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PLANNING STATEMENT

IN RESPECT OF A PLANNING APPLICATION
FOR THE ERECTION OF TEN DWELLINGS

ON LAND OFF CHATBURN OLD ROAD,
CHATBURN

FOR AND ON BEHALF OF MR R. JACKSON

Prepared by: **Kieran Howarth**
Our Ref: **Jac/605/1615/GH**
Date: **June 2014**



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1. INTRODUCTION

- 1.1 Gary Hoerty Associates have been instructed by Mr. Ronald Jackson of JJ Homes (NW) Ltd to submit a planning application for the erection of ten dwellings on land at Chatburn Old Road, Chatburn. The site already benefits from outline planning permission for the erection of ten dwellings with approval for access only. Planning permission was initially refused by the Council (Ref. 3/2011/0025) but was subsequently allowed at Appeal (Appeal Ref: APP/T2350/A/12/2176828, decision dated 19th April 2013). This proposal has a different site area, being extended slightly further to the west but further away from existing residential properties fronting Chatburn Old Road to the east
- 1.2 In this report we consider the proposed development in more detail, set out the planning history of the site, review the application site, and set out why we believe the application conforms to national and local planning policies and why planning permission should be granted.

2. PLANNING HISTORY

- 2.1 Planning application 3/2011/0025, which sought outline planning permission for the erection of ten dwellings (with approval for access only) was initially refused by the Council but was subsequently allowed on appeal (Appeal Ref: APP/T2350/A/12/2176828, decision dated 19th April 2013).

3. THE DEVELOPMENT PROPOSAL

- 3.1 The application seeks full planning permission for the erection of a total of 10 dwellings, associated access road, garages and gardens on the application site. Of the ten dwellings, four would be 2 storey 4 bedroom with integral garage (plots 1, 2, 4 & 5); three would be 2 storey 4/5 bedroom with integral double garage (plots 6, 8 & 10); one would be 3 storey split level 4 bedroom with detached double garage (plot 3); and one would be 2 storey, 4 bedroom with detached double garage (plot 7). All ten dwellings would be open market housing. Provision would be made for off-site affordable housing (see below).
- 3.2 Access would be from a single point off Chatburn Old Road, serving a cul de sac estate road, serving all ten properties via individual driveways.
- 3.3 The dwellings would be of traditional construction. They would have a simple form with front gables, appropriate to the vernacular of the locality. It is intended to use high quality materials throughout including

natural roofing slate and a mixture of coursed limestone and render and hardwood framing to the fenestration.

- 3.3 The revised proposal was subject of pre-application discussion with the Council. That discussion resulted in some revisions to the proposed layout, clarifying adequate spacing between the proposed dwellings.

4. THE APPLICATION SITE

- 4.1 The application site is situated in open countryside but lies immediately adjacent to the settlement of Chatburn. It lies just outside the settlement boundary as defined in the Ribble Valley Districtwide Local Plan (adopted 1998). The site is open, with no buildings or other structures on it. It extends to 0.66 Ha but is part of a larger landholding, extending to 2.39Ha. It is located on the south side of Chatburn Old Road, to the west of existing residential properties, the nearest being 9 Chatburn Old Road, from which it is separated by a small area of grassland. There is open countryside to the north, on the far side of Chatburn Old Road. There are residential properties, fronting Crow Trees Road, to the south, also separated by grassland from the site. Further to the west, at the end of Chatburn Old Road is Lanehead Quarry.
- 4.2 Chatburn has a varied range of housing, including traditional terraced cottages and more modern post-war housing which has a typical suburban character.
- 4.3 Chatburn provides a wide range of services and facilities. The village has a primary school, shops, churches, a community centre and a number of restaurants/takeaways. There is a frequent bus service, approximately 200 metres from the site, which is located on Ribble Lane and Bridge Road. It is therefore possible to catch a bus, within easy walking distance from the application site, to reach Clitheroe, which itself is approximately 2km and provides an extensive range of shops and facilities, including a railway station and extensive bus services.
- 4.4 As can be seen from the submitted location plan the site has residential development to the east and south east. The proposed development at the application site will therefore be seen as a natural progression of existing built development and will integrate well into the fabric of the village.

5. PLANNING CONSIDERATIONS

5.1 General

- 5.1.1 Local planning authorities are required to determine planning applications in accordance with the statutory development plan unless material considerations indicate otherwise. In order for this planning application to be approved it must satisfy as far as possible the guidance contained within the National Planning Policy Framework (NPPF Adopted March 2012); the relevant saved policies of the Ribble Valley District Wide Local Plan (adopted in 1998) and the relevant policies of the Council's Core Strategy 2008/2028 – A Local Plan for Ribble Valley Regulation 22 Submission Draft. Given that the local plan was adopted in 1998 and is now 16 years old, certain policies contained within it are now out of date. Although the Council submitted its Core Strategy to the Secretary of State, the Planning Inspectorate suspended the examination pending clarifications of parts of its evidence base. These documents have now been updated and sent to the Inspector. They were also subject to a period of public consultation (from 12 August - 20 September 2013). The Inspectorate found the Council's evidence for housing, employment land, retail land and traveller accommodation to be out of date. Although the Council's core strategy regulation 22 submission draft document has not been adopted, it is a material consideration when considering planning applications and development proposals must conform to the relevant policies of this document.
- 5.1.2 The relevant saved policies of the Local Plan are Policy G1 which is a general development policy; Policy G2 which identifies the main settlements; Policy G5 which deals with proposals outside main settlement boundaries; Policy G8 which deals with environmental considerations, Policy ENV3 which deals with proposals located in the Open Countryside and outside the AONB and those areas immediately adjacent to it; Policy H2 which deals with dwellings in the Open Countryside; Policy T1 which is a policy looking to promote proposals that are sustainable from a transport perspective and Policy T7 which deals with parking provision.
- 5.1.3 The Council's Core Strategy Regulation 22 Submission Draft contains a number of key statements and policies of which the following are relevant to this application; DS1 Development Strategy; DS2 Sustainable Development; EN3 Sustainable Development and Climate Change; EN4 Biodiversity and Geodiversity; H1 Housing Provision; H2 Housing Balance; H3 Affordable Housing; DMI1 Planning Obligations; DMI2 Transport Considerations; DMG1 General Considerations; DMG2 Strategic Considerations; and DME2 Landscape and Townscape Protection.
- 5.1.4 We set out below extracts from the relevant documents to assess the planning application against all of the appropriate policies and guidance.

5.2 National Planning Policy

5.2.1 The main national planning policy guidance of relevance to the consideration of residential development proposals is set out in the National Planning Policy Framework (NPPF).

National Planning Policy Framework (NPPF)

5.2.2 The adoption of the National Planning Policy Framework in March 2012 means that it is now the main national planning policy guidance influencing planning decision making and replaces a substantial number of documents previously in place. *"The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied, it sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so."*

5.2.3 The National Planning Policy Framework (The Framework) says, in Paragraph 7, that there are 3 dimensions to sustainable development. These are an economic role (contributing to the economy), a social role (supporting communities) and an environmental role (protecting and enhancing the natural and built environment). Paragraph 8 says that these factors are mutually dependent. Paragraph 9 says that sustainable development includes making it easier for jobs to be created, replacing poor design with better design and widening the choice of high quality homes.

5.2.4 Paragraph 14 says that proposals that accord with the development plan should be approved without delay. It states:

*At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

- *specific policies in this Framework indicate development should be restricted.*

5.2.5 Paragraph 14 of the NPPF clearly spells out the Government's presumption in favour of allowing sustainable development unless the adverse impacts of doing so would be very significant. There are no such adverse impacts in respect of the development that is proposed

in this case. In fact the proposed development will put an under-used site to a beneficial use and will contribute to fulfilling the Borough's housing requirement.

5.2.6 Paragraph 15 states:

"Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally."

5.2.7 Paragraph 17 says that one of the core principles of planning is to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. It also says planning should encourage the effective use of land by reusing land that has been previously developed; promote mixed use developments; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

5.2.8 Paragraph 28 says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should promote the development and diversification of agricultural and other land-based rural businesses.

5.2.9 Section 6 of the NPPF is headed *"Delivering a wide choice of high quality homes"* and sets out the Government's policy in respect of housing delivery. There are various relevant paragraphs within Section 6 which we will quote and comment upon below.

5.2.8 Paragraph 47 states:

To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- identify and update annually a supply of specific deliverable¹¹ sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for*

land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

- identify a supply of specific, developable¹² sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;*
- for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and*
- set out their own approach to housing density to reflect local circumstances.*

5.2.9 Paragraph 49 states:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

5.2.10 Paragraph 49 says that housing applications should be considered in the context of the presumption in favour of sustainable development.

5.2.11 Paragraph 55 states:

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- the exceptional quality or innovative nature of the design of the dwelling. Such a design should:*

- *be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
- *reflect the highest standards in architecture;*
- *significantly enhance its immediate setting; and*
- *be sensitive to the defining characteristics of the local area.*

5.2.12 The importance of good design is emphasised in paragraph 56. *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."*

5.2.13 Paragraphs 57 and 58 require housing developments to be of a high quality design that function well, create a strong sense of place; optimise the potential of the site to accommodate development; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; and are visually attractive. Paragraph 60 states: *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."*

5.2.14 Paragraph 61 states: *"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."*

5.2.15 Paragraph 142 says that *"minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation"*.

5.2.16 Paragraph 144 says that *"when determining planning applications, local planning authorities should:*

- *give great weight to the benefits of the mineral extraction, including to the economy;*
- *as far as is practical, provide for the maintenance of landbanks of non- energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;*

- *ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;*
- *ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source,³¹ and establish appropriate noise limits for extraction in proximity to noise sensitive properties;*
- *not grant planning permission for peat extraction from new or extended sites;*
- *provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;*
- *not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes;*
- *consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and*
- *recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites."*

5.2.17 A presumption in favour of development is a well established planning principal that is indicated in Paragraph 187 which says "*Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.*"

5.2.18 Annex 1 of the NPPF provides guidance on the implementation of the policies in the framework which are applicable from the day of publication. It identifies that for the purpose of decision taking the policies in the local plan should not be considered out of date simply because they were adopted prior to the publication of the framework. However it goes on to state that the policies contained in this framework are material considerations which local planning authorities should take into account from the day of its publication and that plans need to be revised to take into account the policies in the framework.

5.2.19 Annex 1 of the NPPF also states that *"for twelve months from the day of publication decision-takers may continue to give full weight to relevant policies adopted since 2004 where development plan documents are adopted in accordance with the Planning and Compulsory Purchase Act 2004 even if there is a limited degree of conflict with the framework. In other cases and following this twelve month period due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework; (the closer the policies in the plan to the policies in the framework, the greater weight that may be given).* The NPPF was published over two years ago and the Council still does not have an up to date local plan and therefore the policies of the NPPF will carry considerable weight in the determination of planning applications within the Borough.

5.2.20 The NPPF requires LPA's to consider housing applications in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable sites. In his decision letter in relation to the appeal against the Council's failure to determine a planning application for new residential development on land to the south west of Barrow and west of Whalley Road (application ref 3/2012/0630/P; appeal ref APP/T2350/A/13/2190088), the Secretary of State supported his Inspector's view that *"the Council cannot demonstrate a 5 year supply as all the evidence supports a housing need figure of at least 250 dpa. The residual method was not the proper approach and this is now agreed. The starting point for the determination of this appeal is therefore the absence of a 5 year supply. The Council has stated that it only has a 4.25 year supply. That is a significant material consideration in favour of the grant of permission"*.

The Secretary of state further noted that *"both parties agree that the Council's adopted housing policies are out of date, that the draft CS can only be given limited weight, and that the appeal should be judged predominantly against the Framework."*

5.2.21 Even if the Council were able to demonstrate a five or six year supply there is no requirement to stop granting planning consents once the required level of supply is achieved and it is clear from other applications and appeals that where sustainable residential development is proposed it should be supported. What is clear is that, at present, the Council's housing policies are to be considered out of date. The development that is proposed is sustainable and the application should be judged against the NPPF and the presumption in favour of sustainable development.

National Planning Policy Guidance (NPPG)

5.2.22 The National Planning Practice Guidance (NPPG) offers specific guidance on rural housing, and says:

Land off Chatburn Old Road, Chatburn

Planning Statement

Gary Hoerty Associates on behalf of Mr. R. Jackson

"It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the National Planning Policy Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.

A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities."

5.2.22 In relation to minerals safeguarding, the NPPG says that minerals planning authorities should:

"adopt clear development management policies which set out how proposals for non-minerals development in Minerals Safeguarding Areas will be handled, and what action applicants for development should take to address the risk of losing the ability to extract the resource. This may include policies that encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in Minerals Safeguarding Areas and to prevent the unnecessary sterilisation of minerals."

New Homes Bonus Scheme

5.2.23 In addition to changes in policy, the Government has introduced a number of incentives to encourage new homes to be built. A key incentive is to the New Homes Bonus Scheme whereby local authorities are awarded a bonus council tax payment for six years on completion of every new dwelling. Our clients' proposal would clearly support the Council in obtaining this additional bonus payment.

Other national guidance

5.2.23 Other national guidance is contained in the Noise Policy Statement for England, and the Technical Guidance to the National Planning Policy Framework. This guidance is addressed in detail in the Noise Assessment report, accompanying this application.

5.3 LOCAL PLANNING POLICY

Ribble Valley Districtwide Local Plan (1998)

5.3.1 The Ribble Valley Districtwide Local Plan was adopted in 1998. The application site is shown on the Local Plan Proposals Map to be

located adjacent to the development limits of Chatburn and within an area designated as Open Countryside. The saved policies of the Ribble Valley Local Plan (adopted 1998) form part of the statutory development plan

General Policies

5.3.2 Policy G1 sets out general considerations for all development proposals. It states that:

“development proposals will be expected to provide a high standard of building design and landscape quality. Development which does so will be permitted, unless it adversely affects the amenities of the surrounding area.” Development which does so will be permitted, unless it adversely affects the amenities of the surrounding area. In determining planning applications the following criteria will be applied:

(a) Development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature.

(b) The likely scale and type of traffic generation will be assessed in relationship to the highway infrastructure and the proposed and existing public transport network. This will include safety, operational efficiency, amenity and environmental considerations.

(c) Developments should make adequate arrangements for car parking (see Policy T7).

(d) A safe access should be provided which is suitable to accommodate the scale and type of traffic likely to be generated.

(e) The density, layout and relationship between buildings is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings as well as the effects of development on existing amenities.

(f) Developments should provide adequate arrangements for servicing and public utilities.

(g) Developments should provide adequate daylighting and privacy.

(h) Materials used should be sympathetic to the character of the area.

(i) Developments should not result in the loss of important open space including public and private playing fields.

(j) Developments should not damage SSSI's, County Heritage Sites, Local Nature Reserves or other sites of nature conservation importance.

(k) Development should not require culverting, artificial channelling or destruction of a watercourse. Wherever possible watercourses should be maintained within a reasonable corridor of native vegetation.

(l) Developments should be economic in the use of land, water and aggregates and should not prejudice future development which would provide significant environmental and amenity improvements.

(m) Where it is the intention to rely upon a private water supply, developments should provide an adequate means of water supply, which will not derogate existing users.

In certain cases additional factors may be taken into account."

- 5.3.3 We consider that the development of residential property in the location of the application site is appropriate given the existing and proposed land uses in the area.
- 5.3.4 In respect of points a, e, g and h, which are interrelated design considerations, the proposed dwellings would be constructed to a high quality of design and use of materials. The dwellings would have a traditional design and construction. They would have a simple form with front gables, appropriate to the vernacular of the locality. It is intended to use high quality materials throughout, including natural roofing slate and a mixture of coursed limestone and render and hardwood framing to the fenestration. In terms of design, the proposed residential development would be visually attractive and enhance the character and quality of the area.
- 5.3.5 The proposed dwellings have been carefully designed to complement existing properties, and to enhance the area. The resultant appearance will have a timeless quality and both blend with and complement the surrounding countryside. The proposed new dwellings have been the result of careful consideration and analysis. The designer has sought to achieve layouts required for modern family living whilst incorporating sustainable construction and achieving energy efficient houses to today's standard.
- 5.3.6 In terms of density the development would sit well on this site and would optimise the potential of the site to accommodate development, in line with the advice in the NPPF (and meet the requirements of point I). Each dwelling would have a reasonably sized private garden area which would provide ample space for sitting out and children's play. There would be adequate spacing both between the proposed dwellings, and with existing dwellings. The proposed dwellings would be a considerable distance from existing dwellings in Crow Trees Brow, the nearest one being over 70m away. There would be a separation of 33m between the rear elevation of Plot 1 and the side elevation of the nearest property fronting Chatburn old Road (9 Chatburn Old Road). These distances are far in excess of generally accepted separation distances and it is clear that there would be no warranted concerns regarding overlooking, privacy or the outlook from existing properties.
- 5.3.7 The proposed layout and scale of built development would sit comfortably within the landscape. When viewed from Crow trees Brow, there is a significant belt of trees, which would be retained and provide an effective screen; in addition there is a backdrop of trees on the opposite side of Chatburn Old Road and the proposed dwellings would not, therefore, be seen on the skyline. It would be difficult to pinpoint one particular form of development that would be appropriate for this site. The design has therefore sought to complement development nearby and generally in Chatburn, in terms of scale, density, massing

and use of materials. The proposed dwellings would therefore complement the variety of housing forms in the area.

- 5.3.8 In respect of point b, the likely scale and type of traffic generation is appropriate in terms of the existing highway infrastructure and provision of appropriate infrastructure within the development site itself. The development would not adversely impact on the safe and efficient operation of the local highway network. It should be noted that in considering the appeal on this site, the inspector considered that the proposal would not have an adverse impact on highway safety and the local highway network, subject to limited off-site highway improvements, namely, a revised layout to the junction of Chatburn Old Road and Ribble Lane, that would provide a new kerb line to the south of the junction and white lining to the north. The applicant accepts this continuing requirement, which can be secured by condition. In pre-application discussions, the Council indicated that LCC Highways had now raised a number of additional requirements, relating to a turning head on Chatburn Old Road; signage at the end of Chatburn Old Road, and; street lighting and pedestrian control markings on Chatburn Old Road. These off-site highway works were not required by either the Highway Authority or the Inspector in their consideration of the previous application. There has been no material change in circumstances in the intervening period and the current proposal is of the same scale and would have the same potential impact. Requiring additional off-site highway works would therefore be unwarranted and unreasonable.
- 5.3.9 In respect of points c and d, the access arrangements and provision of car parking, mirror that made by the earlier proposal, which was considered acceptable by both the Highway Authority and the Inspector. No issues have been raised by the Highway Authority in pre-application discussions.
- 5.3.10 In respect of point f, the proposed estate road would adequately accommodate service and emergency vehicles. Foul and surface water drainage would operate on a combined system, with on-site attenuation of surface water, in line with guidance from United utilities at the pre-application stage.
- 5.3.11 The development would not result in the loss of important open space (point i); it would not damage SSSI's, County Heritage Sites, Local Nature Reserves or other sites of nature conservation importance (point j); would not require any culverting, artificial channelling or destruction of a watercourse (point k); and would not rely upon a private water supply (point m).
- 5.3.12 Policy G4 sets out a settlement hierarchy for the Borough in which Chatburn is identified as being a 'rural settlement' where small-scale developments such as infill or building conversions will normally be permitted.

5.3.13 Policy G5 sets out the criteria against which proposals outside the main settlement boundaries and village boundaries will be determined. The main policy consideration is that proposals are small in scale. The policy then goes on to state that planning consent will be granted for development which is essential to the local economy or the social wellbeing of the area, or where it is appropriate in rural areas and conforms to other policies in the Plan.

5.3.14 The application site is green field and it is outside but adjacent to the village boundary of Chatburn. It is protected from new development by Policies G5 and ENV3 (see below) of the adopted local plan unless it is an identified exception or there are other material considerations which outweigh these policies. Therefore the development if approved would represent a departure from the adopted local plan. However the local plan is out of date and there are other material considerations namely the policies of the NPPF which support the principle of development proposed in this application. This matter is addressed in paragraphs 5.3.15 to 5.3.16 below.

5.3.15 The principle of residential development within the open countryside on this site has been accepted, in light of the earlier appeal decision. In his consideration of that appeal, the inspector noted that

"Although it is a green field location, given the form of the settlement in this area and the physical constraint of the Lanehead Quarry void to the west, the development of ten dwellings on the appeal site would appear as a logical addition to Chatburn, while maintaining a degree of openness along Chatburn Old Road. The proposed dwellings would be in a location with easy access to local services, and public transport to other settlements and services. Suggested planning conditions would address renewable or low carbon energy sources and the Code for Sustainable Homes. As such, it would be a sustainable form of development.

There has been no material change in circumstances since that time, which would lead to any different assessment in relation to the current proposal.

5.3.16 In paragraph 5.2.19 above, we established that the Council's housing policies are to be considered out of date. In the absence of an up to date plan, and in accordance with para.14 of the National Planning Policy Framework (NPPF), the authority should determine housing applications on the basis of a presumption in favour of sustainable development. Unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the Framework indicate development should be restricted. The NPPF also requires that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (para. 55).

5.3.17 In this case, the development proposed is adjacent to an existing settlement, not considered to be overly isolated and upon review of the 'Settlement Hierarchy' (2008) Chatburn has relatively good transport links, a number of local services/amenities and distance from the site to the main settlement of Clitheroe is approximately 2km. On this basis, it is evident that the development is located within a sustainable location in compliance with the core principles of the NPPF and thus the principle of development is acceptable.

5.3.18 Policy G8 says that in its consideration of all development proposals the Council will take full account of the need to:

- (a) remove and reclaim contaminated land plus derelict and disused sites, which cause clear environmental damage, for uses in accordance with the provisions of this plan;
- (b) minimise air, surface water, ground water, light and ground pollution;
- (c) prevent the intrusion of noise into residential areas or areas used for recreation;
- (d) discourage the production of waste;
- (e) implement improvements to areas of poor environment;

The proposed development would fully accord with this policy.

Environment

5.3.19 Policy ENV3 sets out the policy considerations for proposals in the open countryside but outside of AONB's. It states that proposals are required to be *"in keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials."* The proposed development would be appropriate to the character of the landscape, as detailed in paragraph 5.3.7 above

5.3.20 Policy ENV13 seeks to protect important landscape features, including hedgerows and individual trees. The application is accompanied by an arboricultural report. The existing hedgerow along the Chatburn Old Road frontage would be retained and augmented, to ensure its long term value. The site hosts a number of early mature and mature ash trees, as well as lime, beech and field maple. The majority of trees have little amenity value. Every effort has been made, wherever possible, to retain the more significant trees. Whilst the proposal would necessitate the removal of some trees, much of the significant tree cover would be retained and overall there would be little impact on the wider landscape.

Housing

- 5.3.21 Policy H2 provides criteria for the consideration of residential proposals outside of settlement boundaries. It states that residential development will be limited to proposals including those which meet a proven local need. The Policy goes on to explain that the impact of proposals on the countryside will be an important consideration. Impact is considered to encompass siting, landscaping, scale, design, materials, which are all expected to reflect the character of the area.
- 5.3.22 The appeal site is immediately outside the Chatburn village boundary. Like Policies G5 and H20, Policy H2 deals with development outside settlement boundaries and the proposal would not comply with them. However, with reference to paragraph 215 of the Framework, the context for these policies has changed and that there is a need for the release of land outside existing settlement boundaries. As such, this application should be considered in relation to NPPF paragraph 49 and the presumption in favour of sustainable development.

Transport

- 5.3.23 Policy T1 is a general transport policy. It states that the local planning authority will attach considerable weight to the location of the site in relation to the primary route network, including access to adequate public transport. It goes on to encourage proposals which locate developments in areas that maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities. Proposals are also supported which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their viability and vitality.

- 5.3.24 Policy T7 deals with parking provision and states:

“All development proposals will be required to provide adequate car parking and servicing space”

- 5.3.25 In summary in terms of the saved policies of the local plan the site is in a sustainable location which conforms with the objectives of the settlement hierarchy defined under Policy G2, and also the requirements of Policy T1, which addresses accessibility to employment, facilities and services.

Core Strategy

Key Statement: DS1 Development Strategy

5.3.26 Key Statement DS1 “development strategy” identifies that the majority of new housing development will be concentrated within an identified strategic site located south of Clitheroe at Standen. It goes on to say that in addition to the identified strategic site at Standen in general the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area.

5.3.27 The policy identifies that 1,040 dwellings would be allocated to the Standen Strategic Site and that in other settlements outside of Clitheroe, Longridge and Whalley there would be 732 dwellings over the plan period. It should be noted that Chatburn is identified as a ‘more sustainable’ settlement.

5.3.28 As noted above, notwithstanding this policy, housing policies in the adopted Local Plan are out dated and this application should be considered in relation to paragraph 49 of the NPPF and the presumption in favour of sustainable development in paragraph 14 of the NPPF.

Key Statement DS2: Presumption in favour of Sustainable Development.

5.3.29 Key Statement DS2 “presumption in favour of sustainable development” identifies that the Council when considering development proposals should take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The principle of residential development within the open countryside on this site has been accepted, by the earlier appeal decision. No considerations or material change in circumstances has arisen in the intervening period to warrant coming to any contrary decision. As set out in paragraphs 5.3.14 to 5.3.17 above, It is clear therefore that the development of land in this location is sustainable and therefore the development does comply with the requirements of DS2. The policy clearly states that where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision the Council will grant permission unless material considerations indicate otherwise, taking into account whether: any adverse impact of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or specific policies in that framework indicate that development should be restricted. There are no such adverse impacts and no policies that indicate that the development should be restricted.

Key Statement EN3: Sustainable Development and Climate Change.

5.3.30 Key Statement EN3 “sustainable development and climate change” identifies that construction methods and building design will address both the causes and consequences of climate change and contribute to reducing the Borough’s carbon footprint. If the development is approved then there will be an obligation on the development to provide a certain level of its power requirements through sustainable sources and the dwellings will be built to modern building regulation standard which will restrict heat loss and promote efficient heating sources within the dwellings. The development will adequately be able to satisfy the requirements of EN3.

Key Statement EN4: Biodiversity and Geodiversity.

5.3.31 Key Statement EN4 “biodiversity and geodiversity” highlights that the Council will seek to conserve and enhance the areas biodiversity and geodiversity and avoid fragmentation and isolation of natural habitats and help to develop green corridors. The application site has been subject to an ecological survey and there are no significant ecological reasons that would prevent the proposed development proceeding. None of the land falls within one of the ecological designations identified in Key Statement EN4.

Key Statement H1: Housing Provision.

5.3.32 Key Statement H1 “housing provision” identifies that land for residential development will be made available to deliver 5,000 dwellings during the plan period to 2028. While the Council intends to identify appropriate sites for residential development there is currently no plan in place and no allocations have been made, however the Council still has to make provision for housing land to be available and even if a 5 year housing land supply plus 20% top up is available this does not mean that planning applications will cease to be approved.

Key Statement H2: Housing Balance

5.3.33 Key Statement H2 “housing balance” requires that an appropriate mix of housing is provided and accords with the projected future household requirements. The application would facilitate the provision of affordable housing in Chatburn and would contribute to the overall housing supply of Ribble Valley and the diversity and mix of housing provision in the locality

Key Statement H3: Affordable Housing

5.3.34 Key Statement H3 “affordable housing” identifies that in the location of the application site where there is development for five or more dwellings the Council will require 30% affordable units on the site. The applicant has carried out pre-application discussions with the Council to determine an appropriate level and form of affordable housing provision. Provision would be made for off-site affordable housing

provision 'off-site' provision by virtue of purchasing three properties in Chatburn, all of which would be available for affordable rent. The properties would comprise two 2 bedroom dwellings and one 3 bedroom dwelling. Their provision would be secured by a S.106 Agreement.

Key Statement DMI1: Planning obligations

5.3.35 Key Statement DMI 1 "planning obligations" identifies that the Council will look to secure appropriate contributions to the needs of local communities and sustainable development through financial contributions. Draft heads of terms for a Section 106 Agreement is provided with the planning application in order to deal with the requirements for affordable housing and education.

Key Statement DMI2: Transport considerations

5.3.36 Key Statement DMI2 "transport considerations" identifies that development should be located to minimise the need to travel and should also incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car. The application site is well placed to enable access on foot and bicycle to a range of public services, public transport is available nearby and there is easy access to Clitheroe, where there is access to a wider range of rail and bus services.

Policy DMG1: General considerations

5.3.37 Policy DMG1 says that:

In determining planning applications, all development must:

- be of a high standard of building design which considers the 8 building in context principles (from the Cabe/English Heritage building in context toolkit).
- be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
- consider the potential traffic and car parking implications.
- ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
- consider adequate day lighting and privacy distances.
- consider the environmental implications such as SSSIs, County Heritage sites, Local Nature Reserves, Biodiversity Action Plan (BAP) habitats and species, Special Areas of Conservation and Special Protected Areas, Protected Species, Green Corridors and Other Sites of Nature Conservation.
- Consider the protection and enhancement of public rights of way and access.

- All development must protect and enhance heritage assets and their settings.
- with regards to possible effects upon the natural environment, the council propose That the principles of the mitigation hierarchy be followed. This gives sequential preference to the following: 1) enhance the environment 2) avoid the impact 3) minimise the impact 4) restore the damage 5) compensate for the damage 6) offset the damage.
- all new development proposals will be required to take into account the risks arising from former coal mining and, where necessary, incorporate suitable mitigation measures to address them.
- achieve efficient land use and the re use and remediation of previously developed sites where possible.
- have regard to public safety and secured by design principles.
- consider the density, layout and relationship between buildings, which is of major Importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.
- not adversely affect the amenities of the surrounding area.
- not prejudice future development which would provide significant environmental and amenity improvements.
- not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need.
- use sustainable construction techniques where possible and provide evidence that energy efficiency has been incorporated into schemes where possible.
- consider air quality and mitigate adverse impacts where possible.
- the code for sustainable homes and lifetime homes should be incorporated into schemes.
- have regard to the availability to key Infrastructure with capacity. Where key Infrastructure with capacity is not available it may be necessary to phase development to allow infrastructure enhancements to take place.
- consider the potential impact on social infrastructure provision. In assessing this, regard must be had to the level of provision and standard of public open Space in the area, the importance of playing fields and the need to protect school playing fields to meet future needs. Regard will also be had to the landscape or townscape of an area and the importance the open space has on this.

5.3.38 To a large extent this policy echoes Policy G1 in the District wide Local Plan. An assessment of which is set out in paragraphs 5.3.3 to 5.3.11 above. Additional issues raised by this policy are set out below.

5.3.39 As detailed above, the proposed dwellings are well designed, appropriate to their context and would sit well on the site and in the landscape; as such they would adhere to the principles set out in the EEnglish Heritage/CABE Building in Context Toolkit.

5.3.40 An updated Ecological Survey and Assessment has been carried out. The proposals will have no adverse direct effect on statutory or non-statutory designated sites. The report advises that the hedgerow is 'important' in accordance with the *Hedgerows Regulations 1997* and both the hedgerow and the areas of unimproved calcareous grassland are UK BAP Priority Habitat/Habitats of Principal Importance of Conservation. The trees and shrubs are of local value as they provide structural diversity and are suitable for use by nesting birds. The development proposes to remove six metres of the hedgerow and all 390m² of the unimproved calcareous grassland within the site, and remove the trees and shrubs within the site. Recommendations for the protection of the retained features, and for the creation and long-term management of habitats to compensate for the loss of habitats associated with the proposed development are presented at Section 5.0 of the report. The report advises that the proposal presents an opportunity to secure the long-term management of the retain habitats within the site and the 617m² of unimproved calcareous grassland present in the field which surrounds the western, southern and eastern site boundaries. The proposals will secure an opportunity to implement beneficial measures such as habitat management and habitat creation that will safeguard habitats for wildlife such as birds and bats, with the aim of providing a net gain in biodiversity in accordance with the principles of the NPPF. Conditions, in line with those imposed by the previous appeal decision, could address both the implementation of the report's recommendations and the protection of trees.

5.3.41 The Inspector, in the previous appeal decision, concluded that issues regarding quarry noise and dust could be addressed by proper site management. A condition was imposed regarding noise attenuation measures. A similar condition could be imposed on the permission for this revised proposal.

5.3.42 The western boundary of the site runs adjacent to a public right of way. The proposed development would not impinge or otherwise adversely impact on that public right of way.

5.3.43 There would be no adverse impact on heritage assets or need to address risks arising from coal mining.

5.3.44 The proposed development has full regard to the need to design out crime. There would be a good level of natural surveillance.

5.3.45 The proposed new dwellings have been the result of careful consideration and analysis. The designer has sought to achieve layouts

required for modern family living whilst incorporating sustainable construction techniques and achieving energy efficient houses to today's standard. Any approval for the proposed development would incorporate the code for sustainable homes, renewable energy and lifetime homes requirements. The development complies with the requirements of Policy DMG 1.

Policy DMG 2: Strategic considerations

5.3.46 Policy DMG2 "strategic considerations" requires development to be in accordance with the core strategy development strategy and to support the spatial vision. This identifies that development proposals in defined settlements should consolidate, expand or round off development so that it is closely related to the main built up areas ensuring this is appropriate to the scale of and in keeping with the existing settlement. We consider that the proposed development does consolidate and expand development so that it is closely related to the main built up areas and is of a scale that is appropriate to the existing settlement.

Policy DME1: Protecting Trees and Woodlands

5.3.47 Policy DME1: Protecting Trees and Woodlands says that the Council will ensure that visual, botanical and historical value, together with the useful and safe life expectancy of tree cover, are important factors in determining planning applications. This will include an assessment of the impact of the density of development, lay out of Roads, access points and services on any affected trees; that a detailed tree protection plan is submitted with appropriate levels of detail; and that site-specific tree protection planning conditions are attached to planning permissions

Policy DME 2: Landscape and townscape protection

5.3.48 Policy DME2 "landscape and townscape protection" identifies a number of landscape features which should not be harmed by development and in respect of these there will be no harm as a result of the approval of this scheme to any of the landscape features identified.

5.4 Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD – Managing Our Waste and Natural Resources (February 2009)

5.4.1 Policy CS1 seeks the identification and conservation of mineral resources in Lancashire that have an economic, heritage or environmental value. Policy CS1 also seeks mineral resources with potential for extraction to be identified as Mineral Safeguarding Areas and protected from permanent sterilisation by other development. It says that "*Minerals will be extracted only where they meet a proven*

need for materials with those particular specifications. Lancashire's mineral resources, including those shown on the Key Diagram, and including its former mineral workings, will be identified and conserved, where they have an economic, environmental or heritage value. Mineral resources with the potential for extraction now or in the future will be identified as Mineral Safeguarding Areas and protected from permanent sterilisation by other development. Mineral consultation areas will be identified and reviewed regularly. District councils will consult with the minerals planning authority where proposals for developments fall within these areas. Extraction of mineral resources prior to other forms of development will be encouraged. The Mineral Planning Authorities will work with industry and others to ensure the best available information supports these principles."

- 5.4.2 This policy is consistent with paragraph 144 of the NPPF which is unambiguous that planning decisions should give great weight to the benefits of mineral extraction. It also states that local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas where they might constrain potential future use for these purposes. This reflects NPPF paragraph 143, which notes that in preparing Local Plans, local planning authorities should define Mineral Safeguarding Areas and adopt policies that protect mineral resources of local and national importance from needless sterilisation by non-mineral development. Consequently, the aims of the Policy CS1 are consistent with the NPPF in relation to protecting mineral reserves from sterilisation due to other forms of development.
- 5.4.3 Planning application 3/2011/0025 was initially refused due to concern by Ribble Valley Borough Council that the proposed development would sterilise safeguarded mineral resources at Lanehead Quarry. This view was not supported by the Inspector at appeal, who concluded that

"42. Lanehead Quarry retains reserves of workable and economically valuable mineral on the eastern face of the quarry in close proximity to the appeal site. Development of the appeal site would require the quarry operator to consider extracting mineral on the eastern face of the quarry through a blasting regime that would differ from typical production blasts in other parts of the quarry.

43. As noted above, it is evident that if the appeal scheme were to be developed, with careful management it should be possible to commercially extract mineral on the eastern face of the quarry, while both meeting the relevant planning conditions regarding blasting vibration, and successfully addressing the potential for complaints to be made. As such, there would be no 'permanent in-direct sterilisation' of reserves in the quarry.

44. Evidence in this case indicates that the appeal proposal would conserve economically valuable mineral with potential for extraction on the eastern face of Lanehead Quarry. It would not constrain potential future use of the mineral to result in needless sterilisation that would be

permanent (or otherwise). Accordingly, the appeal proposal complies with the relevant parts of CS Policy CS1, RSS Policy EM 7, and national planning policy within the Framework in relation to facilitating the sustainable use of minerals."

- 5.4.4 In the current proposal, dwellings would be no more than 26m closer to the quarry, compared to the proposal considered by the Inspector. There is no reason to believe that the current proposal would have any different impact in terms of the Inspector's view that careful management would enable the commercial extraction of minerals on the eastern face of the quarry.
- 5.4.5 This application is accompanied by an updated Noise Assessment Report. The assessment, based on a 'worst case scenario', shows that levels of noise are well within nationally recognised criteria for assessing noise impacts for proposed residential dwellings. The assessment also indicates that the levels of vibration monitored on the site are just within the levels of perceptibility. The report concludes that the quarry would not be sterilised for future working as a result of the proposed development, as the site is acoustically protected by virtue of the quarry face and natural topography and future residents would not be impacted by vibration. Mitigation measures with regards to glazing and ventilation for noise have been recommended, along with a noise and dust construction management plan. With the implementation of these recommendations, the report concludes that a suitable and commensurate level of protection against noise and vibration will be provided to the occupants of the proposed accommodation.

5.5 OTHER MATERIAL CONSIDERATIONS

Addressing Housing Need in Ribble Valley: Housing Policy (Adopted January 2012)

- 5.5.1 This document sets out the circumstances when affordable housing should be delivered and at what level, with regard to affordable housing threshold the document states:

"The Council will negotiate the provision of affordable housing on all qualifying housing developments as follows:

- In Longridge and Clitheroe on housing developments of 10 or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) the Council will seek affordable housing provision at 30% of units on the site.*
- In all other locations in the borough on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the Council will seek 30% affordable units on the site.*
- The Council will only consider a reduction in this level of provision to a minimum of 20% only where supporting evidence,*

including a viability appraisal fully justifies a lower level of provision."

- 5.5.2 All ten dwellings would be open market housing. Provision would be made for off-site affordable housing provision 'off-site' provision by virtue of purchasing three properties in Chatburn, all of which would be available for affordable rent. The properties would comprise two 2 bedroom dwellings and one 3 bedroom dwelling. Their provision would be ensured by a S.106 Agreement.

Proposed Planning Obligation

- 5.5.3 Draft heads of terms for a Section 106 Agreement are set out as an appendix to this statement, in order to deal with the requirements for affordable housing and education

6. SIMILAR DEVELOPMENT APPROVED WITHIN THE BOROUGH

- 6.1 We make reference below to a number of similar types of development that have been approved in the Borough in the recent past, which support our opinion that the proposed development should be looked upon favourably.

Application 3/2012/0065/P – Land off Dale View, Billington, Clitheroe, BB7 9LL

- 6.2 The first application that we make reference to is planning application number 3/2012/0065 which was an outline application for new residential housing development for twelve new houses at land off Dale View, Billington. This application was deferred and delegated to officers to approve subject to the satisfactory conclusion of a Section 106 Agreement at the Planning and Development Committee Meeting held on 24 May 2012. This application permitted residential development and indicates that the Council have clearly acknowledged the principle of development outside of the settlement boundary.

Application 3/2012/0738/P – Land off Dale View, Billington, Clitheroe, BB7 9LL

- 6.3 The second application that we make reference to is planning application number 3/2012/0738 which was an outline planning application for a total of 10 dwellings but resulted in the loss of one of the dwellings proposed under application 3/2012/0065. The planning committee again deferred and delegated the application for the planning department to approve the application subject to the conclusion of a satisfactory Section 106 Agreement. This application permitted residential development and indicates that the Council have

clearly acknowledged the principle of development outside of the settlement boundary.

Application 3/2011/0422 – land at Neddy Lane, Billington

- 6.4 We make reference to planning application number 3/2011/0422 which was an outline application for two detached dwellings together with associated garages, parking/turning areas and gardens on land at Neddy Lane, Billington. This application was approved with conditions on 18 October 2011. This application also permitted residential development on land outside of the settlement boundary.

Application 3/2011/0541/P - Land bounded by Dilworth Lane and Lower Lane, Longridge

- 6.5 Planning application number 3/2012/0964/P was a full application for the erection of 30 dwelling houses and other associated development on land to the north of Whalley Road, Hurst Green. The application was approved at the Council's Planning and Development Committee meeting on 14 March 2013.
- 6.6 The site lies outside but immediately adjacent to the defined settlement boundary of Hurst Green. The planning committee report stated that the Council had a 5.92 year supply of housing land but the members of the committee were reminded that the annual housing figures are not a maximum or ceiling and that development needs to be considered against the principles of establishing the NPPF around the presumption in favour of sustainable development. It also points out that there had not been an assessment made of the deliverability of the sites.
- 6.7 Notwithstanding the supply of housing land the application was approved and there are similar considerations to be made in respect of our client's application for additional housing off Dale View and adjacent to the settlement boundary of Billington.

Application 3/2012/0637 – Land off Mitton Road, Whalley, Lancashire

- 6.8 Planning application number 3/2012/0637 was for the erection of 137 dwellings and other associated development on land to the south west of Mitton Road. The application was determined on appeal and the appeal was lodged as a consequence of the Council's failure to determine it within the required timescale, however the Council would have refused the application if it had not been the subject of the non determination appeal. The appeal was allowed and there are a number of outcomes from the appeal that are relevant to the determination of this application.
- 6.9 The Inspector at paragraph 36 stated that the Council had used the wrong basis of assessment and that as a consequence the Council

could only demonstrate a 4.5 year supply. The Inspector's conclusion at paragraph 53 provides considerable support for the approval of our client's application.

7. SUMMARY AND CONCLUSIONS

- 7.1 The Council's adopted local plan is out of date. The Council cannot currently demonstrate a 5-year housing land supply which is a minimum requirement of the NPPF. As a consequence the Council in order to provide an adequate supply of housing land have had to allow the development of housing in a way that is contrary to the saved housing policies of the plan. The proposed development complies with the emerging core strategy and national planning policy as set out in the NPPF.
- 7.2 The development will provide an attractive modest housing development on land immediately adjoining the settlement boundary for Chatburn.
- 7.3 The development will provide much needed housing in a sustainable location in accordance with the principles of good design and will not have any significant adverse ecological or landscape impact.
- 7.5 Whilst the development site lies outside (but adjacent to) the settlement boundary of Chatburn we have demonstrated in this statement that there are significant material considerations which support the development of this site. We have also provided several examples of similar development within the Borough, which clearly supports the approval of this application.
- 7.6 The approval of this application will provide for the delivery of housing in a clearly sustainable location which would bring economic benefits in terms of construction jobs and to the local economy from the increased population.
- 7.7 We consider that this application should be fully supported by the Council.

Signed  Date 30.6.14
Kieran Howarth BA (Hons) Dip.TP MRTPI

Appendix 1: Draft Heads of Terms for a S.106 Agreement

The Draft Heads of Terms are set out below. Gary Hoerty Associates would be pleased to discuss them at the earliest opportunity.

1. **Affordable Housing Provision** - Provision would be made for off-site affordable housing provision 'off-site' provision by virtue of purchasing three properties in Chatburn, all of which would be available for affordable rent. The properties would comprise two 2 bedroom dwellings and one 3 bedroom dwelling.
2. **Schools Contribution** - Subject to there being a shortfall in primary school place provision, an amount to be agreed, following input by Lancashire County Council.