have crept into the setting over time.

14.4.1 The claimed reasoning and influences for the red brick are

The area will be less visually prominent in the wider landscape resulting in increased potential to use varied building materials, drawing inspiration from post-1930's development in the southern part of Edenfield. This will add interest and variety to the wider development.

In this context “varied” seems to be a euphemism for “cheaper”. There is no reason to use development in the southern part of Edenfield, which is more distant from the Village Streets area than largely stone-built Market Street, as an inspiration - this just appears to be a poor excuse. Criterion 5 vi of the SSP requires materials and boundary treatments to reflect the local context.

14.5.1 The “Key views to be considered” for Village Streets are identified as “Quality of views to and from recreation ground”. This is simplistic and incomplete, but on Code AT/VS 08’s limited terms the claimed reasoning and influences are:

Ensure development provides a characterful and attractive elevation to the interface with Edenfield Recreation ground.

A mass of redbrick elevations is unlikely to be characterful and attractive. It is essential to consider also views across the valley to the west and to preserve them as well as views to and from the Parish Church.

14.5.2 In Edenfield Core, Code AT EC 08 needs to refer to views to and from the Parish Church and Churchyard.

14.6 Notwithstanding the warning on unnumbered page 80 -

Where relevant, accompanying vignettes are not intended to be taken as literal representations of the different area types and are for the purpose of providing an illustrative view of each area -

the image on page 85 captioned “Indicative character of the Village Streets” is extremely misleading in showing brick detached houses with front lawns and side parking, flanked by properties in fake stone, since

- the depicted scene is not consistent with a density of 35-40 dph;
- the only building material proposed by the MDC for houses in Village Streets is red brick; and
- there is no indication of the red brick front boundary walls.

14.7 A glaring omission from the Codes for both Edenfield Core and Village Streets is any reference to designing the layout of the housing parcels to allow views to the Church to continue, although this is required by criterion 5 ii of the SSP. See also paragraph 14.10 below.

14.8 Unnumbered page 36 identifies the listed building and non-designated heritage assets of direct relevance to H66. These are the Parish Church, the former Vicarage, Mushroom House and Chatterton Hey. Under the heading “Design Influences”, the page states:

Heritage assets act as local landmarks that contribute to sense of place. Guide pedestrian movement routes to pass alongside heritage assets to allow visual appreciation

Ensure adjacent housing is complementary in architectural style and materials.

That is a simplistic approach. There needs to be a distinction between buildings that are public (the Church) and those in private occupation (the other three). The Churchyard, bounded on two sides by a public

highway or right of way, is open to the public and anyone can walk round the exterior of the Church. The other three are all adjacent to rights of way, and there is no need for new routes, which would be likely to impinge on the privacy and security of the properties.

14.9 It might legitimately be expected that ensuring that new housing adjacent to heritage assets “*is complementary in architectural style and materials*” would be carried forward to the Site Wide or Area Codes. Unnumbered page 38 says that

Development must ensure that the setting of these buildings is conserved, and where possible enhanced,

but the Codes completely ignore heritage issues. They do not conform with paragraph 122 of the Local Plan, which requires development to consider the effect on the significance of heritage assets and to safeguard their setting.

14.10 Doubling down on the omission of views to and from the Parish Church from the Area Codes (see paragraph 14.7 above), the Executive Summary is dismissive of the need to comply with criterion 5 ii ([Layout of the housing parcels to allow views to the Church to continue](#)) of the SSP. All it says (unnumbered page 8) is:

The Masterplan will have minimal impact on existing views to the Church as they will be above the roofline of the new houses. Detail be refined through subsequent individual planning applications.

Criterion 5 ii needs to be embedded in the Site Wide and Area Codes. For all the reasons in this paragraph and paragraphs 14.7 to 14.9 above, the Executive Summary is wrong to claim (unnumbered page 8):

Masterplan fully accounts for existing heritage assets (pages 36 - 39)

14.11 The key characteristic of the key views to be considered for Chatterton South is the “*Visual quality of development interface with PROW route*”. The reasoning and influences are:

PROW passes along the perimeter of the area. Development should ensure high quality design at this interface to ensure the route remains pleasant and usable.

This is good, except for the implication that, away from the interface, design might not be of high quality. Paragraph 125 of the Local Plan is clear that development of H66, that is, all of H66, “*must be of a high quality design*”.

14.12 For Edenfield North, buff brick is one of the building materials proposed (unnumbered page 88). Natural stone would be the only acceptable building material at the approach to Edenfield. The proposed brick buildings might be out of view from Blackburn Road but would be an incongruous sight from the A56, from adjacent PROW and from across the valley.

14.13 The image of Burnley Road on page 89 with nos 101-105 in the foreground is captioned “*Proposed materials to complement existing local vernacular - white render*”. This is odd, because

- render (a coat of cement on an external wall of a property) is not a building material proposed for Edenfield North;
- nos 101-105 have a coat of white masonry paint, not cement; and
- the scene is at some distance from H66.

14.14 In the light of paragraphs 14.1 to 14.12 above, the suggestion on unnumbered page 58 -

Across the allocation building materials should broadly comprise a mix of natural stone, reconstituted stone, brick (of different shades), timber, render, slate (or suitable modern equivalent) -

must be withdrawn, as it disregards the fact that building materials suitable in one Area Type might be unsuitable in others.

14.15.1 All the Area Types propose a percentage of 2.5-storey dwellings “where appropriateness can be demonstrated”. That qualification is too weak. At the least, the words “to the satisfaction of the local planning authority” need to be added in each case. Crucial issues are whether higher buildings would have a detrimental impact on key views or glimpses of the countryside. Paragraph 125 of the Local Plan is relevant:

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.

14.15.2 Therefore a proviso needs to be added to the applicable Area Type Codes - “provided that no building of 2.5 storeys shall be permitted where it would obstruct or reduce a view of the distant landscape or the Parish Church”. The sentence in the Reasoning and influences for Code AT/VS 04 -

Appropriately located 2.5 storey development can add interest to the roofscape and street scene at this central village location -

must be deleted, as it wrongly implies that adding interest to the roofscape and street scene (or building bigger houses) is of importance equal to or greater than preserving views of the landscape and Church

14.16.1 In all the Area Types, in the subject “Key views to be considered”, the word “considered” should be changed to “protected”.

14.16.2 RBC have raised concerns about the MDC’s failure to deal adequately with preserving key views. ECNF share those concerns. The inadequacy of the MDC’s response is noted at Table 4 in Section 18 below in ECNF’s comment about the subject ‘Layout and a key view’.

14.17 The front boundary treatments (Area Type Codes AT/xx 07) for Edenfield Core and Village Streets, but not Chatterton South or Edenfield North, include railings as front boundary treatments. It is not clear whether they would be set in the ground or wall-mounted or how high they would be. In the absence of any illustration, it is not clear whether their appearance would be ornamental, utilitarian or industrial. No explanation for their proposed use is provided under “Reasoning and influences”. The lack of detail is unacceptable.

14.18 Historically, dwellings in Edenfield, particularly in the central and northern parts, have been built individually or in batches of up to ten. In the case of terraced houses, rows or blocks built in different styles are common. The MDC should be promoting this local characteristic as a reference for development proposals but simply ignores it.

Section 15 Land use and density

15.1 In the Local Plan, Policy HS2: Housing Site Allocations proposed 400 homes for H66 on a net developable area of 13.74ha at a density of 29 dph. In contrast, unnumbered page 44 states:

The masterplan indicates a residential net developable area of 13 hectares. Delivery of 400 dwellings across the allocation site equates to an overall development density of 31 dwellings per hectare.

Having regard, *inter alia*, to paragraphs 120 and 125 (quoted at paragraphs 2.3 and 5.5.1 above and 15.4 below) of the Local Plan, it is strange that the MDC is proposing to increase the density from that proposed in the Local Plan. As the residential net developable area is now found to be less than that stated in the Local Plan (the net developable area of the TW site is only 7.1ha, down from 9.12ha in the SHLAA - *per* Planning Statement, paragraph 3.9), the number of dwellings proposed needs to be correspondingly reduced and to take account of the ten which have already been built at Pilgrim Gardens / Market Street (Horse & Jockey site).

15.2.1 In stating “*a residential net developable area of 13 hectares*” for H66, unnumbered page 44 conflicts with unnumbered page 22, which claims:

Current ownership and control for the 'developable' areas of the H66 allocation is as follows:

. . . Taylor Wimpey are freehold owners of largest central part of the allocation (totalling 12.5 hectares). . .

Anwyl Land control the southern parcel (measuring 4.75 hectares). . .

Peel are freehold owners of the majority of the northern part of the site (measuring 2.2 hectares). .

Richard Nuttall controls the land (measuring 1.85 hectares) to the far north of the allocation . . .

David Hancock controls land [actually he does not - see paragraph 3.1.5 above] (measuring 1.01 hectares) at Alderwood bungalow, located off Market Street.

Those numbers add up to 22.31ha and would appear to refer to the gross site areas rather than the developable areas. Unnumbered page 22 is also wrong to suggest that TW own all the central part of H66, which, as the Policies Map shows, includes the completed Pilgrim Gardens development (Horse & Jockey site) and land at and around the bungalow called Alderwood and the former Vicarage.

15.2.2 Table 2 below summarises the relevant information in the SHLAA, which formed part of the evidence base for the Local Plan.

SHLAA ref	Owner	Gross area (ha)	Available area (ha) for development	Net development area (ha)	Dwellings yield at 30 dph
16263	Methodist Church (Agent - Anwyl)	4.75	3.1	2.32	70
16262	TW	12.5	12.16	9.12	273
16256	Peel L&P (some) & Richard Nuttall (some)	3.69	2.79	2.09	63
TOTALS		20.94	18.05	13.53	(406 'rounded' to) 400

Table 2: Summary of information in SHLAA about H66

15.2.3 Table 7 in Policy HS2: Housing Site Allocations shows the net developable area of H66 as 13.74ha rather than 13.53 ha, but this is probably explained by the inclusion of the Horse & Jockey site. Table 7 contemplates a yield of 29 dph at H66, resulting in 400 dwellings. It seems not to take into account any developable land at Alderwood or the former Vicarage.

15.3 The density of 35-40 dph for Village Streets (unnumbered page 84) is extremely concerning, as it is up to 38% more than the density for H66 in the Local Plan. The stated reasoning and influences are:

Reflects proximity to services & public transport network

That looks as if the authors of the MDC are seeking to take advantage of a potential ambiguity in the Local Plan, about which ECNF made representations during the Examination. The ambiguity lies in Policies HS2 and HS4 and paragraphs 120, 125, 140 and 141 of the Local Plan.

15.4 Table 7 in Policy HS2: Housing Site Allocations posits a density of 29 dph for H66. Paragraph 120 says that H66 will require a well-designed scheme that responds to the site's context and makes the most of the environmental assets. Paragraph 125 of the Local Plan provides:

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.

15.5 Policy HS4: Housing Density provides:

Densities of at least 40 dwellings per hectare should be provided within town and district centres.

The density of the development should be in keeping with local areas and have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area.

The first sentence of that policy is not applicable to Edenfield, as it is not a town or district centre, as defined in Strategic Policy R1: Retail and Other Town Centre Uses, but the second applies to all housing development. Paragraphs 140 and 141 read as follows:

140 Densities in excess of 40 dwellings per hectare will be expected to be delivered in town centres within Rossendale. Other sustainable locations where higher densities will be expected include sites within the urban boundary and within reasonable walking distance to bus stops on key corridors such as the X43 and 464 bus routes. Inclusive Mobility – Gov.uk propose that 400m walking distance to a bus stop as (*sic*) a suggested standard. High quality design can ensure that high density proposals are good quality schemes.

141 It is recognised that housing densities will be lower in other areas of the Borough because of physical constraints and on site issues, for example, topography, areas at risk of flooding and landscape.

Site promoters might be arguing here that paragraph 140 supports high-density development at H66 because it is within the urban boundary and within reasonable walking distance of bus stops on another key corridor and because the paragraph points out that high density and good quality are not mutually exclusive.

15.6 However, the fact remains that, taking the Local Plan as a whole,

- it clearly identifies a density of 29 dph for H66
- paragraph 120 says that H66 will require a well-designed scheme that responds to the site's context and makes the most of the environmental assets
- paragraph 125 requires development of H66 to make a positive contribution to the local environment and consider the site's form and character, and to be of a high quality design using construction methods and materials that make a positive contribution to design quality, character and appearance

- Policy HS4 requires development to have no detrimental impact on character, appearance, distinctiveness and environmental quality of an area, and
- paragraph 141 recognises that densities may be lower because of physical constraints and on-site issues, for example, topography and landscape.

15.7 In short, the proposed density of 35-40 dph for the Village Streets Area Type -

- does not respond to the site's context and fails to make the most of H66's environmental assets.
- does not make a positive contribution to the local environment
- has a detrimental impact on character, appearance, distinctiveness and environmental quality of the Area, and
- fails to recognise on-site issues of topography and landscape.

The stated reasoning (*Reflects proximity to services & public transport*) is irrelevant.

15.8 Table 3 below summarises the densities of development clusters near H66 as shown on pages 29 to 31. Additionally it shows the densities of a couple of recently approved developments nearby and the density shown in the Local Plan for site H65 on the other side of Market Street. Only three of the sites have a density of more than 30 dph. Two of these (49-77/58-82 Market Street and Bolton Road North) are distinguishable as they feature long terraced rows on a main road. The Pilgrim Gardens development includes a short terrace fronting a main road. Pilgrim Gardens should not be regarded as a precedent for a high density on H66. It is easily distinguished from H66 (although RBC wrongly insisted at the Local Plan Examination that it was part of H66 and the Policies Map wrongly shows it as such), as it was a windfall brownfield site with a disused public house, it was very small compared with H66, it was never in the Green Belt and, when planning permission for housing was granted, it was not subject to stringent policy requirements such as those in the SSP.

Location	Density (dph)	Source
Moorlands View, 14/16 Crow Woods and 57-61 and 97/99 Burnley Road	30	MDC, page 29
24/26 Blackburn Road, 21/23 Burnley Road and Esk Avenue	13	MDC, page 29
Church Court and 2 Church Lane	21	MDC, page 29
Alderwood Grove and 115-129 Market Street	25	MDC, unnumbered page 30
49-77 and 58-82 Market Street	45	MDC, unnumbered page 30
24-46 & 69-95 Eden Avenue and 2-6 Highfield Road	28	MDC, page 31
Acre View and 1-45 & 30-58 Bolton Road North	39	MDC, page 31
Site of Hawthorn House, Rochdale Road	18	Planning application 2021/0454
Pilgrim Gardens and 79-85 Market Street	43	Planning application 2015/0238
Land east of Market Street (H65)	29	Local Plan, Policy HS2, Table 7

Table 3: Selected comparative densities of development near H66

15.9 The Chatterton South Area Codes (unnumbered page 86) contemplate a density of 36-45 dph, up to 55% more than the Local Plan indicated. The reasoning and influences for this are:

Visually discrete setting within Edenfield provides opportunity to maximise density in a location close to services & public transport.

It is not clear why a visually discrete setting should be an acceptable reason for cramming dwellings together. The density is excessive. Nor is proximity to services and public transport any justification for over-development. Paragraphs 15.3 to 15.8 above apply to Chatterton South as well as to Village Streets.

15.10 Unnumbered page 88 identifies a density of 30-34 dph in Edenfield North. That seems excessive, given the Local Plan's expectation of 29 dph in H66 as a whole. It means that the MDC proposes a potential density of more than 29 dph in all four Areas. The reasoning and influences for the density in Edenfield North are said to be

Lower density than Edenfield Core to reflect position at northern fringe of Edenfield

This makes no sense, as the proposed density of Edenfield Core is the lowest of the four Area Types at 26-30 dph.

16 Equality and Human Rights

16.1 In addition to the specific plight of disabled residents in existing houses raised at paragraph 11.8 above, there are wider equality and human rights implications for Edenfield as a whole.

16.2 The masterplan focuses on the proposed development and protected characteristics (including but not limited to age and disability) of prospective residents of H66 to the detriment of existing village inhabitants. For example, disability access is mentioned for new houses, as are width of streets, vehicular access and driveway widths, but residents who are elderly, frail or disabled in existing houses face potential safety risks from new junctions to facilitate development of the site and the general increase in traffic.

16.3 No account is taken in the MDC of the effect on people's physical and mental well-being arising from worry about or caused by the development, which may be exacerbated by a protected characteristic.

16.4 The issue of schools for children and young people is also neglected within the Masterplan and affects both current and prospective residents. The probability is that as development of H66 progresses, not all Edenfield children of primary school age will be able to attend a local school (Edenfield CE PS or Stubbins .) The reality is that, if children are forced to attend PS up to two miles away, they will be taken there by an unsustainable mode of transport.

16.5 RBC has an obligation under section 149 of the Equality Act 2010 (the Public Sector Equality Duty) to have due regard to equality considerations when exercising their functions. As a way of facilitating and evidencing compliance with that duty, RBC is urged to conduct an Equality Impact Assessment of the MDC. to ensure that this is undertaken and that measures are considered: -

- to eliminate unlawful discrimination
- to advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

16.6 There is an inherent danger of becoming fixated on development of H66, to the exclusion of the duty under the Equality Act 2010.

16.7 The Equality Impact Assessment should be informed by evidence of impact, with all design decisions (and the reasons and evidence behind them) documented contemporaneously and transparently, making it clear how the needs of all modes and users have been considered. This should incorporate the whole of Edenfield, not just H66 and have full regard to existing residents as well as prospective residents of H66.

17 Possible extension of Edenfield CE PS

17.1 In respect of criterion 9 the Executive Summary claims:

The Masterplan identifies the land to the rear of Edenfield CE PS for potential expansion (page 51) and makes a commitment that this land can be made available should the local education authority identify a need, with detailed arrangements to be agreed through subsequent planning applications.

It may be doubted whether a masterplan can make any such commitment, but, even if it were an appropriate vehicle, the MDC does not actually contain one. Apart from marking a plot on the plan on pages 7 and 51 “Potential school expansion land”, all the MDC says (unnumbered page 22) on the subject is:

Peel also control land to the east of Burnley Road, some of which can be made available for school expansion land, public open space and/or community car parking subject to planning requirements in accordance with the Rossendale Local Plan.

At the very least, a commitment would have said “will”, not “can”. Whilst this of itself is not a reason to reject the MDC, it is yet another example of its misrepresentations.

18 Table of responses to Council comments

18.1 Separately from the MDC, an anonymous Table of the Developers’ Responses to RBC’s Comments about Version V13 of the MDC has been produced, purporting to demonstrate how the MDC addresses comments from RBC. It was publicised by RBC in September 2023. By reference to the numbers in the left-hand column of that Table, ECNF consider in Table 4 below selected responses and comment as follows:

Reference number	Subject of response	ECNF comment
[PAGE 1]		
1	Dwellings at junctions and nodal points	The response should refer to unnumbered page 72, not 74, although the muddle is understandable owing to the intermittent numbering of pages in the MDC.
3	House types	The response says the RBC comments are included in paras 2 & 3 on page 77. In reality, nothing in that para 3 addresses the RBC concerns. ‘Should incorporate innovative designs and feature glazing’ is ignored.
6	Boundary treatments in all areas	The cited Area Type Codes relate only to Front boundary treatments. RBC’s comment about retaining walls is not addressed.
9, 10	Quality paving, not tarmac	In defiance of RBC’s ‘No tarmac’ stipulation, tarmac is the first option in the Surface materials palette for driveways and private drives.
11	Public open space within developed areas	‘Development proposals should consider’ (page 60, 5th bullet) is well short of the requirement RBC seek, and RBC’s examples should be reproduced in full. See also paragraph 9.2 above.
13	Long views to Peel Tower and Emmanuel Church	Inadequate response to RBC - see paragraphs 7.4.2 and 7.4.3 above and Section 14 above.

Reference number	Subject of response	ECNF comment
14	Green Belt boundary treatment	See paragraphs 13.2.2 to 13.2.6 above. RBC sought clarity. They received a thoroughly misleading response.
18	Coloured chippings, explanation of images	Another wholly inadequate response. The second bullet on unnumbered page 46 might have been changed, but is contradicted by the unchanged legends about chippings on the 'Off site highway improvements' plans on unnumbered page 46 and on page 47. As the plans purport to have been updated after '29/08.23', there is no excuse or perpetuating the obsolete wording. The MDC must be rejected for ambiguity. The request to explain the images has been treated with contempt; such explanation as is given is unchanged from Version V13 of the MDC.
[PAGE 2]		
1. i	All owners to be involved.	MDC is claimed to be endorsed by all 5 owners, but this is not apparent - see paragraph 1.2 a) above and paragraphs referred to therein.
1. ii	MDC must provide overall framework	Still too much 'to be agreed' and 'to be confirmed through planning application'. See, for example, page 46.
1. iii	No programme of implementation and phasing	The response is outrageous. See paragraphs 3.2.1 to 3.2.10 above.
2. Context i	Edenfield Neighbourhood Plan	See Section 5 above.
2. Built form i	Layout and a key view	<p>a) RBC's comment related to the view from the NE-SW internal road in TW's southern parcel, marked on the plan on pages 7 and 51. The comment refers to the plan on unnumbered page 48 which does not show that road and to an 'Annotation and arrow' thereon relating to 'Potential views' from FP126 and the NW corner of TW's northern parcel. RBC's comment is therefore simply not addressed.</p> <p>b) RBC asked for the key view to Peel Tower to be highlighted in the key characteristics for 'this area', which the plan on page 49 identifies as mainly in Village Streets, partly in Edenfield Core. Area Type Code AT/VS 08's Key characteristics are simply: Key views to be considered - Quality of views to and from recreation ground. There is no mention at all of the view to Peel Tower.</p> <p>c) Area Type Code AT EC 08 refers to key views of Peel Monument and Emmanuel Church but only from PROW, not from the NE-SW internal road.</p> <p>d) The response refers to Code AT CF 08 for Chatterton South, but this is not germane.</p> <p>e) The response refers also to unnumbered page 26. It claims that the second paragraph of 'Westward views' on that page contains a general requirement to protect key views. That is wrong. It requires nothing. It is purely descriptive. Nor does it identify any views as key views.</p> <p>f) The response cites the 'Design influences' box on unnumbered page 26 as requiring key views to be protected. It is weakly worded and any value it has is diminished by the failure of the Area Type Codes (also weakly worded) to recognise all the key views.</p> <p>g) See also paragraphs 14.5.1, 14.5.2, 14.7, 14.16.1 and 14.16.2 above.</p>

Reference number	Subject of response	ECNF comment
2. Built form ii	Building heights	The response refers to the Area Type Codes on Height and quotes them inaccurately. By prefacing “where appropriateness can be demonstrated’ with the word ‘or’, the response makes the Codes sound as if the percentages may be exceeded. Please see paragraphs 14.15.1 and 14.15.2 above.
2. Built form iii	Boundary treatments	RBC’s request was for dry stone walls and hedges along Market Street and Blackburn Road. The response refers to unnumbered page 58 (but that page says nothing about dry stone walls or hedges) and the Area Type Codes AT/xx 07. Those are concerned only with front boundary treatments and do not mention dry stone walls. The reference to AT/CS 07 is irrelevant to Market Street and Blackburn Road. In short, a complete failure to address the issue.
2. Active travel ii	Improvement of PROW	The response refers to pages 9 and 48, which are discussed at paragraphs 12.1.1 and 12.1.2 above. There are no statutory limitations on the content of a masterplan, and it is therefore legitimate for it to include such information as will contribute to effective development of H66. Discussion of its content should not be shut down by bandying the expression ‘high level document’.
[PAGE 3]		
2. Nature iii	Biodiversity	There are no statutory limitations on the content of a masterplan, and it is therefore legitimate for it to include such information as will contribute to effective development of H66. Discussion of its content should not be shut down by bandying the expression ‘high level document’. See also paragraph 7.6 above.
2. Uses i	Affordable dwellings	The response refers to Site Wide Code US 01. See paragraph 7.8 above for criticism of that Code. The response does not address RBC’s request for details of tenure.
2. Uses ii	Custom/self-build	The response refers to Site Wide Code US 01. See paragraph 7.8 above for criticism of that Code.
2. Homes & buildings Resources i	Dwellings orientated to maximise use of solar technology and preserve key views	The response refers solely to Site Wide Code RE 01 and evades the orientation issue.
[PAGE 4]		
3	Replacement parking for residents	The response claims that the seventh bullet on unnumbered page 74 confirms that the level of new visitor/community parking will exceed that displaced as result of the development. That statement is questionable. What the bullet says is that ‘[car parking will] Include kerbside visitor/community parking in appropriate agreed locations (with the level of new parking provision to exceed that displaced as a result of the development). If the locations are yet to be agreed, that is hardly confirmation of the new provision. The bullet promises kerbside parking, but the emphasis of the plans on unnumbered page 46 and page 47 is on off-street parking in locations of varying unsuitability. See Sections 10 and 11 above.

Reference number	Subject of response	ECNF comment
4. Design & layout i	Natural stone to be part of the materials palette	The response claims natural stone is included in all character areas - Area Type Codes AT/EC 06, AT/VS 06, AT/CS 06 and AT/EN 06. That is untrue: stone is not mentioned at all in AT/VS 06, and AT/CS 06 speaks only of stone/stone effect detailing.
4. Design & layout ii	Boundary wall treatments	The response claims unnumbered page 58 provides for use of stone for boundary walls in prominent locations. The truth is that it says: Boundary treatments should include stone walls. Retaining walls which are visually prominent should also be stone faced.
6	Compensatory improvements in Green Belt	The response refers to pages 9 and 48, which are discussed at paragraphs 12.1.1 and 12.1.2 above. There are no statutory limitations on the content of a masterplan, and it is therefore legitimate for it to include such information as will contribute to effective development of H66. Discussion of its content should not be shut down by bandying the expression 'high level document'.
7	Geotechnical investigations	There are no statutory limitations on the content of a masterplan, and it is therefore legitimate for it to include such information as will contribute to effective development of H66. Discussion of its content should not be shut down by bandying the expression 'high level document'. It is obviously essential to determine as early as possible whether H66 is suitable for SUDS. See also paragraph 13.4 above.
8	Expansion of primary school	The response claims a commitment in the MDC at page 51 to making land available for expanding Edenfield CE PS. This is an exaggeration - see Section 17 above. Citing unnumbered page 44, the response adds that detailed arrangements would be made through planning applications. That page does not actually mention planning applications in the context of school expansion.

Table 4: Observations on the Table of the Developers' Responses to RBC's Comments about Version V13 of the MDC

18.2 The analysis in paragraph 18.1 above demonstrates that the Table of the Developers' Responses is an unreliable document.

Richard W. Lester for self and on behalf of Edenfield Community Neighbourhood Forum

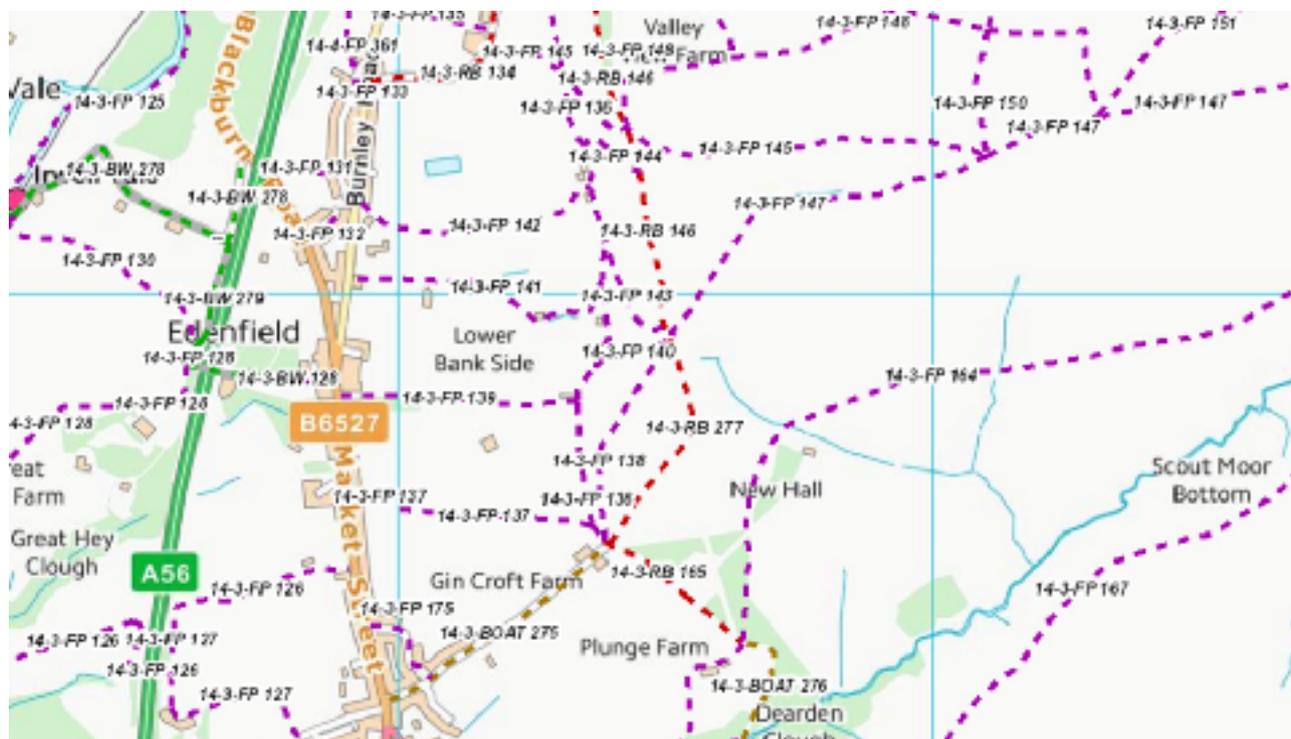
6 Alderwood Grove, Ramsbottom, Bury BL0 0HQ

6th November 2023

APPENDIX 1

Extract of map of Public Rights of Way in Edenfield

Paragraph 7.4.1



APPENDIX 2

Letter dated 9th August 2023 from SK on behalf of ECNF responding to consultation about Version V13 of the MDC

Paragraph 11.1

<https://edenfieldcommunityforum.uk/wp-content/uploads/2023/08/RBC-MAK-090823-FINAL-RESPONSE-SK-TRANSPORT-Aug-2023.pdf>

APPENDIX 3

ECNF Transport submission in MDC (Version V13) consultation of June – August 2023

Paragraph 11.1

EDENFIELD COMMUNITY NEIGHBOURHOOD FORUM (ECNF) JULY/AUGUST 2023 CONSULTATION TRAFFIC SUBMISSION re TAYLOR WIMPEY MASTERPLAN and PLANNING APPLICATION 2022/0451

GENERAL

An initial point to appreciate is that the issue of transport/traffic in conjunction with the H66 site has been raised many times by ECNF over recent years, in particular the need for firm proposals. It is true that the recent submissions have, at long last, provided some more detailed information but it is still very much short of a comprehensive plan. In many ways little has changed and the concerns raised both by ECNF and Edenfield residents still apply such that comments and objections previously made are still relevant and should be considered alongside any further comments/objections submitted in response to the latest proposals.

The comments in this document have been produced to reflect the views of Edenfield residents and are supplemental to the more technical points made on behalf of ECNF by SK Transport. A Residents event was held in the Edenfield Community Centre where feedback on the proposals was requested either verbally or in writing. The responses received in writing are attached to this submission (names and addresses have been redacted for the purposes of maintaining privacy).

PUBLIC TRANSPORT

There seems very little information supplied on the issue of Public Transport other than that it is clear there is no intention of expanding bus routes into the new areas of housing. The only actual comment made in respect of Public Transport is that the Pilgrim Gardens bus stop is to be moved to an unidentified location which, realistically, means it is to be removed altogether. No new facilities other than houses, roads and a small car park are proposed so all requirements of the new residents will involve off site travel. Whilst there are bus services through the village the usage thereof is very low compared to car usage. This position will deteriorate further with houses some distance from bus stops, one bus stop to be, at best, moved to an inconvenient location and the opportunity being missed to improve local facilities such as healthcare, schools (as far as this application is concerned) and retail outlets.

TRAFFIC CENSUS

It is noted that a Traffic Census was undertaken in April 2023. It is really not helpful to the credibility of the data collected that it doesn't cover a whole seven day period of activity. What about Monday, considered by many to be the busiest travel day and what about Sunday, the busiest day in Edenfield for on street parking?

There is also concern that "It is anticipated that the allocation will be completed by 2030" (paragraph 1.15 of the Highways Consideration of Masterplan). This seems extremely optimistic and it is felt that a more realistic view would be achieved by using 2040.

A further concern is that to predict trip rates "the highways officers at LCC have requested that the trip rates as per those used for North-West Preston should be adopted" (paragraph 1.25 of the Highways Consideration of Masterplan). The comparison area needs to be identified more specifically for any meaningful interrogation as to its suitability to be used in the case of Edenfield. A general comment at this stage would be that the North West Preston area seems potentially to be much more of an urban area than Edenfield and is likely to be far better served by bus and rail services than those available to residents of Edenfield. As such there is concern that the number of projected additional vehicle journeys is being underestimated.

MARKET STREET

As is well documented the Market Street corridor in Edenfield is a funnel for traffic with routes in the South converging from Rochdale, Bury and Ramsbottom at the Market Place mini roundabout and with routes in the North from Haslingden and Rawtenstall converging at the traffic light junction close to the PS and church. If the A56 is closed, blocked or experiencing slow movement then traffic leaves the A56 and the only viable alternative route is through Edenfield.

At the Southern end of Market Street are local businesses (including a bakery, butchers, two hairdressers, pharmacy, food takeaway and The Rostron Arms public house). Along Market Street are the Drop Off Café and several other businesses located in the former Co-op building. At the Northern end are The Coach public house/restaurant, the local PS and Grade 2* listed church. Market Street is mainly a street of traditional terraced properties many of which do not have private parking arrangements and consequently on street parking is essential for residents to safely and comfortably enjoy their homes. This road has the highest level of traffic use in the vicinity of the H66 site but is a B road in terms of its standard classification. However it is part of Lancashire County Council's Resilient Road Network and is the only route available for local traffic to journey from North to South of Edenfield and vice versa. It is a bus route, gritter route, refuse collection route, cycle route and, as well as motor cars, is used by agricultural vehicles, delivery vehicles, post office vehicles, milk delivery vehicles, heavy goods vehicles both on Market Street itself and for obtaining access to adjacent minor roads. It will also have to deal with construction traffic for the Taylor Wimpey site and potentially some of the construction traffic for other H66 sites. This usage is in an area that is the location of a considerable number of residential properties which, due to their high density level, generate a high number of both vehicle and pedestrian journeys.

Into the above scenario it is proposed that 400 dwellings be constructed immediately to the West of Market Street of which approximately 240 will access on/off Market Street by way of a single access point. There are also proposals in the near vicinity of the Taylor Wimpey site access point for a further 18 properties needing vehicular access onto Market Street from the site at Alderwood (planning application ref 2022/0577) and the site opposite Alderwood referenced as H65 in the Rossendale Borough Council Local Plan. The Applicant has rightly recognised the enhanced importance of Market Street by including in its proposals a gateway feature at either end. Taking all these factors into account **Market Street should not be regarded as low traffic residential estate route and therefore the very best design practice should be followed in respect of any proposed changes.**

In and within fairly close proximity to Market Street are approximately 600 dwellings. The proposed Masterplan under consideration involves the construction of about 400 new dwellings so a simple calculation indicates that traffic usage originating in the immediate vicinity will increase by 50% so a considerable intensification of usage on all local roads and junctions in respect of both vehicle and pedestrian journeys.

As reported in the SK Transport submission for ECNF a traffic survey in 2019 indicated about 8000 vehicle movements along Market Street per day. The information submitted by Eddisons (weekday am surveyed peak flows) indicates about 1500 vehicle movements between 7.45am and 8.45am and that 90%+ of these vehicle movements are in respect of through traffic. Some movements (maybe 5%) arise from residents departing from a parked position on Market Street and some movements (maybe 2.5%) arise from vehicles joining from side streets (Exchange Street, Gincroft Lane, Heycrofts View, Alderwood Grove, East Street and Church Lane and from land situated between terraced blocks of houses used for parking and in the case of 51 to 77 Market Street garages located behind the terraced housing.

The above indicates Market Street peak am traffic of one vehicle every 2.5 seconds (3600 seconds divided by 1500 movements) most of which travel the whole length of the road. Traffic joining Market Street arises at the rate of about one every 90 seconds (3600 seconds divided by (1500*2.5%)) which residents advise is already very difficult to safely achieve. The TW site is projected to generate an extra 107 weekday am departures onto Market Street so one vehicle about every thirty seconds (3600 seconds divided by 107) which raises the issue of how this will be achieved safely.

HIGHFIELD ROAD PARKING

Highfield Road and adjacent/connecting roads (Eden Avenue and The Drive) are also residential locations and were designed as access routes for local residents to their homes and not as thoroughfares for traffic to/from other areas. The number of houses in this area is approximately 180. No information has been provided on the number of new dwellings proposed for this area but a figure of 90 has been previously mentioned so a likely increase in journeys of 50%. There is, therefore, concern that significant additional traffic will arise on these routes from the Anwyl site which may affect safety and the availability of on street parking.

It is noted that details of current parking capacity for Highfield Road have been supplied in Appendix 1 of the Response to LCC Report Note. There is no reference to this location in the Highways Consideration of the Masterplan document. In view of the increased traffic which will arise from the Anwyl site on Highfield Road (and also Eden Avenue and The Drive) it seems reasonable to expect to see in the Masterplan the information to support the conclusion that these roads can cope with the increased traffic expected and retain all existing on street parking. This needs to be part of the Masterplan and not something left to be found necessary at some future date.

EXCHANGE STREET

The proposal to make it one way is presumably in recognition that exiting onto Market Street, close to the pedestrian crossing and where there are severely restricted views, is far from ideal. There also seem to be parking proposals but these are far from clear but, based on the faint yellow line shown on the Applicant's Proposed Highways Improvement Plan document, seem to involve the loss of residents' on street parking. Sadly the proposals on this corridor are far from clear and again the credibility of what is proposed is not helped in that the Proposed Highways Improvement Plan document does not include the Edenfield Pump (bike/skateboard) Track and its entry/exit onto Exchange Street. In respect of the Pump Track it should be noted that it has proved very popular and this means more cyclists using not only the Track itself but also the local road network, in particular Exchange Street, Highfield Road, Bolton Road North and Market Street.

EXCHANGE STREET JUNCTION WITH HIGHFIELD ROAD AND ANWYL DEVELOPMENT

It seems likely that this junction will see a significant increase in activity. Using the figure of 90 as the likely number of dwellings which may be built on the Anwyl site it is thought that a fair rough estimate of the number of daily journeys passing through this junction would be approaching 500. There are serious concerns about its direct proximity to the Pump (bike/skateboard) Track (in particular its entry/exit point) and close proximity to the Children's play area and Recreation Ground. The Forum believes this arrangement should be considered as a brand new junction and potentially would fail a Road Safety Audit so therefore such an audit should be undertaken before any Masterplan/Planning Application is considered any further.

BURY ROAD/BOLTON ROAD NORTH

As with the Highfield Road area, issues in connection with Bury Road and Bolton Road North appear to have been ignored. These routes are also the location of terraced properties and similar issues arise for residents as for those on Market Street. These areas should be considered as part of the Masterplan process and issues of traffic flow and parking resolved now.

MARKET PLACE MINI ROUNDABOUT

This is already a busy junction at peak times and has to accommodate traffic on the Primary Route (A680/A676) and Lancashire County Council's Resilient Route Network. In view of the increased traffic arising from the proposed three new significant developments in Edenfield it seems reasonable to expect a Road Safety Audit to have been performed on this location at the Masterplan stage to demonstrate its ability to operate safely by reference to current standards. Issues already arise in respect of

- (i) the pedestrian crossing near to this junction
- (ii) queuing traffic arising on the approach from Rochdale Road
- (iii) traffic leaving the junction struggling to travel south down Bury Road
- (iv) visibility issues for traffic arriving at the junction from Rochdale Road
- (v) visibility issues for traffic arriving at the junction travelling north from Bury Road and

(vi) difficulties experienced by heavy and sometimes quarry vehicles turning from Rochdale Road into Bury Road and vice versa.

FOOTPATH 126

This footpath (from Market Street, west past Mushroom House and across the centre of the Taylor Wimpey site and then by bridge over the A56 to farmland and properties at Alderbottom) is likely to be used to a much greater extent than at present such that its mixed use by vehicles and pedestrians is likely to cause safety issues. To reiterate information previously supplied the first part of Footpath 126 is used by Mushroom House as its access route. In addition there is farmland and two residential properties (Alderbottom Farm and Swallows Barn) situated on the west side of the A56 which use the whole length of Footpath 126 as an access route.

In addition no consideration appears to have been given as to how Footpath 126 will interact as it crosses the North/South traffic primary vehicle access road which the Adoptable Highways Plan indicates will take place adjacent to the point an East/West estate road also crosses the primary vehicle access road. What will stop residents from the Taylor Wimpey site accessing Footpath 126 with vehicles to access Market Street especially at busy times?

MARKET STREET PARKING

It is disappointing that the Highways Consideration of the Masterplan makes almost no comment on the issue of increased parking restrictions on Market Street other than to indicate that they are proposed. Similarly, the Response to LCC Report Note document also makes very little reference to parking issues other than to repeat the information in the Highways Consideration of the Masterplan and provide in Appendix 1 some Google Earth screenshots of various parking zones and a summary of the Total Number of Spaces (337) broken down into 21 zones of which 10 are on Market Street. Reference is made to parking survey data in paragraph 1.18 which is that presumably on page 66 but no interpretation thereof appears to have been made.

Of the ten existing parking zones on Market Street it seems that it is proposed three will be lost (E, I and M) involving 51 spaces out of a total of 147 so roughly 35%. It is acknowledged that three new parking areas are proposed. However two of these (off Burnley Road adjacent to the school and at the bottom of Exchange Street) are geographically removed from Market Street and there is very little detail as to how these will be delivered. A third parking area is proposed with thirteen spaces in the field adjacent to the Taylor Wimpey site access road. This is certainly more relevant to Market Street residents but it will not replace the on street parking they have enjoyed over many decades outside their front door. The provision of only 13 spaces is also clearly inadequate especially when some spaces may well be used by visitors to the Taylor Wimpey properties, some may well be used by day commuters from elsewhere using bus services from Edenfield to travel to work and some may be used by visitors to The Coach/The Drop Off Café. Furthermore the 13 spaces proposed are located in an unsecure open area with limited lighting and there are no spaces identified for use by those with disabilities.

It is also unrealistic to rely on parking restrictions in a heavily populated residential area to improve the flow of traffic and/or improve traffic safety since such restrictions do not apply to blue badge holders/those dropping off or picking up passengers/those unloading/loading or, in practice, to those ignoring the restrictions especially for short periods of time.

The use of the above mentioned field for a parking area detracts from the Applicant's claim that it represents an open space and it may adversely interfere with the operation of the Market Street junction (see below). There is also the issue of electric vehicle charging facilities to which, in the not too distant future, access will be required for all residents.

MARKET STREET JUNCTION

This is the most significant change proposed and involves a priority right turn to ease traffic flow. Traffic will enter from both directions on Market Street onto the proposed Taylor Wimpey development. A detailed

plan of the proposed layout is included at page 18 in the Response to LCC Report Note. Yet again, it is not helpful to the credibility of this document that it is out of date as it does not include the properties located very close by to the proposed junction at Pilgrim Gardens or the junction from Pilgrim Gardens onto Market Street.

The site access is proposed to be directly opposite an access area (adjacent to 102 Market Street) to properties opposite the proposed junction on the East side of Market Street. How is this access area supposed to operate when travelling northbound along Market Street without potentially encountering a vehicle in the ghost island of the site access? This will result in crashes!

The site access is also very close to private driveways located at 98/100 and 115 Market Street. These driveways are narrow and not easy to enter/exit at the best of times so the proposal that residents at these locations will also have to deal with the effects of increased traffic and a right turn junction is most unwelcome and potentially dangerous. Similar issues also arise in respect of vehicles using the Footpath 126 exit onto Market Street and such issues may also affect vehicles using the Alderwood Grove and Pilgrim Gardens junctions.

A number of houses get their bins collected from the roadside end of the above mentioned access area (adjacent 102 Market Street) once a week. The refuse vehicle would have to park in front of the pedestrian crossing (blocking the road), putting residents in danger as pedestrians would no longer be visible using the pedestrian crossing. This must be a highly dangerous arrangement.

The site access is proposed onto Market Street, a highly trafficked, heavily parked upon, Designated Diversion Route for National Highways (when the A56 shuts), informal diversion route for modern sat navs when the A56 is experiencing slow traffic and key route for the many agricultural and large vehicles in the area. Market Street is also a bus route, gritter route, refuse collection route and key route for cyclists that is used by both commuters and for recreational purposes (being a hub for mountain biking in the area and also the location of the Drop Off Café a destination specifically promoted as cycle friendly).

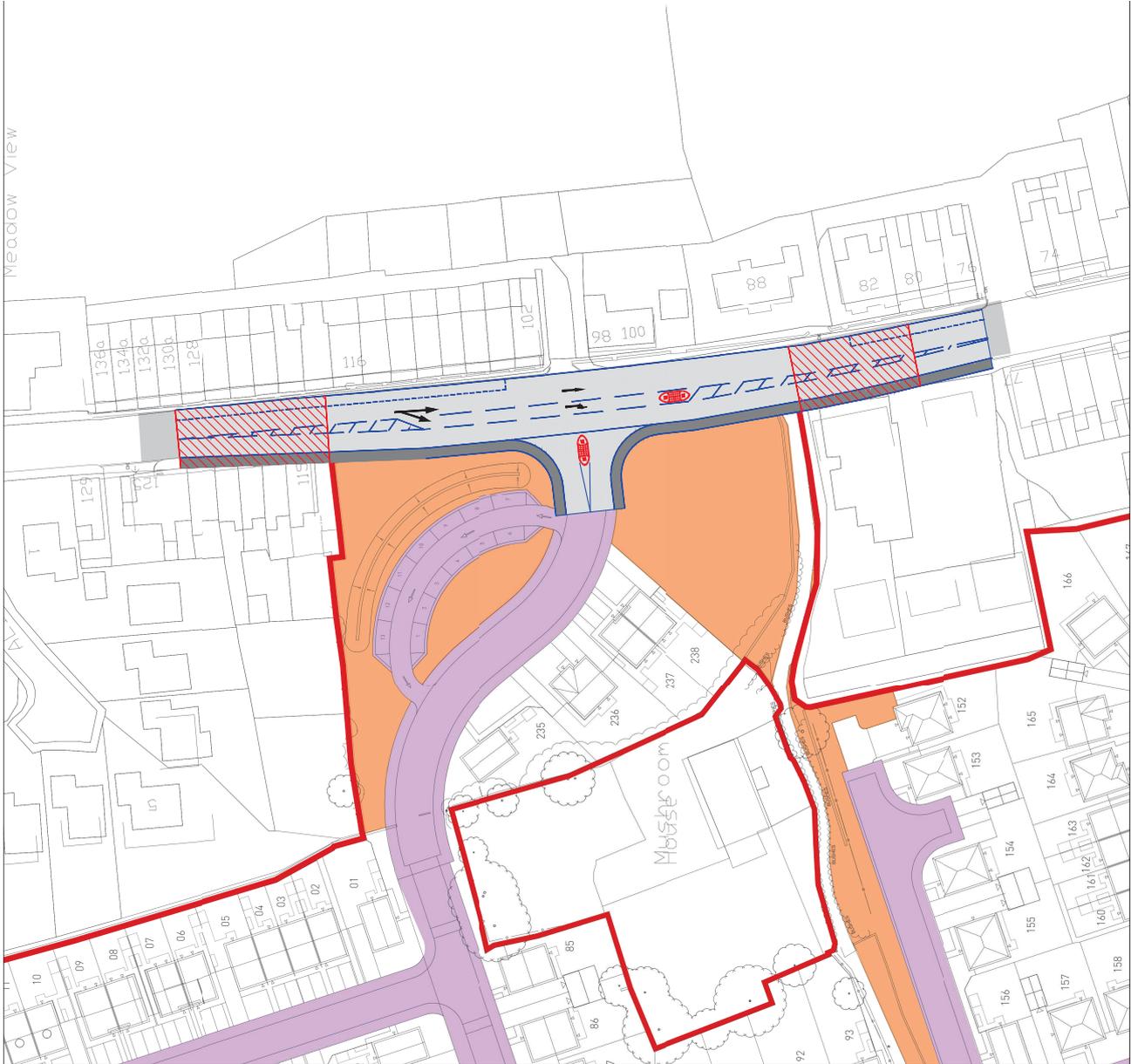
A site access from a heavily trafficked road into a development of such a large scale should be constructed to meet the very best design practice. If Rossendale Borough Council/Lancashire County Council don't ensure that this is the case, they are putting the lives of residents, vulnerable road users (cyclists) and pedestrians including the PS children (accessing the school just 250m from the site access), at serious risk/danger of fatalities. In particular it has been suggested the following should occur:-

- Due to the number of houses on the site and the number of vehicle trips per day generated the site access must have an absolute minimum of a 35m ghost island.
- The access must have safe crossing for pedestrians and therefore must provide a minimum 2m wide pedestrian island, both across the access and across Market Street
- Due to Market Street being a Bus Route, Refuse Collection Route, Heavy Goods Route, Agricultural Vehicle Route, Strategic Highway Diversionary Route, and Gritter Route, the through lanes of the ghost island must be at or near the maximum width of 3.65m in order for buses/commercial vehicles to pass safely
- The eastern side footpath needs to be widened to 2m to allow safe usage.
- Any changes to the western side footpath need to adhere to it being 2m wide.
- The priority turning lane must be a minimum of at least 3m wide.
- Because Market Street is a 30mph route, all tapers should be a minimum of 1:20.

All of the above are the **absolute minimum requirements** that need to be achieved for the traffic types involved on Market Street and must be able to fit into the development or adopted highways. **UNDER THE CURRENT PROPOSALS THESE MINIMUM REQUIREMENTS ARE CLEARLY NOT ACHIEVABLE.**

The sketch below shows the absolute minimum design requirement on the (out of date but as used by the Applicant) OS mapping and the site layout. The area hatched in red is where the ghost island would have to tie into in advance of the junction. The areas hatched in blue/red shows where the widening would need to

run through private houses. The minimum requirement would be extended far beyond this and is outside of the development and adopted highway. It is thought the current proposals would fail a Road Safety Audit so therefore such an audit should be undertaken before any Masterplan/Planning Application is considered further.



Lancashire County Council/Rosendale should not approve the current proposed layout because they would be approving of something that is undeliverable and is going to potentially result in serious injuries and even DEATHS!!!!

If Rosendale Council/Lancashire County Council are to truly maintain the safety of their road users and residents, they must not just accept the minimum design requirements, but they should be requiring a 3m

wide ghost island, with a 45m long access and with maximum width through lanes and a 3m wide pedestrian island.

MARKET STREET/CHURCH LANE/EAST STREET/BLACKBURN ROAD/BURNLEY ROAD

Obviously a complicated area of the road network already partly controlled by traffic lights, adjacent to the church/PS and subject to heavy on street parking especially at school opening/closing times (subject to a potential significant increase if, as may occur, the school is expanded to accommodate additional children from the H66 development). A proposed uncontrolled crossing is suggested presumably in response to increased traffic and increased numbers of school children needing to cross the road at this location. However the design of the crossing will potentially interfere with the ability to enter/exit East Street and Church Lane.

It is acknowledged that additional parking is proposed adjacent to the school accessed from Burnley Road but this creates a further junction close to the existing junction. It also would be located in a Green Belt area and is not in accordance with the Local Plan. It is also doubtful whether it would provide sufficient parking to deal with the needs of parents/carers at the beginning/end of the school day.

None of the above is considered in the revised Masterplan when what is required is a detailed analysis, reasoned proposals and a safety audit of such proposals.

EQUALITY ACT/HUMAN RIGHTS etc

Residents are feeling badly treated over the whole process and that much of the current proposals are focused on the needs of potential new residents to the extreme detriment of current residents. Surely existing residents should be considered equally alongside new residents.

There is no indication as to how long construction work will take and no plan in respect of phasing construction work or for how the village will cope with such work on three and up to possible five different sites at the same time (and also quite likely coinciding with significant construction work very close by to be undertaken by United Utilities on the Haweswater Aqueduct). Such an imposition seems totally unreasonable and contrary to the right to a peaceful enjoyment of an individual's property.

There is also no plan as to how construction traffic will be managed and how Blackburn Road, Market Street, Bury Road, Bolton Road North, The Drive, Eden Avenue and Highfield Drive will cope with heavy goods vehicles trying to access the various construction sites all potentially at the same time. The village has already had to deal with significant disruption as a result of construction works at Pilgrim Gardens and on Rochdale Road which have yielded less than 20 properties. It is now faced with years of disruption, noise, road chaos and pollution followed by parking restrictions, one way street arrangements, more traffic on already congested roads, safety issues and local education/health services being overwhelmed.

There is, or there is certainly perceived to be, discrimination against existing residents in respect of the proposed parking arrangements (and in respect of other issues) which may contravene the provisions of the Equality Act 2010.

The hardship caused by the removal of on street parking (and indeed other aspects of the proposals put forward) could also be a breach of the Human Rights Act 1998. These issues need to be addressed. It is appreciated that the rights of the individual (or group of individuals) has to be balanced against the public good but the proposals as put forward are considered to be too much weighted in favour of development. Many residents feel that, in overall terms, the public good could be better served by much less development in Edenfield and development elsewhere on more suitable sites.

As a Public Body it is incumbent on RBC that at the appropriate time it will review these issues in the prescribed manner as part of its decision making process.

SUMMARY

- Still no Masterplan other than in name only.
- Credibility issues in respect of key documents.

- Insufficient consideration of traffic/transport issues on a holistic basis.
 - Insufficient details in many respects.
 - Road safety concerns.
 - Pedestrian safety concerns.
 - Market Street proposed junction fails to comply with regulations.
 - Unfair treatment of existing residents in respect of on street parking.
 - High levels of construction traffic on busy roads in existing residential areas.
-
- Overall impact causing excessive hardship for existing residents.
-
- 11 August 2023 compiled by M J MacDonald on behalf of Edenfield Community Neighbourhood Forum based on feedback and comments received from Forum members and the residents of Edenfield.

APPENDICES attached

Written comments from attendees of residents' event held 15th July 2023.

[NOTE: Those written comments are not reproduced here but are available to view at edenfieldcommunityforum.uk/2023/08/30/ecnf-objections-august-2023/]

APPENDIX 4

Letter dated 25th August 2023 from LCC

Paragraph 11.1

https://edenfieldcommunityforum.uk/wp-content/uploads/2023/10/2022_0451-HIGHWAYS - RESPONSE 2-420569.pdf

APPENDIX 5

Note by SK of transport issues for RBC/ECNF/SK meeting on 28 September 2023

Paragraph 11.1

270923/SK21941/EDENFIELD/MK

MEETING NOTE

Date: 27th September 2023

Project: Land West of Market Street, Edenfield – RBC Meeting

1. INTRODUCTION

1.1 This Meeting Note (TN) has been produced by SK Transport Planning Limited (SKTP) on behalf of the Edenfield Community Neighbourhood Forum (ECNF) to assist discussions with Officers at Rossendale Borough Council (RBC) at the scheduled meeting on the 28th September 2023. This MN covers off the key traffic and transport matters that we would like to raise with the Council, and should be read in conjunction with the August 2023 submissions to RBC in 2019.

1.2 These are broken down into three key areas, as summarised below:

- a) the traffic, transport and sustainable access assessment process
- b) the ability for Lancashire County Council (as Highway Authority) to resource and provide technical responses to RBC
- c) progress on the extensive list of outstanding technical traffic, transport and sustainable access matters

1.3 Each point is summarised in turn:

a) The Traffic, Transport and Sustainable Access Assessment Process

- RBC are aware that ECNF have played an active and positive role in the planning process, with SKTP's involvement going back as far as the EiP into the Local Plan
- At the EiP, having raised an extensive number of technical matters ECNF was told by the site promoters that all technical matters raised would be considered at the planning application stage
- This position was reinforced by Neil Stevens (LCC) confirming to the Inspector and interested parties that:
 - 1) all technical matters would be carefully reviewed
 - 2) a full cumulative impact assessment would be required
 - 3) a full corridor based assessment along Market Street would be required

1.4 At the time ECNF made the point that because of the extensive number of technical issues the site(s)/scale of residential development in Edenfield should not be allocated in the RBC Local Plan. The point was made that allocating sites that had not been demonstrated or tested in terms of accessibility/suitability at the site promotion/EiP stage was always going to result in the situation that has now emerged.

b) the Ability for Lancashire County Council (as Highway Authority) to Resource and Provide Technical Responses to RBC

1.5 We aware that LCC, as Highway Authority are struggling to resource formal responses to planning applications. At the time of writing this is amplified by:

- Rob Hancock, who has led the day-to-day management of the applications from LCC’s perspective being on extended leave from work
- Having requested Neil Stevens involvement (as he represented LCC at the EiP) we have been told he is unavailable due to other work commitments
- Ryan Derbyshire (Assistant Engineer with LCC) has taken over the day-to-day management of the application, but has confirmed he has no knowledge of the site and due to his current workloads will have to bring himself up to speed with the application

1.6 Clearly losing Rob Hancock has added resourcing pressure at LCC. Both ECNF and RBC now have a “knowledge continuity” issue with the applications, with the risk that matters 1, 2 and 3 listed above will not come to fruition. These points underpinned the residential site allocations in the Local Plan.

1.7 There is an expectation from ECNF that LCC and RBC will need to provide additional resources to deliver what was promised at the EiP.

c) Progress on the Extensive List of Outstanding Technical Traffic, Transport and Sustainable Access Matters

1.8 The formal responses to RBC from SKTP, citing the raft of deficiencies with the scheme and planning application have always been made within the required timescales. To demonstrate the quality of the planning application submission, and the deficiencies with the scheme we are still waiting to see:

- a. a comprehensive Masterplan
- b. a comprehensive access strategy
- c. a clear assessment of all the impacts (in traffic and transport terms) of the full allocation on the surrounding highway network
- d. a robust and deliverable mitigation strategy

1.9 All the above points were stipulated by LCC at the Local Plan EiP.

1.10 In addition we also continue to raise issues and concerns on a raft of technical matters, which include (but are not limited to):

- e. detail and delivery of the main site access onto Market Street
- f. delivery of the emergency access from the Taylor Wimpey site to the Anwyl development parcel
- g. the corridor strategy for pedestrians, cyclists, buses and vehicular traffic on Market Street
- h. the delivery of the above-mentioned works as part of the proposals
- i. the lack of widening of the eastern footway on Market Street

- j. minor arm junction visibility splay validation (no speed survey data provided in the submission)
- k. the impact of displaced parking from Market Street to deliver the main development access
- l. the continual need for a comprehensive corridor based assessment
- m. any form of final detailed measures at key locations along the corridor
- n. delivery of a design-compliant ghosted right turn junction to the development
- o. the absence of any form of independently prepared Road Safety Audits for the access strategy and mitigation measures
- p. impact assessments of the access strategy to the southern land parcel
- q. the absence of any GA drawings showing how the access routes will be delivered, and the impacts on any existing parking/local facilities in the area
- r. a lack of information on development phasing and construction access information
- s. no draft Construction Management Plan
- t. a lack of detail on the Exchange Street access strategy/assessment, and design considerations with regard to the skatepark/childrens playground etc
- u. the latest design change and requirement for part of Exchange Street to become one-way
- v. confirmation on the final access strategy for the “North of Church Lane” site, and displaced parking elements
- w. discrepancies in the off-site modelling appraisal, with the applicant’s assessment being at odds with RBC’s Mott MacDonald assessment (see page 12 of SKTP’s August 2023 letter)

1.11 The above summary list is just a snapshot of the key issues that have been previously raised, with all the technical matters summarised in the SKTP submissions prepared since 2019.

—oooOOooo—

APPENDIX 6

Email dated 30th August 2023 from SK to LCC

Paragraph 11.1

On 30 Aug 2023, at 21:55, Michael Kitching <mk@sktransport.co.uk> wrote:
Evening Rob,

Firstly I hope you are well and workloads remain manageable at your end.

We are writing to you on the Edenfield scheme. We've been following the progress of the application, the previous robust responses from LCC and RBC and the latest information submitted from the applicant on traffic, transport and sustainable access matters.

We have seen the LCC response dated 25th August (attached for ease of reference) and are alarmed that a number of the previous technical matters that LCC raised seem to have fallen away based on the information submitted. These technical matters were set out in our response to RBC and LCC on the 23rd August, and as such can only assume that the two responses have crossed.

Whilst LCC has the responsibility of reporting their own findings on the technical aspects of the application, the SKTP 23rd August response is directly in line with the previous submissions and the technical matters raised by the Community Group and LCC. We are alarmed that many of these matters appear to no longer be considered material, albeit that no technical detail on the Market Street access proposals or Road Safety Audits have been submitted.

As an example we are struggling to understand how LCC are prepared to accept a 2.5m right turn lane on a route where interested parties were promised at the Local Plan examination that a detailed corridor-based strategy would be developed. At the present time we have yet to have the opportunity to see a clear access strategy and review of the corridor, including the implications of displaced parking and the lack of enhancements for pedestrians on the eastern side of Market Street.

We could go on with our concerns, but these are all set out in our most recent response. Based on this can we set up a meeting with you, RBC and representatives from the group as a matter of urgency please? Next week would suit us well, if you and Mike Atherton are available please?

I have copied in the Rossendale BC Forward Planning email, and trust this will reach Mike in the appropriate way.

Look forward to hearing from you shortly.

Kind regards,

Michael

Michael Kitching
BSc (Hons) MSc CMILT
Director

<image001.jpg>

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NOTE: References in the email to 23rd August 2023 should be to 9th August 2023.