



Regulation 18 Decision Statement: Edenfield Neighbourhood Development Plan

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

Regulation 18 Decision Statement

1. Summary

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



2. Decisions and Reasons

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

This decision statement is dated 12 December 2024



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

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



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



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