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JUDITH DOUGLAS TOWN PLANNING LIMITED

Land off Chatburn Old Road,  
Chatburn,  
Clitheroe,  
Lancs  
BB7 4EP

Proposed residential development of land for up to 9  
units.

## Planning Statement JDTPLo6o

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**STATEMENT IN SUPPORT OF A PLANNING APPLICATION FOR PERMISSION IN PRINCIPLE TO CONSTRUCT UP TO NINE DWELLINGS ON LAND OFF CAHTBURN OLD ROAD CLITHEROE BB7 4EP.**

**1 INTRODUCTION**

- 1.1 This planning statement has been prepared by Judith Douglas Town Planning Ltd in support of and application for permission in principle under the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 which came in to force on the 1 June 2018.
- 1.2 This statement provides a description of the site and the proposed development, its compliance with national policy and the development plan and an assessment of other material considerations. It should be read in conjunction with the accompanying plan reference T2359-01 Site Location Plan. The site area is 9.982sqm.

**2.0 THE APPLICATION SITE AND SURROUNDING AREA**

- 2.1 The site, as identified by red outline on the submitted plan, is located adjacent to the built-up area of Chatburn, approximately 300 metres to the west of its centre with its shops and other facilities.
- 2.2 The site extends to 0.9982 hectares. The main part of the site is site is bounded to the north by the new housing development known as Hare Hill Croft on the south side of Chatburn Old Road; to the east and south by housing on Crow Trees Brow; and to the west by agricultural land between the site and Chatburn Quarry. Vehicle access to the site is envisaged to be via Chatburn Old Road.
- 2.3 The site slopes down in level towards the east and south. It is mainly down to grass with occasional bushes and trees. A tree on the east side of the site is covered by a Tree Preservation Order. Construction work on the implementation of a planning permission (reference 3/2014/0618) for a development of ten dwellings to the north of the site is under construction.
- 2.4 Chatburn is a vibrant village having a mix of housing, with a wide range of local services and facilities, including a school (Chatburn Church of England Primary School), a post office and other shops, a community centre, churches, pub, a take-away and a number of other businesses. Bus services run through the village at frequent intervals during the day, providing connections to Clitheroe and other destinations. More extensive retail, community,

and public transport facilities and employment opportunities are to be found in Clitheroe some 2km to the west.

### 3 THE PROPOSED DEVELOPMENT

3.1 The application seeks permission in principle for residential development of the land for up to nine units.

### 4 DEVELOPMENT PLAN POLICY

4.1 The Development Plan for the purposes of this application comprises the Ribble Valley Core Strategy (adopted 2014) and the National Planning Policy Framework (NPPF) (2012).

#### National Planning Policy Framework

4.2 The National Planning Policy Framework (NPPF) clearly states *'that the purpose of the planning system is to contribute to the achievement of sustainable development'* (paragraph 6). Paragraph 197 confirms that *'in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development'*. Paragraph 14 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that *'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 planning permission unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole; or*
  - *specific policies in this Framework indicate development should be restricted'*.

4.3 Paragraph 7 refers to the three dimensions of sustainable development – economic, social and environmental. An elaboration of the Government's view of what sustainable development means in practice for the planning system is detailed later in the NPPF.

4.4 The NPPF (paragraphs 2, 11, 12 and 196) confirms that planning law requires that applications for planning permission be determined in accordance with the development plan

unless material considerations indicate otherwise, ie the development plan is the starting point for decision making.

- 4.5 The NPPF highlights the importance of development plans being kept up to date (paragraph 12). Decision taking in the absence of an up to date development plan is addressed at paragraph 14. 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'*.
- 4.6 Paragraphs 2, 8, 13, 196 and 212 confirm that the NPPF is a material consideration in planning decisions.
- 4.7 The main body of the NPPF addresses the components of sustainable development. The aspects of those components most relevant to this application are:
- 'promoting sustainable transport' –which promotes patterns of development which facilitate sustainable modes of transport (paragraph 30).
  - 'delivering a wide choice of high quality homes' – local planning authorities are expected to boost significantly the supply of housing (paragraph 47). In this regard, where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer of 5% to 20% when calculating the five-year housing (paragraph 47). Paragraph 48 goes on to state that *'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'*;

#### Core Strategy

- 4.8 The following policies in the adopted Core Strategy are of relevance to the proposal:
- Key Statement DS1 (Development Strategy) - seeks to direct the majority of new housing development to the strategic (Standen) site and the principal settlements of the Borough (Clitheroe, Longridge and Whalley). In addition, housing development is to be focused towards the Borough's Tier 1 villages (including Chatburn), which are the more sustainable of the other settlements in the Borough. There is a requirement for 27 dwellings to be developed in Chatburn over the plan period. Allowing for commitments at March 2014, there was a residual requirement of 18 dwellings for the settlement.

- Key Statement DS2 (Presumption in Favour of Sustainable Development) – sets out a presumption in favour of sustainable development and reiterates the provisions of paragraph 14 of the NPPF.
- Key Statement H1 (Housing Provision) – makes provision for 5,600 dwellings over the period 2008 to 2028 at a rate of 280 dwellings per year. The Key Statement goes on to state that the Council will identify '*sites for residential development that are deliverable over a five-year period*' and '*the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond*'. The supporting text to the Key Statement confirms that '*these figures will be treated as a minimum target unless otherwise determined*'.
- Key Statement EN2 (Landscape)- The landscape and character of those areas that contribute to the setting and character to the Forest of Bowland Area of Outstanding Natural Beauty.
- Policy DMG2 (Strategic Considerations) – expects development to be in accordance with the Development Strategy and 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.

4.9 Other policies and statements of the Core Strategy deal with more detailed considerations such as built and natural environment conservation, transport considerations, design, and affordable housing. These are not relevant considerations to an application for permission in principle.

#### Housing and Economic Development Plan Document (HEDDPD)

4.10 The site granted planning permission in 2014 for ten dwellings 3/2014/0618 and part of this application site together with land between the approved site and 9 Chatburn Old Road have been included within the proposed settlement boundary of Chatburn in the HEDDPD. See figure 1. Extract from Sheet 5 Inset 28 Chatburn. The application site and land to the west of the site up to the boundary with the quarry has been put forward as a potential housing allocation site in the regulation 18 and 19 stages of the HEDDPD.

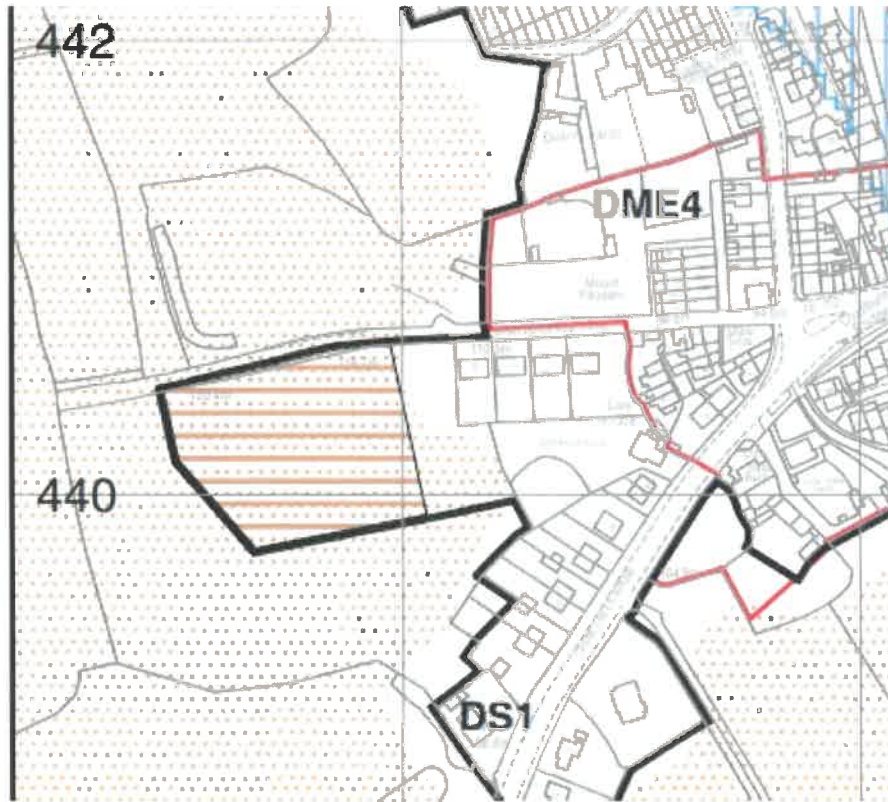


Figure 1. Extract from HEDDPD Sheet 5 Inset 28 Chatburn

## 5 EVALUATION

### 5.1 The main issues to be considered relating to the in-principle development are:

Location- the location of the site adjacent to a settlement identified as a tier 1 settlement in the adopted Core Strategy

Land use- whether the residential use of the land is appropriate in this location

Amount- whether the number of units applied for is appropriate in this location.

### 5.2 On the 22 May 2018 an appeal decision ref APP/T2350/W/17/3186969 for a site off Higher Road Longridge established that the Council cannot currently demonstrate a 5-year housing supply. This means that the relevant policies in the Core Strategy for the location and supply of housing are out-of-date through the operation of paragraph 49 and 215 of the Framework. Paragraph 14 of the Framework is, therefore engaged. Paragraph 14 of the Framework states that for decision making this means where the development plan is silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.

- 5.3 Chatburn is a tier 1 settlement where according to Key Statement DS1 Chatburn is one of the more sustainable of the 32 defined settlements. The last published Annual Monitoring report indicated that there was a residual requirement for 2 dwellings in Chatburn on the 31<sup>st</sup> March 2017 as compared to a residual requirement for 18 units 31<sup>st</sup> March 2014.
- 5.4 If the Council was in a position of having a five-year housing supply the proposed development of up to 9 units would represent a surplus to the residual requirement for Chatburn. The identified housing requirement is meant to represent a target rather than a ceiling. The number of units proposed which exceed the target is not significant compared to the size of the settlement. However, as the Council is in a position of under supply the targets set in policy DS1 are out of date according to the Framework. The proposed additional units will contribute to meeting the need for new housing in a sustainable location. The magnitude of the development is not disproportionate to the size of the settlement.
- 5.5 The application site is bounded to the north by the housing development under construction, and to the south and east by the existing housing on Crow Trees Brow. The development of the site is the logical consolidation of development in this part of Chatburn rounding off the site between the houses under construction on Chatburn Old Road and the houses which front Crow Trees Brow.
- 5.6 The land is shown as being outside but adjacent to the settlement boundary of Chatburn and in an area of open countryside in the adopted Ribble Valley Districtwide Local Plan. In this area Key Statement EN2 (Landscape) applies. In the draft HEDDPD the site is outside the designated Forest of Bowland Area of Outstanding Natural Beauty and within an area of open countryside.
- 5.7 Key Statement EN2 seeks to protect, conserve and enhance the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty. The Key Statement goes on to state that *'the landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced'*. Furthermore, *'as a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials'*. The site does not lie within the AONB; the nearest point of the AONB is some 750 metres to the east of the site, on the eastern side of the built-up area of Chatburn and the main A59 road.
- 5.8 The site adjoins the existing built-up area of Chatburn. It is visually contained by existing development. Development of the site for housing would be seen against the backdrop of the

built-up area of Chatburn without any undue visual intrusion. The AONB lies some 750 km to the east of the site. Given the distance, the intervening development at Chatburn and the different character of the site from the higher land of the AONB, there is no reason to consider that the development of the site would have any harmful impact on the character or appearance of the AONB. Indeed, the visual impact of the development of the site would be no different from that consented on the adjacent land which was judged to have no harmful visual impact.

5.9 In terms of the location, use of the land and the amount of development proposed we have demonstrated that the development of the site for up to nine residential units is acceptable. The site is in a sustainable location conveniently located for local services including:

- a primary school within 500 metres of the site;
- the centre of Chatburn with its various facilities, as described above, within 200 metres of the site;
- the bus stops at the centre of Chatburn are within 200 metres of the site, with services linking to the rail station at Clitheroe; and
- employment areas at Chatburn are within 500 metres of the site, and the main employment areas at Clitheroe within 1.5km of the site.

5.10 The use of the of the land is compatible with the surrounding residential development. The proposed site is no closer to Chatburn Quarry than the part of the site which is now under construction for housing. The proximity to Chatburn Quarry was an issue when that site was being considered for planning permission in the early planning stages. Following an appeal, the Inspector concluded that there was an acceptable relationship to the working quarry and that there was no risk of mineral reserves at the quarry being sterilised by the housing development. It is not envisaged that any dwellings would be sited closer to Chatburn Quarry than those which already have planning permission and therefore the development of the site will not affect the existing land use to the west of the site.

5.11 As the Council finds itself in a position of housing under supply the amount of the development (up to nine units) should be seen as a welcome addition to the housing supply of the Borough. There are no constraints to the development of the site which we are aware of that would prevent the immediate development of the site following the granting of permission in principle and technical details permission.

5.12 Whilst matters of detail are not intended to be considered as part of an application for permission in principle we note that a safe vehicular access could be provided from Chatburn



Old Road, as with the adjoining development site, which in turn is well connected to the primary road network.

## **6 CONCLUSION**

- 6.1 The site is in a sustainable location. It has ready access to a wide range of services and facilities by foot, cycle and public transport, and is well related to the existing settlement. As such, the site is suitable for residential development, entirely in accord with the expectations of the NPPF. There is no reason why permission in principle cannot be granted. The development of the site for housing is readily achievable as evidenced by the grant of planning permission and commencement of development on land to the north of the site. Granting permission in principle will assist in addressing the under-supply of housing in the Borough.
- 6.2 The adopted local plan and draft Proposals Map shows the site as subject to Key Statement EN2 of the Core Strategy and to lie outside of the settlement boundary. The site has no features to distinguish it from the adjacent site recently granted planning permission and under construction. The site does not contribute in any meaningful way to the character or appearance of the AONB. There is no public benefit derived from the protection provided by Key Statement EN2. By contrast, there is a need to identify land suitable for housing development in a sustainable location to address housing undersupply.

