

**PLANNING STATEMENT
(INCLUDING HEADS OF TERMS)**

LAND OFF HENTHORN ROAD, CLITHEROE

January 2019



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EXECUTIVE SUMMARY

- i. This planning statement supports an outline planning application made by Gladman Developments Limited for a site at Henthorn Road, Clitheroe. The development will comprise the erection of up to 110 dwellings, public open space, landscaping and sustainable drainage systems (SuDS) and a vehicular access point off Henthorn Road.
- ii. The application is made in outline, with all matters reserved except for access. The access details provide certainty that the site can be accessed acceptably and safely by vehicles, cyclists and pedestrians.
- iii. The application site represents a suitable and sustainable location for housing, well located to the existing urban area. The proposal offers the opportunity to deliver:
 - local benefits, through investment in the local community;
 - borough wide benefits, in terms of making a strategically important contribution to housing supply and economic objectives; and,
 - national objectives in boosting the supply of homes and delivering sustainable development.
- iv. The proposed development has been carefully considered to ensure that it will provide high quality sustainable development. The design-led approach, informed by consultation with the local planning authority, key stakeholders and the local community responds sensitively to the site setting, respecting the grain of the surrounding landscape, both built and undeveloped. The development will be a positive addition to Clitheroe complementing the character of the surrounding area in terms of scale, density, character and quality.
- v. The design of the scheme focuses residential development within the centre of the site with open space provided on all sides of the developable area with the focus of the open space being centred on the existing watercourse running through the south-eastern corner of the site. The development offers 1.79ha of green infrastructure which equates to circa. 34% of the total site area. The green infrastructure consists of public open space, an attenuation basin, play facilities, and tree and hedgerow planting. There are informal recreation routes proposed around the site.
- vi. Development proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Core Strategy was adopted in December 2014 covering the period from 2008 until 2028. The Council consider that the proposal accords with the aims of the Core Strategy.
- vii. Although the Core Strategy does meet the latest OAN figure as set out in the 2013 SHMA, the Council cannot demonstrate a 5 year supply of deliverable housing sites. Relevant policies for the supply of housing (policies DS1, H1, DMG2 and DMH3) are therefore out of date and in

accordance with paragraph 11d) Footnote 7 of the NPPF2018, the presumption in favour of sustainable development applies.

- viii. In the circumstances, should the Council change its stance and consider that there is conflict with the Development Plan, then policies concerning development in the open countryside and settlement boundaries are restrictive of development and should be accorded limited weight. The conflict with the Development Plan in this regard should therefore be given limited weight.
- ix. An assessment against the up to date provisions of the Core Strategy and the NPPF2018 where relevant, demonstrates the scheme comprises sustainable development:
- The proposals will comprise a range of benefits, including making a significant contribution towards meeting objectively assessed market and affordable housing needs of the Borough, in a situation where the Council cannot demonstrate a deliverable five year housing land supply.
 - The harm identified to the landscape arising from the development of a greenfield site beyond the current settlement boundaries, is limited in scale and magnitude; it is no more than would be expected for changing a previously undeveloped site to one of built form.
 - The Council consider that the proposal accords with the aims of the Core Strategy and therefore in accordance with the NPPF2018 para 11c) should be approved without delay. Alternatively, the Council cannot demonstrate a 5 year supply of deliverable housing sites therefore the relevant policies for the supply of housing are out of date and in accordance with para 11d) of the NPPF2018, the presumption in favour of sustainable development applies and permission should be granted unless the impacts of the development outweigh the benefits.
 - There are no policies of the NPPF2018 which indicate permission should be restricted.
- x. In summary, the identified harm arising as a result of the development would not be considered sufficient, either in combination or by themselves, to outweigh the benefits of delivering housing as proposed. In accordance with paragraph 11 of the NPPF2018 the application should be approved without delay.

1 INTRODUCTION

1.1 Scope of the Planning Statement

1.1.1 This Planning Statement has been prepared in support of an outline planning application for the development of up to 110 dwellings at Henthorn Road, Clitheroe. The application is submitted by Gladman Developments Limited (Gladman).

1.1.2 The description of the development is as follows:

“Outline planning application for the erection of up to 110 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Henthorn Road. All matters reserved except for means of access.”

1.1.3 This is a resubmission of application 3/2018/0688 which was submitted by Gladman in August 2018. The application went before the Planning Committee on 1st November 2018 with a recommendation for approval. However, Members elected to defer the decision until the 29th November 2018 committee in order for officers to seek clarification from LCC highways on a few matters. At the 29th November 2018 the Planning Committee were advised of LCC Highways comments on the queries Members raised. LCC Highways confirmed that they still raised no objection to the proposal. Despite this Members resolved to refuse the application. The application was then taken back to committee on the 10th January 2019 to agree the wording of the reasons for refusal. The reasons drafted read:

1. The proposed development would result in an unsustainable form of development within the countryside. Due to the site’s location, with a lack of cycling or suitable pedestrian access to the town centre, future residents will be wholly reliant on the car. As such the development is contrary to Key Statements DS2 and DMI2, as well as Policies DMG2 and DMG3, of the Ribble Valley Core Strategy and guidance contained within the National Planning Policy Framework.

2. The proposed development will introduce additional traffic onto the highway network immediately surrounding the site which will result in increased traffic congestion and risk to highway safety, in particular at the key traffic junctions of Henthorn Road, Woone Lane, Eshton Terrace and the railway crossing. The residual cumulative impacts on the road network would be severe and as such the development would be contrary to Key Statements DS2 and DMI2, as well as Policies DMG2 and DMG3, of the Ribble Valley Core Strategy and guidance contained within the National Planning Policy Framework.

- 1.1.4 Given that LCC raised no objections to the proposals, Members were advised verbally at the 10th January 2019 planning committee that the Council had contacted 5 independent highways consultants with a view of defending the proposed reasons for refusal at appeal and that all 5 consultants declined to defend the reasons. Despite this, Members resolved to refuse the application, but only on the basis of reason 1 above, which the Council confirmed by notice on 11th January 2019.
- 1.1.5 Committee Members concerns during their debate focussed on the location of the site in relation to local services and facilities and highways capacity, namely at the junction of Henthorn Road and Eshton Terrace despite there being no objection from the Lancashire County Council Highways Authority (LCC Highways) on either ground. Furthermore, Members were advised through the committee report and verbally at the committee meeting that this location had been considered sustainable by an Inspector for the adjacent site in 2012, LCC Highways, the Transport Assessment and an independent review of the Transport Assessment by a third party highways consultant (WYG). The Transport Assessment, LCC Highways and the independent review by WYG all also confirmed that the proposal in combination with committed development has identified that the proposal will not have a severe impact on the road network. In fact, the junction which caused most concern to Members (Henthorn Road/Eshton Terrace) has been modelled to operate in capacity in the AM peak and with some stress in the PM peak but as agreed by 3 highways experts, this is not to a level that would require mitigation let alone to a level that could be reasonably considered as severe.
- 1.1.6 Given that LCC raised no objections to the proposals, Members were advised verbally at the 10th January 2019 planning committee that the Council had contacted 5 highways consultants with a view of defending the proposed reasons for refusal at appeal. All 5 consultants declined the work. Despite this, Members resolved to refuse the application, but only on the basis of reason 1 above.
- 1.1.7 Ashley Helme Associates Ltd have provided the Transport Assessment to support this application. Along with the Transport Assessment, they have provided a technical note to respond to this reason for refusal, which again concludes that the site is sustainable.
- 1.1.8 The starting point for the determination of this application is the Development Plan, comprising of the:
- Ribble Valley Core Strategy (2014);
 - Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (2009) and
 - Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies, (2013).
- 1.1.9 As a matter of principle, the Council indicated in their pre-application response and the committee reports for the 1st November 2018, 29th November 2018 and 10th January 2019 committees that the

development, as proposed, is in accordance with the Development Plan due to its location on the edge of a principal settlement.

5.1.3 Core Strategy Key Statement DS1 states that as a part of the overall apportionment of future housing development in the Borough, Clitheroe is regarded as a principal settlement. Both Key Statement DS1 and DMG2 of the Core Strategy, when taken together, permit development proposals in the principal settlements, including Clitheroe, which accord with the development strategy and consolidate, expand or round-off development so that it is closely related to the main built up area.

...

5.1.12 In view of the above it is considered that the addition of 110 dwellings in this location would not have a significant impact upon local services and facilities, and therefore represents sustainable development. The principle of residential development is therefore considered to be acceptable in this location¹.

- 1.1.10 At the recent eLP hearing sessions the Council went further to stress that policy DMG2 is a flexible policy that allowed applications outside of the settlement boundary, such as this, to be granted planning permission at a time when the Council could demonstrate a five year housing land supply. The Council pointed to a number of applications in the Borough where they considered that this had occurred. It was also evident at the hearing sessions that due to the delays with the delivery of Standen, and that it will not deliver within the plan period as anticipated, that the housing requirement for Clitheroe will not be met within the plan period.
- 1.1.11 However, even if it was deemed that the proposal is not in accordance with the Development Plan, then Gladman consider that the plan can only be given limited weight due to Gladman considering that the Council are unable to demonstrate a five year housing land supply. The National Planning Policy Framework 2018 ('the NPPF2018') sets out the requirement to boost significantly the supply of housing (paragraph 59) and in the circumstances, the presumption in favour of sustainable development (paragraph 11) applies.
- 1.1.12 Despite whether the Council can demonstrate a 5 year housing land supply, this should be seen a minimum target and shouldn't prevent additional sustainable development that has no technical issues, such as this scheme.

¹ 29th November 2019 Committee Report

- 1.1.13 The Country faces a national housing crisis and the NPPF2018 is explicitly supported by statements by the government which highlight the need to build many more new homes,

““The consensus is that we need from 225,000 to 275,000 or more homes per year to keep up with population growth and start to tackle years of under-supply.”²

- 1.1.14 The development, as proposed, is sustainable and will help deliver the new homes needed to meet identified local housing need, helping address a key economic and social priority for the government and Ribble Valley Borough Council (the Council).

- 1.1.15 This Planning Statement explains why development is needed in this location and the significant social, environmental and economic benefits that the proposal will bring to the area. It also confirms, drawing on the supporting technical information, that no significant and demonstrable adverse impacts would arise as a consequence of the development, to outweigh these benefits. This is a view confirmed in the committee reports for application 3/2018/0688:

6.1 The application site is considered to be sustainable location, adjoining the Draft Settlement Boundary of Clitheroe, and the proposal will contribute towards the supply of housing within the borough, and in particular contribute towards the provision of over 55s accommodation and affordable housing. Statutory consultees have raised no objection to this application and therefore in accordance with paragraph 11 of the NPPF, which states that planning permission should be granted unless the adverse impacts of this proposal would significantly and demonstrably outweigh the benefits, the outline planning application for residential development, with all matters reserved except for access, is considered to be acceptable.³

- 1.1.16 The Statement further explains the policy context and how the proposed development complies with the NPPF2018 and why it is appropriate to bring forward development now at this site.

- 1.1.17 This Statement is one of a suite of documents submitted to support this application and comprehensively demonstrates the suitability and sustainability of the site for development, as proposed.

1.2 Site Location

- 1.2.1 The 5.2 ha site lies adjacent to the existing residential development on the edge of Clitheroe, in the ward of Edisford and Low Moor. Clitheroe has a population of 14,765 and as identified at para. 2.6

² Fixing our broken housing market (DCLG, February 2017)

³ 29th November 2018 committee report

of the Core Strategy as the main administrative centre of the Borough with a range of services and facilities.

1.2.2 A residential development of 270 dwellings is, at the time of writing, near completion on the site adjacent to the north east boundary of the proposal site by Taylor Wimpey and Barratt Homes (Reserved Matters application reference: 3/2013/0035). There are also a further 130 dwellings currently being built on the fields opposite the proposed site by Story Homes Ltd (Reserved Matters application reference: 3/2015/0446).

1.2.3 The settlement lies approximately 14km to the north east of Blackburn and 13km north west of Burnley.

1.2.4 The site is shown outlined in red in Figure 1.

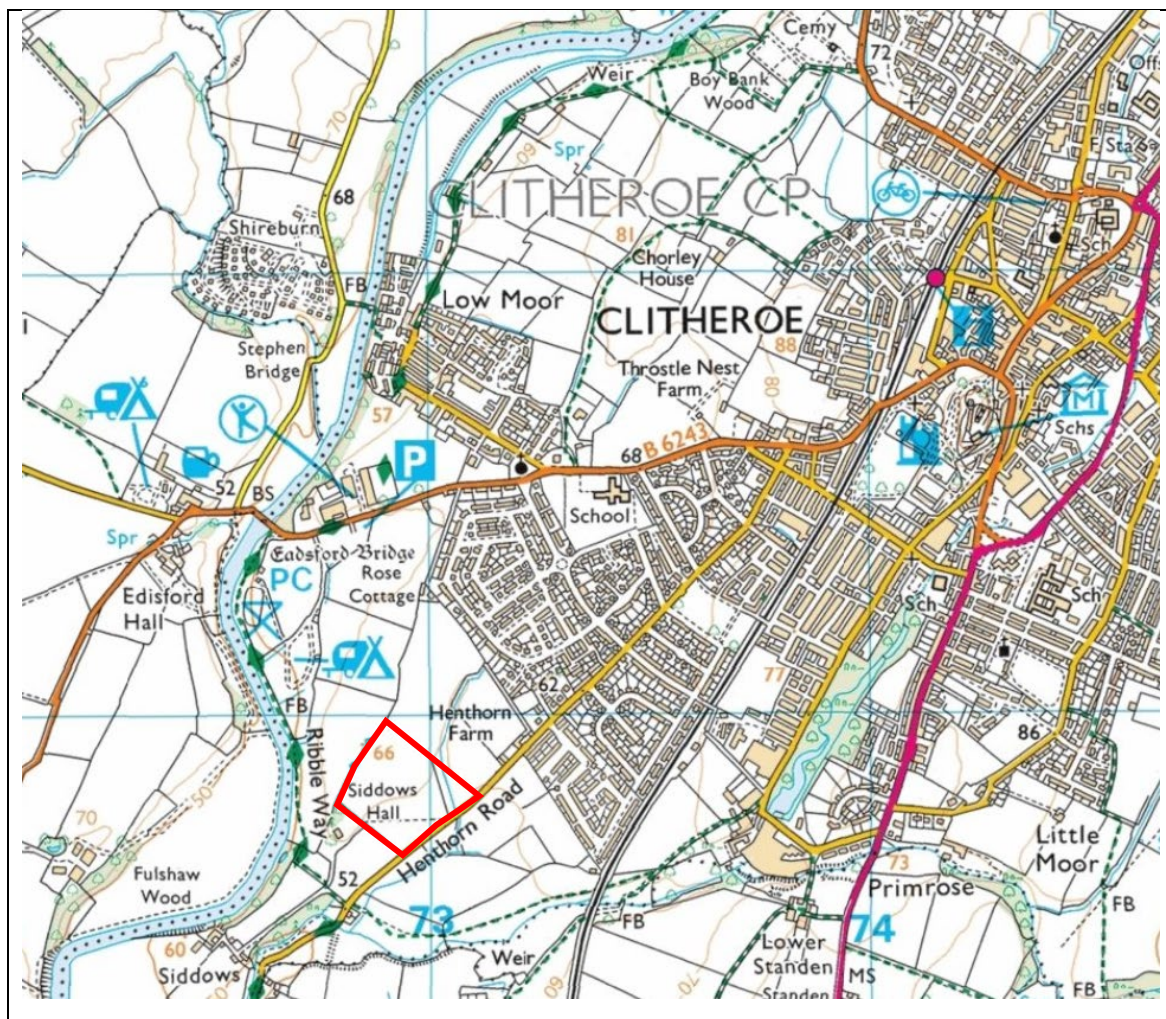


Figure 1: Location Plan

1.2.5 The site is situated within approximately 1.5km of the town centre of Clitheroe and therefore a wide range of shops, services and employment opportunities are situated within walking and cycling distance. The site's proximity to key services and facilities is shown in Figure 11 of the Design and Access Statement (DAS) and details of facilities are shown within the Transport Assessment.

1.3 Suitable location and Sustainable Site

The application site comprises a field in agricultural use. It is well related to the settlement and it is contained by physical features at its urban edge. The development would represent a logical extension to Clitheroe.

- 1.3.1 The site adjoins a recently constructed residential development to the south west of Clitheroe. The application (reference: 3/2013/0035) is at the time of writing near completion and therefore, the proposed site will adjoin existing development to the north east boundary as is currently being redrawn by the HED DPD. There is an additional approved application, also being built out, across Henthorn Road (reference: 3/2015/0446) which is also proposed to be included in the revised settlement boundary. Therefore, the proposed site will adjoin the settlement boundary on two sides, the north east and south east as can be seen in figure 2 below. It would be unreasonable to suggest that the properties under construction that are now immediately opposite the site are sustainable but the properties subject to this application would not be.

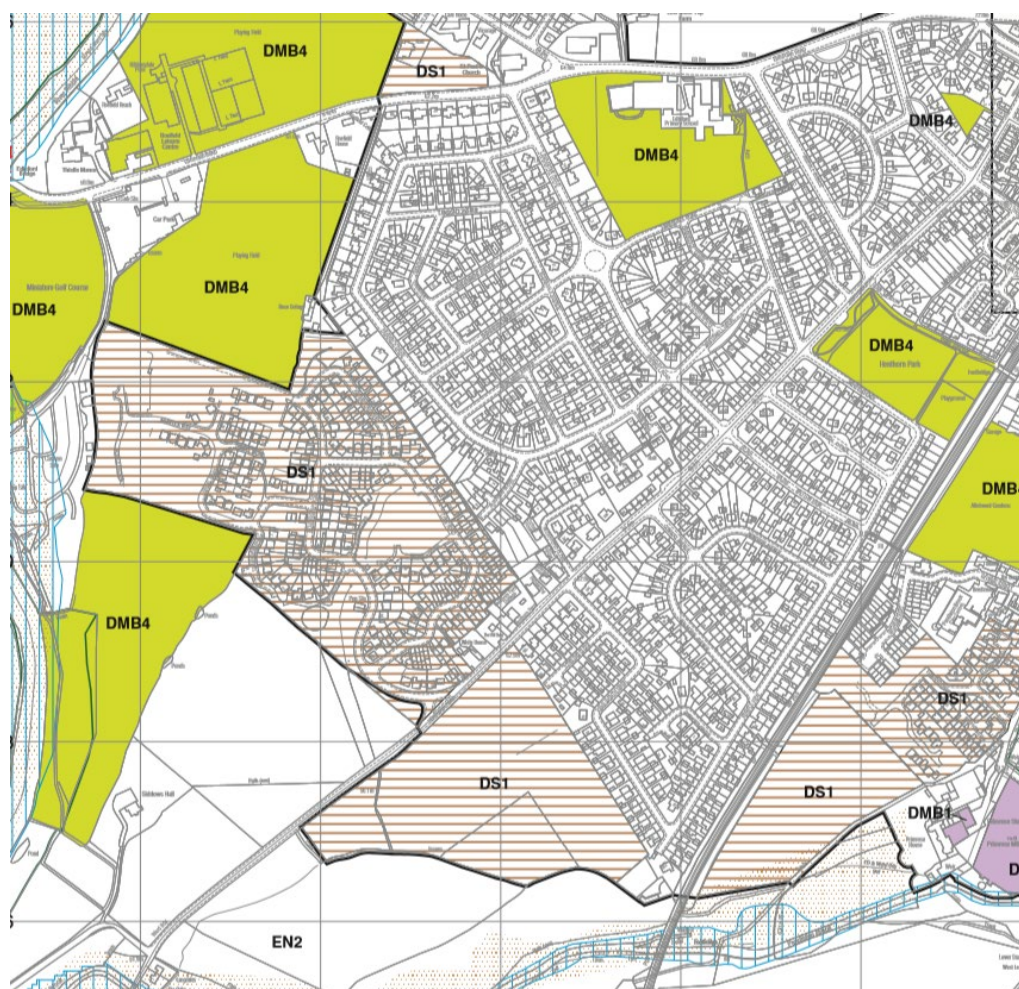


Figure 2: HED DPD Draft Proposals Map for South West Clitheroe

- 1.3.2 The proposal site lies between the country park to the north (built as part of the development to the northeast) and the new development to the south, creating a logical extension to Clitheroe as

it does not extend the settlement edge any further. The committee reports for application 3/2018/06884 confirmed that the Council consider that *'the site is considered to be sustainable location, adjoining the Draft Settlement Boundary of Clitheroe.'* Furthermore, the appeal Inspector for the adjoining site (3/2013/0035) which was approved at appeal stated that this is *'a location where growth would be expected to be directed.'*⁵ Inspector Stephens goes on to state:

27. ...In my view, the development of site immediately adjacent to the built up area of Clitheroe would in principle be 'sustainable' because that is where the predominance of services and facilities are to be found. That is in part because such a location would reduce reliance upon the private car.

1.3.3 Further disputing the reason for refusal for application 3/2018/0688 is LCC Highways as the 10th January 2019 committee report states that the Highways Officer has *'raised no objection to the sustainability of the location, subject to a financial contribution of £200,000 (£40,000 per annum for five years) in respect of sustaining and promoting local public transport in this area. The applicant has agreed to this financial contribution.'*⁶

1.3.4 Clitheroe is recognised in the Settlement Hierarchy Paper (2008) as the most sustainable settlement in Ribble Valley Borough. Page 1 of the paper states that:

'Clitheroe stands out as the most significant settlement within the Borough, with the best provision of services and facilities.'

1.3.5 The following is relevant in terms of the site's suitability and sustainability for development:

- The site is well contained within the landscape and important trees and other landscape features are retained as confirmed by the committee report (3/2018/0688); *the site is not visually isolated in the landscape and it is accepted that the residential development of this site can take place without any serious detriment to visual amenity in this area.*⁷
- The local highway network has capacity to accommodate the additional traffic associated with the development, without adverse impact as confirmed by the consultation response from LCC highways, the submitted Transport Assessment, the WYG review of the Transport Assessment and section 5.4 of the committee report⁸ for application 3/2018/0688;

⁴ 29th November 2018 Committee Report, para 6.1

⁵ APP/T2350/A/11/2161186

⁶ 10th January 2019 Committee Report, para 5.1.9

⁷ 29th November 2018 Committee Report, para 5.3.6

⁸ 29th November 2018 Committee Report,

- The Highways Officer raised no objection to the sustainability of the location and 5 independent Highways Consultants have refused to defend the position that it is unsustainable at appeal.
- The Council in extending the settlement boundary to adjoin the application site on two sides, resulting in the proposed properties being equidistant from the services and facilities as those now being included in the revised settlement boundary.
- The site comprises land in agricultural use, but its usefulness for agricultural purposes is limited and its loss would not be significant in NPPF2018 terms (para 170b);
- The site has a low ecological value and on the basis of the evidence submitted with the application (Ecological Impact Appraisal prepared by FPCR). The loss of habitat would therefore not be significant and mitigation and net biodiversity gains can be readily achieved, the Council's Countryside Officer raised no objection on this basis as confirmed by para 5.4.5 of the committee report;
- The application site falls within the EA Flood Risk Zone 1 (i.e. land assessed as having a less than 1 in 1,000 annual probability, or <0.1% chance of flooding) as confirmed by the no objection being raised by the LLFA, EA or UU for application ref: 3/2018/0688;
- There are no designated heritage assets within or immediately adjacent to the site, and the development is not considered to affect the setting of any Listed Buildings.

1.3.6 The DAS prepared by FPCR and submitted in support of the application sets out how the site can accommodate the quantum of development proposed in a manner which reflects the local landscape character and the edge of Clitheroe.

1.3.7 In summary the application site presents an opportunity for the sustainable growth of Clitheroe as agreed by the Council in the committee report for application 3/2018/0688:

- The land to which the development proposals relate is not of high environmental value.
- The site is suitable for residential development in terms of its general location and characteristics.
- There are opportunities through development to improve the environmental conditions of the area.

2 THE NATIONAL HOUSING CRISIS

2.1 Introduction

- 2.1.1 It is widely acknowledged at all levels that there is a housing crisis in this country, which has arisen as a direct consequence of too few houses being completed to keep pace with a growing population and household formation rates. The solution to address this pressing national issue is a sum of the individual parts, i.e. every local authority must ensure that a five year supply of housing is achieved urgently against up to date, objective assessments of their needs. This section of the Planning Statement will set out the context to the national imperative to boost significantly the supply of housing, the response required of Ribble Valley Authority and the observed effects on affordability in the Borough.

2.2 The Government's Assessment and Response to the Housing Crisis

- 2.2.1 In recognition of this problem, the former Planning and Housing Minister, Brandon Lewis announced in 2015 the Government's intention to build 1 million additional homes by 2020 (equating to approximately 200,000 new homes per annum). Even this commitment falls short of the number of homes identified as actually being required by the National Housing Federation⁹, the research of whom indicated that 245,000 new homes per annum are required. At the 2017 General Election, all three major parties had manifesto commitments to build between 200-300,000 new homes per annum, dependent upon the start and end dates adopted.
- 2.2.2 The highest collective period of housebuilding completions per annum was in the 1960's when an average of 340,000 homes a year were constructed. Since the 1970's there have been an average of 160,000 new homes constructed each year in England (DCLG Live table 104).
- 2.2.3 In July 2016, the Economic Affairs Committee released its 'Building More Homes' report. This criticised the Government's housing policy for setting a new homes target that fails to meet the needs of the country. The 'Building More Homes' report provides data on the changes in net housing stock in England between 2007 and 2015. This is summarised in the table below:

Year	Net Additional Dwellings
2007/08	207,480
2008/09	166,590
2009/10	128,670
2010/11	121,210
2011/12	134,890
2012/13	124,730
2013/14	136,600
2014/15	170,000

⁹ Research issued in 2015 from the National Housing Federation highlighted a massive shortfall (over 500,000 homes) in the number of homes built in England between 2011 and 2014. The Federation calculated that 974,000 homes (effectively 245,000 a year) should have been constructed over that period to meet the country's housing needs.

- 2.2.4 The shortfall in the construction requirement has recently been ratified by the Housing White Paper in which the foreword (from the former Secretary of State, the Rt Hon Sajid Javid MP) and the Introduction on Page 9 states:

“This country doesn’t have enough homes. That’s not a personal opinion or a political calculation. It’s a simple statement of fact.”

“The consensus is that we need from 225,000 to 275,000 or more homes per year to keep up with population growth and start to tackle years of under supply.”

- 2.2.5 Having regard to the evidence on past completions, it is self-evident that a significant step change is required in the delivery of new homes, in order to get anywhere close to meeting requirements and preventing the housing crisis from being exacerbated further.

- 2.2.6 The pressing nature of the situation and its social and economic importance is reflected by a November 2016 update from the Lyons Housing Commission¹⁰ reminding us how, after decades of failure to build the homes the country needs, public concern about housing is the highest it has been for 40 years and tackling the housing crisis has risen up the national political agenda to become embedded as a top priority for Government.

- 2.2.7 The report also identifies that current projections suggest we will fall far short of the Government ambition to build 1 million homes by 2020 (let alone up to 275,000 per annum that the Government acknowledge could be required). It states:

“For the new Prime Minister, the Secretary of State for Communities and Local Government, Sajid Javid and Minister for Housing, Gavin Barwell, a sustained step change in house building will be critical to the health of the national economy and to improving the quality of life for current and future generations.”

- 2.2.8 The foreword by the former Secretary of State, Sajid Javid, to the Government Housing White Paper which followed confirms a significant change in the pace of housing delivery is required to have any effect on the housing crisis we face:

“For decades, the pace of house building has been sluggish at best. As a result, the number of new homes has not kept pace with our growing population. And that, in turn, has created a market that fails to work for far too many people.

¹⁰ The Lyons Housing Commission, an independent group of 12 housing experts chaired by Sir Michael Lyons, was first convened in 2013 to advise on how a future government might bring about a sustainable increase in house building in England.

Soaring prices and rising rents caused by a shortage of the right homes in the right places has slammed the door of the housing market in the face of a whole generation.

...That has to change. We need radical, lasting reform that will get more homes built right now and for many years to come. This White Paper explains how we will do just that."

- 2.2.9 This application therefore responds to the national housing crisis, but as will be explained later in this Planning Statement, the local housing issues in Ribble Valley which are contributing to the problem overall.

2.3 The Local Authority Position

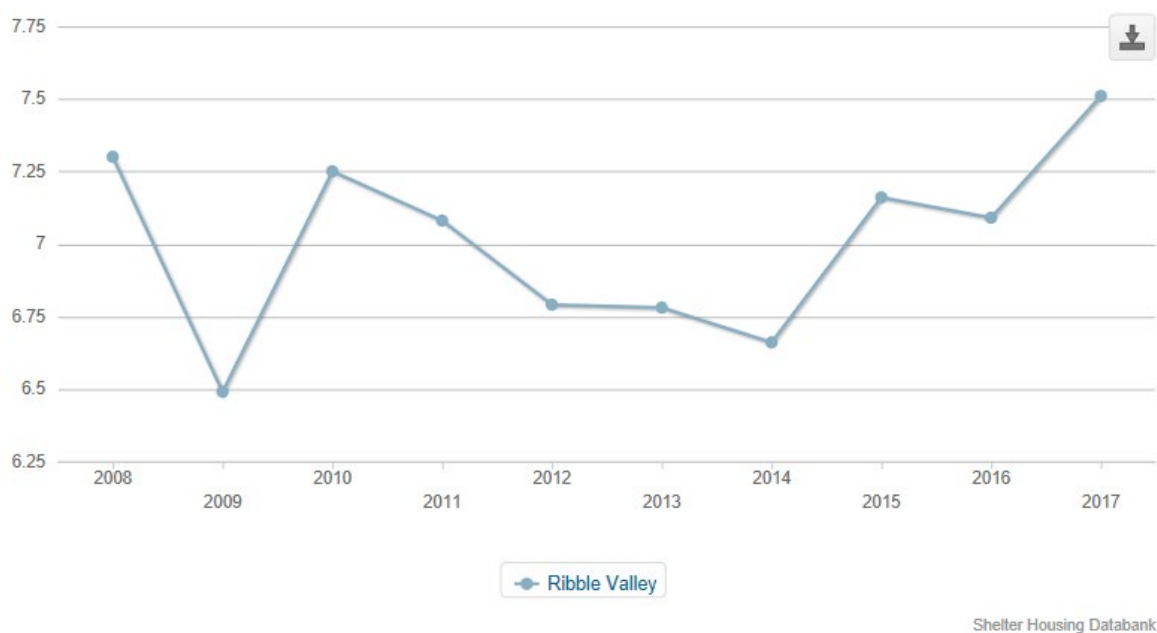
- 2.3.1 One effect of the national housing crisis is a profound effect on affordability. The following information, based on information from Ribble Valley's Housing Land Availability Survey (2018)¹¹ and Shelter¹², demonstrates how affordable housing completions in Ribble Valley have compared to observed affordability ratios since 2008, the start of the plan period.

AFFORDABLE COMPLETIONS	
YEAR	NUMBER DWELLINGS
1/4/08 - 31/3/09	37
1/4/09 - 31/3/10	43
1/4/10 - 31/3/11	27
1/4/11 - 30/3/12	61
1/4/12 - 31/3/13	29
1/4/13 - 31/3/14	45
1/4/14 - 31/3/15	113
1/4/15 - 31/3/16	78
1/4/16 - 31/3/17	100
1/4/17 - 31/3/18	70
1/4/18 - 30/6/18	23
1/7/18 - 30/9/18	21
TOTAL	647

Figure 3: Ribble Valley Affordable Housing Completions (Ribble Valley Housing Land Availability Survey, September 2018)

¹¹ https://www.ribblevalley.gov.uk/download/downloads/id/11995/housing_land_availability_survey_october_2018.pdf (Last accessed December 2018)

¹² http://england.shelter.org.uk/professional_resources/housing_databank (Last accessed June 2018)



Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
House Price to Earnings Ratio	7.3	6.49	7.25	7.08	6.79	6.78	6.66	7.16	7.09	7.51

Figure 4: Median House Price to Median Earning Ratio (Shelter Housing Data)

- 2.3.2 The SHMA (2013) concluded that there was a net annual need of 404 affordable dwellings in Ribble Valley for the first five years of the Core Strategy. The Core Strategy Inspector took into account a recalculation based on a higher percentage of income spent on housing than the SHMA did, which would reduce the net annual need to 264 affordable homes. Figure 2 above from the July 2018 Housing Land Availability Survey confirms that there have been just 647 affordable dwellings delivered between 1st April 2008 and 31st September 2018, in Ribble Valley. Taking either the SHMA figure or examining Inspectors figures, Ribble Valley Borough Council are demonstrating a persistent and significant under delivery. The Council confirmed at the eLP Hearing sessions on the 23rd January 2019 that the housing requirement for the Borough would not be met over the plan period based on the requirement of 264 and the significantly lower 75 dwelling target that the Council use to monitor affordable housing delivery.
- 2.3.3 Coupled with the under delivery the cost of homes has risen significantly since 2012, outpacing local incomes. The affordability problem is of particular concern given that mortgage lenders typically offer loan to income ratios from 3.25 annual salary up to a cap at around 4.5 times annual salary. The reality for those most in need in Ribble Valley now is that they are unable to afford to buy their own home.

- 2.3.4 It is clear that there is a significant and demonstrable need for additional market and affordable housing to address the affordability problem within Ribble Valley.

3 THE PLANNING APPLICATION

3.1 The Proposal

3.1.1 The drawings submitted as part of this outline planning application for approval are:

- Site location plan (drawing number: 8439-L-04)
- Proposed site access layout (drawing number: 1616/13)

3.1.2 The application proposal includes the following:

- Up to 110 residential dwellings (including 30% affordable housing delivered in accordance with planning policy);
- 15% housing onsite for over 55's;
- Structural landscape planting and the retention and positive management of key landscape features;
- 1.79 ha of formal and informal open space (circa 34% of the gross site outline application area);
- Public access to land previously not available;
- New access arrangements including an informal footpath/cycle link and highway improvements to Henthorn Road;
- A financial contribution of £200,000 over five years towards public transport; and
- A comprehensive surface water drainage scheme.

3.1.3 It is proposed that the site will be accessed from Henthorn Road, via a simple priority junction. This form of access arrangement has been agreed and deemed acceptable by LCC Highway Authority through their consultation response to application 3/2018/0688.

3.1.4 The consultation response to application 3/2018/0688 also confirmed that the required visibility splays can be achieved and that the site access junction will operate comfortably within capacity in both the morning and evening peak periods with the proposed development traffic.

3.1.5 It has also been confirmed by LCC Highways, the Transport Assessment submitted as part of application 3/2018/0688, the WYG review of the submitted Transport Statement for application 3/2018/0688 and the Inspector for the appeal on the adjoining site that this is a sustainable location and as the Inspector suggested an area where growth would be expected to be directed. This is reaffirmed by the Council proposing to extend the settlement boundary of Clitheroe to include the adjoining site and the land on the opposite side of Henthorn Road which is currently being built out. In addition to this the proposal includes a contribution towards public transport of £200,000 over 5 years.

- 3.1.6 A range of densities and house types are proposed to meet local need. Up to 30% of the units would be affordable, in order to meet local planning policy. In addition to this 15% of the properties will be for over 55's. Affordable housing provision will be secured by a s.106 Agreement.
- 3.1.7 The illustrative Development Framework Plan for the site demonstrates how the built development will be set within a framework of open space and green infrastructure. The green space will include a formal equipped children's play area and informal open space. The proposal seeks to retain existing landscape features; all trees are retained, and the illustrative Development Framework Plan incorporates these elements within a strategic landscape framework.

3.2 Scope of the Application

- 3.2.1 The outline planning application is seeking approval in principle for the development proposals. Together, the description of development, DAS and other supporting documents describe the nature and content of the development proposed. Details of the parameters of the development for which outline planning permission is sought are included within the DAS, ensuring that an appropriate level of information is provided on the scale, nature and general arrangement of the development proposed at the outset.
- 3.2.2 The following documents have been submitted in support of the planning application:
- Design and Access Statement
 - Landscape and Visual Impact Assessment
 - Transport Assessment and Framework Travel Plan
 - Ecological Appraisal
 - Arboricultural Assessment
 - Phase 1 Preliminary Risk Assessment
 - Flood Risk Assessment and Foul Drainage Analysis Report
 - Air Quality Assessment
 - Noise Assessment
 - Archaeological Desk Based Assessment
 - Utilities Appraisal
 - Statement of Community Involvement
 - Socio-Economic Report
 - Crime Impact Assessment
 - Additional Transport Technical File Note
- 3.2.3 The information contained within the application documents provide the framework for future detailed Reserved Matter planning applications.

4 THE DEVELOPMENT PLAN

4.1 Introduction

4.1.1 At the time of writing, the adopted Development Plan applicable to the site comprises:

- Ribble Valley Core Strategy, (2014);
- The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, (2009); and
- The Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies (2013).

4.1.2 While the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, (2009) and Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies (2013) form part of the Development Plan they are not relevant to this proposal and therefore not considered further in this statement.

4.1.3 The Council indicated in their pre-application response and in the committee reports for application 3/2018/0688 that the proposed development is in accordance with the Development Plan due to its location on the edge of a principal settlement. However, even if it was considered that the development is not in accordance with the Development Plan, it is the case that material considerations exist to justify a departure from the Plan.

4.1.4 This section describes the adopted and emerging Development Plan for the site and considers the relevance and weight that should be attributed to the policies contained within it.

4.2 The Development Plan: Weighting

4.2.1 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

4.2.2 The NPPF2018 is a material planning consideration but does not change the statutory status of the Development Plan as the starting point for decision making. Paragraphs 2 and 12 of the NPPF2018 confirm:

2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material

consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.2.3 Further, in determining the weight to relevant policies the guidance at paragraph 213 of the NPPF2018 confirms:

“...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

4.2.4 The planning application should be considered in this context.

4.3 Five-year Housing Land Supply

4.3.1 The supply of available and deliverable sites for housing within the Borough is a material consideration in determining the weight to attribute to relevant policies for the supply of housing. Paragraph 11 d) Footnote 7 of the NPPF2018 makes it clear that the presumption in favour of sustainable development applies where policies which are most important for determining applications are out of date and that policies are considered to be out of date for applications involving the provision of housing in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

4.3.2 The NPPF2018 requires local planning authorities (LPA's) to ensure a continued supply of land to meet five years' worth of housing requirements, with a delivery buffer of 5%, 10% or 20% (moved forward from later in the plan period) depending on past performance. A 10% buffer applies where the LPA has a recently adopted plan or produces an annual position statement; neither of which are the case here. Local authorities should also make every effort to redress previous underperformance within the immediate 5 year period (commonly referred to as the 'Sedgefield Approach') and the delivery buffer should be applied to both the requirement and the accrued backlog.

4.3.3 The Council's latest position is outlined in the September 2018 Housing Land Availability Schedule (published November 2018) and the Housing Position Paper (published December 2018 for the HED

DPD examination) as 6.1 years. This has increased significantly from the Read appeal¹³ determined on 14th November 2018 where the Council conceded that they could not demonstrate a 5 year housing land supply. Inspector Lewis stated in the decision letter:

13. It common ground that the Council cannot demonstrate a five year supply of specific deliverable sites sufficient to provide a minimum of five years worth of housing against their housing requirement as set out in the adopted strategic policies³. The Council considered that at the time of the Hearing the supply was equivalent to about 4.9 years (5% buffer) or 4.3 years (20% buffer) whilst the appellant considered that the supply was 4.41 years (5% buffer) or 3.86 years (20% buffer).

4.3.4 This is a position reaffirmed in the 1st November 2018 committee report for application 3/2018/0688.

4.3.5 The NPPF2018 paragraph 73 requires Local Planning Authorities to include in their identified supply of housing 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 significant 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.

4.3.6 The table below is taken from the Council's September 2018 Housing Land Availability Survey outlining the completions from the beginning of the plan period.

COMPLETIONS	NEW BUILD	CONVERSIONS CHANGE OF USE	TOTAL COMPLETIONS
1 April 2008 - 31 March 2009	58	17	75
1 April 2009 - 31 March 2010	57	32	89
1 April 2010 - 31 March 2011	36	33	69
1 April 2011 - 31 March 2012	116	31	147
1 April 2012 - 31 March 2013	121	51	172
1 April 2013 - 31 March 2014	155	28	183
1 April 2014 - 31 March 2015	316	29	345
1 April 2015 - 31 March 2016	268	32	300
1 April 2016 - 31 March 2017	376	14	390
1 April 2017 - 31 March 2018	371	29	400
1 April 2018 - 30 June 2018	86	21	107
1 July 2018 - 30 September 2018	77	8	85

Figure 5: Ribble Valley Housing Completions (Ribble Valley Housing Land Availability Survey, September 2018)

¹³ APP/T2350/W/17/3185445 Hammond Ground, Whalley Road, Read

- 4.3.7 Despite the Council having delivered above the requirement of 280 dwellings per year over the past four years, it is clear that prior to this they have consistently under delivered. In accordance with the CS requirement, there should have been a net of 2,940 dwellings completed to September 2018; however, the Council are currently 578 dwellings short of this figure. This is the equivalent of over 2 years of annual requirement shortfall. This means that from September 2018-2028 Ribble Valley will now need to complete 341dpa for the entirety of the plan period, which they have only been able to achieve three times since 2008. Due to the significant and persistent under delivery and the extent of the shortfall, a 20% buffer should be applied to provide a realistic prospect of achieving this need and the ensure choice and competition in the market for land going forward.
- 4.3.8 At the Special Planning and Development Committee on the 17th July 2018 the Council resolved to achieve a position where they could demonstrate a five year supply including a 20% buffer. The minutes identify that this was so the *'Council's ability to demonstrate a five year supply against either assumption is strengthened and risks are mitigated.'*
- 4.3.9 The Inspector at the recent Longridge inquiry (APP/T2350/W/17/3186969) reached the conclusion that the Council required a 20% stating:
- "...there is a persistent record of under-delivery of housing in Ribble Valley and a 20% buffer should be applied."***
- 4.3.10 The Longridge decision (May 2018) also confirmed that the Council did not have a five-year housing land supply with the Inspector calculating the supply at 4.5 years on the basis of the information available. This is a figure which the Council conceded had reduced to 4.3 years with a 20% buffer as reported in the November 2018 Hammond Ground, Read appeal.
- 4.3.11 Despite confirming that the Council had a 4.3 year supply as outlined in the November 2018 Read appeal decision, the Council are now relying on an untested evidence base which supports an emerging DPD that can be afforded limited weight, to demonstrate that they have a 6.1 year supply which relies heavily on outline applications and overly optimistic delivery rates. Consequently, it is not considered the Council can presently demonstrate a deliverable 5 year supply of housing sites. Accordingly, the housing requirement policy and the development strategy comprise relevant policies for the supply of housing are out of date in accordance with paragraph 11d) Footnote 7 of the NPPF2018.
- 4.3.12 At the eLP hearing sessions it was evident that due to the delays experienced in the delivery of the Standen SUE (identified for 1040 dwellings in the Core Strategy) and resulting change to the trajectory of this site (the Council now accepts that only 508 dwellings will be delivered in the plan period to 2028) that there is a shortfall in supply in Clitheroe (identified for 2320 dwellings in the Core Strategy). As a result, the spatial strategy outlined in the Core Strategy will not be undermined without the delivery of additional sites such as this in Clitheroe.

- 4.3.13 The Council consider that the proposed development is in accordance with the Development Plan and would make a significant contribution to the additional dwellings that the Council has identified that it requires.
- 4.3.14 The market and affordable homes proposed on the application site could be brought forward/start to contribute within the next five years of the plan period, therefore helping to address the immediate lack of a five-year supply of deliverable housing sites.
- 4.3.15 The Council confirmed at the eLP hearing sessions that the housing requirement was a minimum requirement and would not prevent further suitable and sustainable development with no technical issues, such as this proposal, from coming forward. The Council considered that the Core Strategy offers flexibility under policy DMG2 to afford flexibility to permit sites such as the application site that are located in open countryside but adjoin and round off the principle settlements such as Clitheroe.

4.4 The Ribble Valley Core Strategy

- 4.4.1 The Core Strategy was adopted in December 2014 to guide development in the Borough from 2008 until 2028. It sets out the overall strategy for development which includes focussing development in the principal settlements; including Clitheroe.

H1: Housing Provision

- 4.4.2 Policy H1: Housing Provision (H1) of the Core Strategy outlines land to be made available for 5,600 dwellings (280dpa) over the plan period from 2008 and 2028. However, within the Core Strategy there has only been one strategic site identified to the south east of Clitheroe proposing 1,040 dwellings to be delivered within the plan period. This allocation has only just begun to start delivering and is anticipated to take up to 15 years to complete. With only 10 years of the plan period remaining it is anticipated that half of the allocated dwellings will be delivered outside of the plan period. The allocation therefore comes far from meeting the requirement set out in H1 and with no further allocations proposed in the Core Strategy this has contributed to the significant shortfall the authority now faces.
- 4.4.3 Paragraph 5.1.6 of the 10th January 2019 committee report states that:

Policy DS1 of the Core Strategy stresses that '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'.

- 4.4.4 The following paragraph then goes on to confirm that the '*scale of growth generated from this type of development is considered to be modest overall*'¹⁴ and reinforces that the targets in the Local Plan are expressed as a minimum:

5.1.7... the Core Strategy requirement is expressed as a minimum and not a target.

- 4.4.5 Therefore, any provision over and above the minimum requirement expressed in policy H1 would not conflict with the requirement as this is expressed as a minimum. The proposal therefore complies with policy H1. In any event, due to the significant delays in the delivery of Standen, the housing requirement for Clitheroe will not be met within the plan period and sites such as this should be approved to ensure that the housing requirement for Clitheroe is met.
- 4.4.6 Whilst the proposal is compliant with policy H1; Gladman consider that the Council are currently unable to demonstrate a 5 year supply of deliverable housing sites. Therefore, according to paragraph 11 d) Footnote 7 of the Framework, H1 should be considered out of date and afforded limited weight in the determination of this application.

DS1: Development Strategy

- 4.4.7 DS1: Development Strategy (DS1) outlines that the majority of new housing should be concentrated in the principal settlements, one of which is Clitheroe and the others being Longridge and Whalley.
- 4.4.8 The committee reports for application 3/2018/0688 stated that:

'The principle of residential development is therefore considered to be acceptable in this location.'

- 4.4.9 Therefore, it is the Council's view that the proposed development does accord to Policy DS1 of the Core Strategy.

In addition, an application for 24 dwellings in Clitheroe was approved in November 2017 (3/2017/0433). The committee report notes that the application is outside but adjacent to the settlement boundary for Clitheroe, which is a principal settlement where the majority of development should be directed. The committee report concludes that this proposal '*...clearly conforms with the overall locational requirements of DS1.*' It is clear that the Council's consistent interpretation of policy DS1 is that residential development is policy compliant if it is adjacent to a principal settlement.

¹⁴ Paragraph 5.1.7 10th January 2019 Committee Report

4.4.10 Therefore, in accordance with the Council's interpretation of policy DS1 the proposal is compliant with the locational requirements of DS1.

4.4.11 Even if it were considered that the proposal did not comply with policy DS1 then as the Inspector at the Longridge appeal identified:

'...the restrictions in those policies are not consistent with national policy objectives in the Framework to boost significantly the supply of housing in circumstances where a five-year supply of housing land has not been demonstrated and therefore, they are not up-to-date.'

4.4.12 On the Inspector's interpretation it is clear that in the absence of a 5 year housing land supply, such as Gladman consider to be the case here, policy DS1 is considered to be out of date and the presumption in favour of sustainable development is engaged.

DS2: Presumption in Favour of Sustainable Development

4.4.13 DS2: Presumption in Favour of Sustainable Development (DS2) outlines that where relevant policies to the application are out of date, then the Council will grant permission unless material considerations indicate otherwise. The Council will take account of whether any adverse impacts would demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; and when specific policies in the Framework indicate that development should be restricted.

4.4.14 Paragraph 11 d) footnote 7 of the NPPF2018 identifies that the most important policies for determining housing are out of date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

4.4.15 Due to the Council not being able to demonstrate a five-year supply of deliverable housing, the relevant policies should be considered out of date. This approach is echoed by the Longridge appeal inspector at para. 45 which reads as follows:

'Whilst the Council decision notice also refers to conflict with Key Statement DS2 of the CS it is a broad repetition of paragraphs 11 and 14 of the Framework and the planning balance necessary where conflict with the development plan is identified. Proposed development which conflicts with the development plan should be refused unless other material considerations indicate otherwise. In that respect as the Council cannot demonstrate a deliverable five-year housing supply, the relevant policies 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.'

It is accepted that the proposed site will lead to a loss of an area of open countryside; however, the significant benefits the scheme will bring; such as,

contributing to the supply of much needed housing, provision of 33 affordable dwellings and significant social and economic benefits, outweigh any impacts that the proposed scheme would bring. The committee report for application 3/2018/0688 confirms that even at a time where the Council claim that they can demonstrate a 5 year supply of deliverable housing sites that the impacts of the development would not significantly and demonstrably outweigh the benefits:6.1... Statutory consultees have raised no objection to this application and therefore in accordance with paragraph 11 of the NPPF, which states that planning permission should be granted unless the adverse impacts of this proposal would significantly and demonstrably outweigh the benefits, the outline planning application for residential development, with all matters reserved except for access, is considered to be acceptable.

H2: Housing Balance

- 4.4.16 H2: Housing Balance (H2) outlines that residential development should provide a suitable mix of housing as proposed in the latest SHMA. The proposed scheme has taken into account the evidence within the latest SHMA (2013) and has proposed a variety of house types from 1-bed bungalows to 4-bed dwellings. Therefore, the proposed site is compliant with H2.

H3: Affordable Housing and DMH1: Affordable Housing Criteria

- 4.4.17 H3: Affordable Housing (H3) outlines that in all locations other than within the settlement boundaries of Clitheroe and Longridge, developments of 5 or more dwellings will need to provide 30% affordable housing on site. The proposed site will be providing 30% affordable housing on site, contributing 33 affordable dwellings to the need in the borough.
- 4.4.18 H3 also states that 15% of units on site should be sought to provide for the elderly population, with a minimum of 50% being affordable contributing to the overall 30% affordable units on site. The application is providing 17 houses suitable for the over 55s, which equates to 15.5% of the total housing on site.
- 4.4.19 Policy DMH1 outlines the groups of people that the 30% affordable should be for. These are outlined below:
1. First time buyers currently resident in the parish or an adjoining parish
 2. Older people currently resident in the parish or an adjoining parish
 3. Those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment
 4. Those who have lived in the parish for any 5 of the last 10 years having left to find suitable accommodation and also with close family remaining in the village

5. Those about to take up employment in the parish

6. People needing to move to the area to help support and care for a sick, older person or infirm relative.

4.4.20 The 30% affordable housing proposed for the site will be catered for these groups of people and therefore, the site is compliant with policy DMH1.

4.4.21 The benefit of the provision of 30% affordable housing and 15% housing for over 55s should be given significant weight as stated by the Longridge appeal Inspector:

'There are economic and social benefits arising from the provision of up to 122 additional homes including the potential for delivery of affordable housing and accommodation for over 55s to meet local needs in an accessible location, which are important considerations that carry significant weight.'

DMG1: General Considerations

4.4.22 Detailed design of the proposed development will be determined at the Reserved Matters stage; however, careful consideration has been taken when designing the indicative layout and framework plans in order to be sympathetic to the surrounding landscape and to ensure it is in keeping with the surrounding development.

4.4.23 A safe access can be gained off Henthorn Road via a priority junction, which will be able to accommodate the scale and type of traffic that will be generated from the development. There are no PRow's crossing the site; however, informal recreational routes will be provided for the use of both existing and new residents. A Transport Assessment has been submitted with this application, which covers all potential traffic and access issues.

4.4.24 Consideration has been taken to ensure that amenities in the area will not be affected. The density of the development is such that each house will have adequate day light and privacy distance. The design of the scheme ensures that a safe environment is created, for example, footpaths will be overlooked. The air quality survey submitted with the planning application provides mitigation for any likely impact from the development.

4.4.25 The proposed site is not situated in close proximity to any environmental designations; for example, SSSIs, SACs, SPAs etc. The application is supported by landscape and ecology assessments which identify appropriate mitigation where required.

4.4.26 The proposed development would not result in the loss of any important open space; including playing fields. The proposed development would provide 1.79ha of open space including a Children's Playground, a wildflower meadow and informal recreation routes, which will be a significant benefit of the scheme.

4.4.27 The proposed scheme is compliant with policy DMG1.

DMG2: Strategic Considerations

- 4.4.28 DMG2: Strategic Considerations (DMG2) states that development proposals in principal settlements should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring that it is appropriate to the scale of and in keeping with the existing settlement. The proposed site lies immediately adjacent to the revised settlement boundary of Clitheroe on two sides. It is the Council's opinion that the proposed development accords with policy DMG2 as stated in the committee reports for application 3/2018/0688:

"5.1.3... Both Key Statement DS1 and DMG2 of the Core Strategy, when taken together, permit development proposals in the principal settlements, including Clitheroe, which accord with the development strategy and consolidate, expand or round-off development so that it is closely related to the main built up area."

and;

"The principle of residential development is therefore considered to be acceptable in this location"

- 4.4.29 The council reached this conclusion despite claiming to be able to demonstrate a 5 year supply of deliverable sites confirming in the 'UPDATE' section of the 29th November 2018 committee report:

As such in line with the NPPF, Council Policies in respect of housing are considered to be up-to-date. The fact that the Council can demonstrate a five year supply does not change the opinion that this is a sustainable location for residential development and the Council's Regeneration and Housing Service support this view.

- 4.4.30 The Council made it clear at the eLP hearing sessions that policy DMG2 is a flexible policy and allows applications in the open countryside but adjacent to the settlement boundaries of principal settlements such as this to be approved despite whether a 5 year housing land supply can be demonstrated or not.

- 4.4.31 The Longridge Inspector when considering policies DS1, DMG2 and DMH3 stated that:

"the restrictions in those policies are not consistent with national policy objectives in the Framework to boost significantly the supply of housing in circumstances where a five-year supply of housing land has not been demonstrated and therefore, they are not up-to-date."

- 4.4.32 Therefore, even if the proposed development was not in accordance with DMG2, Gladman consider that the Council are unable to demonstrate a 5 year housing land supply and in accordance with the conclusions of the Longridge inspector and the provisions of the NPPF2018 paragraph 11d)

Footnote 7, Policy DMG2 is not up to date and the presumption of sustainable development is engaged.

DMH3: Dwellings in the Open Countryside and AONB

4.4.33 DMH3: Dwellings in the Open Countryside and AONB (DMH3) outlines that development within the open countryside or AONB should be limited to:

- Development essential for the purposes of agriculture or residential development which meets an identified local need.
- The appropriate conversion of buildings to dwellings
- The rebuilding or replacement of existing dwellings that have been abandoned, where there is no adverse impact on the landscape or there is a need to extend existing curtilage.

4.4.34 The general thrust of DMH3 of recognising the intrinsic character and beauty of the countryside is consistent with the general approach of the NPPF2018. However, in the context of meeting housing needs the policy seeks to restrict residential development to a limited number of exceptions which as highlighted by the Longridge Inspector (para31) is not consistent with the national policy objectives in the NPPF2018 to boost significantly the supply of housing in circumstances where a five-year supply of housing land has not been demonstrated and therefore, this policy cannot be considered up-to-date.

4.4.35 Consequently, it is clear the NPPF2018's presumption in favour of sustainable development applies to the application proposal.

Summary

4.4.36 In the light of the above, the Council have confirmed that the proposed development is in accordance with the Development Plan as outlined in the committee reports:

'6.1 The application site is considered to be sustainable location, adjoining the Draft Settlement Boundary of Clitheroe, and the proposal will contribute towards the supply of housing within the borough, and in particular contribute towards the provision of over 55s accommodation and affordable housing. Statutory consultees have raised no objection to this application and therefore in accordance with paragraph 11 of the NPPF, which states that planning permission should be granted unless the adverse impacts of this proposal would significantly and demonstrably outweigh the benefits, the outline planning application for residential development, with all matters reserved except for access, is considered to be acceptable..'

- 4.4.37 Even if it is deemed a conflict arises, those policies are either out of date or should be accorded limited weight due to their conflict with the more up to date provisions of the NPPF2018. As a result, the conflict with those policies should be accorded corresponding limited weight as confirmed by the Longridge Inspector. A determination other than in accordance with the Core Strategy is therefore justified and other material considerations including the NPPF2018 and the presumption in favour of sustainable development are relevant. This is considered further in Chapter 5 of this Statement.

4.5 The Emerging Development Plan

- 4.5.1 Ribble Valley are currently working on a Housing and Economic Development DPD (HED DPD). The intention of this plan is to set out more detailed policies on housing and economy to support the Core Strategy. The HED DPD was submitted to the Secretary of State on the 28th July 2017 and a public consultation was held from July to September 2017. The examination hearings were due to begin in July 2018; however, on the 12th June 2018, the Council wrote to the Inspector asking for the examination to be postponed following the Longridge appeal decision where the Inspector concluded that the Council cannot demonstrate a five year housing land supply.

- 4.5.2 The Council have since published two updated Housing Land Availability Surveys. The July 2018 survey concluded that the Council could currently demonstrate a 5.3 year supply against a 5% buffer and a 4.6 year supply using a 20% buffer, which was considered at a Special Planning and Development Committee on the 17th July 2018. The minutes of the meeting identify that:

“... Planning on the basis of the 5% buffer assumption not only brings with it the risk of unsounding the plan but also a potential risk of costs against appealed planning decisions, should it be shown that the Council should have adopted the 20% buffer on the evidence available.

The identified buffer residual should be met by way of additional allocations which would be put forward as part of the Examination process as proposed main modifications for considerations by the Inspector.”

“... Members considered the report... it was felt that in order to cover ourselves the Council had no option.”

- 4.5.3 The latest survey, published in November 2018, claimed that the Council can now demonstrate a 6.1 year supply with a 5% buffer. This is despite signing a Statement of Common Ground to confirm that the Council could only demonstrate a 4.3 year supply with a 20% buffer at the Hammond Ground, Read appeal earlier in the same month. The publication of this survey resulted in further postponement of the hearing sessions for the HED DPD until January 2019. A Housing Position Paper was also released on the 5th December 2018 setting out the Council's position of a 6.1 year supply in preparation for the January 2019 hearings.

- 4.5.4 The Council's Local Development Scheme (2017) estimated the examination of the HED DPD to begin in January 2018 and adoption by April 2018. Considering the hearing is now set for January 2019, the HED DPD is unlikely to be adopted before April/ May 2019.

Paragraph 48 of the Framework provides guidance on the weight to be attributed to emerging plans. It allows decision makers to give weight to emerging development plan policies according to their degree of consistency with the framework, the stage of preparation and the extent of unresolved objection to it. There are significant unresolved objections to the HED DPD. In accordance with paragraph 48 of the Framework, because of the number of unresolved objections, the HED DPD carries only limited weight. This approach was advocated by the Inspector Lewis for the Read appeal¹⁵:

12. Although I have been provided with little specific information, I understand that there are unresolved objections to the relevant policies of the HED DPD and in regards to the proposed allocations. Therefore, having regard to paragraph 48 of the Framework, on the evidence before me, I afford any conflict with the relevant policies of the HED DPD little weight.

- 4.5.5 The HED DPD contains policy DS1 from the Core Strategy, which has been discussed in section 4.4 above. Therefore, the HED DPD still directs growth to the principal settlements, which include Clitheroe. The Core Strategy only allocated one site for housing development, which is to the south east of Clitheroe. The HED DPD allocates further sites in the settlements of Clitheroe, Langho, Simonstone, Mellor and Wilpshire.
- 4.5.6 Gladman's submitted hearing statement outlines that there has been insufficient housing identified to meet the CS requirements. The Council already have a significant shortfall accumulated since the beginning of the plan period and now cannot demonstrate a five-year supply of deliverable housing. It is clear that the Council are aware of the shortfall and are looking to address this by finding additional sites. Given that the Council consider this site to be policy compliant and that the Council acknowledge their current shortfall this application should be determined without delay.

¹⁵ APP/T2350/W/17/318/5445 - Hammond Ground, Whalley Road, Read

5 SUSTAINABLE DEVELOPMENT: THE NPPF2018

5.1 The Presumption in Favour of Sustainable Development

- 5.1.1 At the heart of the NPPF2018 is the *'presumption in favour of sustainable development'*, (paragraph 10). For decision-taking this means approving development where it accords with an up-to-date development plan, or where there are no relevant development plan policies or where the policies which are most important for determining the application are out-of-date, granting permission unless adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the NPPF2018 indicate development should be restricted.
- 5.1.2 The relevant technical reports that accompany this planning application demonstrate that there are no unacceptable adverse impacts that would significantly and demonstrably outweigh the benefits associated with the proposals. This was confirmed by application 3/2018/0688 where there were no technical objections from any statutory consultees in relation to the development of this site. Furthermore, at the planning committee for application 3/2018/0688, the Head of Planning advised Members during their debate that *"there is no robust reason to resist this development."* Further, the application site is not the subject of any of the designations cited within footnote 6 of the NPPF2018 and therefore policies do not apply which indicate the presumption should be disapplied.
- 5.1.3 This section describes how the development proposals meet the relevant objectives of the Framework.

5.2 Building a Strong and Competitive Economy

- 5.2.1 The NPPF2018 is clear that the government is committed to delivering sustainable economic growth identifying that planning policies should, "positively and proactively encourage sustainable economic growth." (paragraph 81). Housing development is a key component of economic growth and this is fully recognised in Government policy and more recently the White Paper – Fixing our broken housing market (2017), which states on page 15:

"If we fail to build more homes, it will get ever harder for ordinary working people to afford a roof over their head, and the damage to the wider economy will get worse."

- 5.2.2 Through the development of the site a significant amount of investment will be made to the area in terms of the construction value of the project and associated spend during the construction period. The construction industry and house building in particular make an important contribution to both the local and national economy in terms of job creation. The accompanying Socio-Economic Report estimates the following key benefits arising from the proposal:

- Construction spend - £11.8million
- GVA over the build period - £3.7million

- Resident annual expenditure - £2,846,000
- Council tax - £1.8 million
- New Homes Bonus - £700,000

5.2.3 The economic benefits arising from this scheme should carry significant weight in the decision of this application. The Longridge appeal Inspector stated that

47...There would also be associated economic benefits in terms of job creation during construction and support for local services and facilities after occupation, which carry significant weight based on the scale of the development proposed.

5.2.4 The provision of quality housing in Clitheroe is central to the achievement of sustainable economic growth in the Borough and is fully supported by the requirements and advice of the NPPF2018; indeed, paragraph 80 is clear that, *"significant weight should be placed on the need to support economic growth through the planning system"*.

5.3 Promoting Sustainable Transport

5.3.1 At paragraph 102, the NPPF2018 requires LPA's to consider transport issues from the earliest stages of the plan-making process and development proposals, encouraging:

"...opportunities to promote walking, cycling and public transport use..."

5.3.2 At paragraph 103, to the NPPF2018 requires significant development to:

"...be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes."

5.3.3 Clitheroe has a large range of services and facilities which are within easy walking and cycling distance of the site, including: Secondary School, Primary School, Supermarket, Hospital, Leisure Centre, Church and Post Office.

5.3.4 The closest bus stop to the development site lies approximately 300m to the east of the site. The number 2 service runs half hourly and travels along the edge of the site on its route to and from Clitheroe town centre. The first bus arrives at 7.27am in the morning, whilst the final bus arrives at 6.27pm in the evening. The proposal includes a contribution towards public transport of £200,000 over 5 years. This contribution is not to fund the service, therefore once the contribution has been paid in full after 5 years there is no suggestion that this will result in the bus service being cancelled as public transport habits would have been installed and established by this point.

5.3.5 Clitheroe therefore has good public transport links to the surrounding areas and local centres of employment, with a range of employment, leisure, retail and community facilities.

5.3.6 To support the application a Transport Assessment (TA) has been undertaken which confirms that the site is well located in relation to sustainable transport options and is well positioned in relation

to the local and strategic highway network. This is a view supported by the Transport Assessment submitted to support application, 3/2018/0688, LCC highways, WYG's independent review of the Transport Assessment and the Inspector for the adjoining site in 2012. Following the refusal of the 3/2018/0688 application, the Council asked five independent Transport Consultants whether they would defend the refusal at appeal and all five said they wouldn't defend this refusal. Furthermore, this is reinforced by the Council extending the settlement boundary of Clitheroe around the development adjoining both the north eastern and south eastern boundaries of the site.

5.3.7 Access will be achieved via a priority junction off Henthorn Road. The TA sets out a number of proposals for off-site highway (including public transport) including:

- Pedestrian footway; and
- Dropped kerbs and tactile paving.

5.3.8 The proposals will create informal footpaths that connect the site to the surrounding area. A range of improvements are proposed to enhance pedestrian access, details of which are contained in the TA. The footpath will connect to the existing footpath on Henthorn Road. The 20mph speed limit along Henthorn Road, creates safe conditions for both walking and cycling. The TA confirms that the package of measures proposed offers accessibility enhancements to encourage more sustainable means of travel in the area and will mitigate any significant impacts on the highway.

5.4 Delivering a Wide Choice of High Quality Homes

The Need for Market and Affordable Housing

5.4.1 There is a wealth of evidence from figures at the highest levels of the Government, the Bank of England and internationally, within the European Commission and International Monetary Fund, which demonstrate that there is a consistent and pressing requirement to build more homes to meet the significant level of unmet need, particularly for homes that are affordable. In the foreword to the recent White Paper, Prime Minister Theresa May stated:

“Our broken housing market is one of the greatest barriers to progress in Britain today. Whether buying or renting, the fact is that housing is increasingly unaffordable – particularly for ordinary working class people who are struggling to get by.

Today the average house costs almost eight times average earnings – an all-time record. As a result it is difficult to get on the housing ladder, and the proportion of people living in the private rented sector has doubled since 2000.”

5.4.2 The 2013 SHMA states that:

‘...properties in Ribble Valley are on average notably more expensive than those in Lancashire as a whole and also higher than the national average.’

- 5.4.3 Therefore, in addition to a pressing need for new market homes in Borough, there is a significant need for affordable housing, as outlined within the Core Strategy (2014).

‘The SHMA states that there is a strong requirement for affordable housing in the borough, higher than the regional housing figures within RSS.’

- 5.4.4 The scale of affordable housing need in the Borough is leading to a chronic shortage of much needed new homes. This led Inspector Lewis to conclude that the provision of 30% affordable units at the Hammond Ground, Read appeal site was a significant benefit:

52... Given the shortfall in housing supply, national policy to significantly boosting the supply of homes and the local need identified for affordable housing in the appellant’s assessment, these are significant benefits.

- 5.4.5 The UK has a persistent problem with inadequate housing supply, which has led to low income and middle income families being priced out of the housing market. National Government recognise that house price inflation is getting to dangerous levels and that building new homes is necessary in order to address this issue. The delivery of 30% affordable homes should be given significant weight, as acknowledged by the Read Inspector.

Ensuring Choice in the Competition for Land

- 5.4.6 The NPPF2018 sets out the Government’s key housing objective, which is, *“to boost significantly the supply of housing”*. Paragraph 73 sets out how LPAs should achieve this boost in the supply of housing, including a requirement to provide a delivery buffer of 5%, 10% or 20% to ensure choice and competition in the market for land.
- 5.4.7 The proposals entirely accord with this national policy objective in so far as the application will deliver new housing development which will assist the Council to contribute towards the central government objective of boosting significantly the supply of housing now.

5.5 Requiring Good Design

- 5.5.1 The DAS demonstrates how the scheme will deliver a high quality residential sustainable development. The proposals are based on sound design principles that have taken into account site constraints and opportunities presented by the site.
- 5.5.2 Whilst design is a matter reserved for future determination, the DAS demonstrates the site could accommodate a scheme that would be in scale and character with its surroundings and Clitheroe through delivering dwellings of a suitable size and through utilising materials that reflect the local vernacular. It is demonstrated through the DAS and TA that the site would be accessible to people

on foot, cycle and to those with disabilities. The illustrative master plan seeks to create an attractive place that responds to the attributes of the site and the local context.

5.5.3 The development has been designed taking into account the recommendations of the Landscape and Visual Assessment (LVA). The green infrastructure within the built development will sit as an integral part of the framework and is key in creating an accessible, open and engaging place within which to live. The proposal provides a strong green framework comprising;

- The creation of a 1.79Ha of Green Infrastructure comprising a variety of potential habitats and open space featuring a children's play area;
- Reinforcement of existing hedgerows around the site boundary to improve the quality and connectivity of habitat;
- Introduction of recreational walks to connect into the wider footpath network.

5.6 Conserving and Enhancing the Natural Environment

5.6.1 The site is not subject to any landscape quality designation and lies outside of the Green Belt and Area of Outstanding Natural Beauty. The site, nor the immediate landscape, contains any rare or unusual landscape features and so the LVA prepared for the application concludes the site does not comprise a valued landscape.

5.6.2 Development will result in a permanent change to the character of the application site however the proposals will aim to retain notable existing landscape features where evident such as boundary hedgerows, mature hedgerow trees, a small pond and drainage ditches. Therefore, it is considered that the proposed development within the application site will result in an overall minor/moderate adverse effect in terms of local landscape character. However, the proposals are well contained adjacent to the existing urban context and therefore the proposals would have a negligible effect on the wider landscape as confirmed by the committee report for application 3/2018/0688.

5.6.3 The Ecological Assessment confirms that the proposal is unlikely to have any significant effect on any statutory designated sites. The proposal maintains and enhances the existing connecting habitats and protects the local ecological network. The scheme is concluded to offer biodiversity gains particularly in the medium to long term.

5.7 Conserving and Enhancing the Historic Environment

5.7.1 Section 16 of the NPPF2018 provides policy guidance on the conservation and investigation of heritage assets. The archaeological assessment has identified that no designated assets of archaeological interest are present within the study site or its immediate vicinity.

5.8 Meeting the Challenge of Climate Change

5.8.1 Paragraph 148 of the NPPF2018 requires the planning system to, "help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions..." The application proposal meets

these criteria as it will be delivered to the relevant Building Regulations or equivalent standard applicable at the time of permission.

5.9 Summary

- 5.9.1 From the above, it is clear that the application proposal complies with relevant provisions of the NPPF2018. Accordingly, it can reasonably be concluded that the proposal is also in compliance with the broad planning objectives of the NPPF2018.
- 5.9.2 The assessment against the relevant policies does not indicate any circumstances under which permission should be restricted which might result in the disapplication of the presumption in favour of sustainable development.

6 PLANNING BALANCE AND CONCLUSIONS

6.1 Summary of Case and Identified Benefits and Harm

- 6.1.1 The Council consider that the proposal is in accordance with the Development Plan due to its location immediately adjacent to the principal settlement of Clitheroe. Therefore, in accordance with paragraph 11 c) of the NPPF2018 planning permission should be granted without delay. The suite of reports submitted with this planning application demonstrate that there are no adverse impacts of granting permission which would demonstrably outweigh the benefits of the proposed scheme. This is the same conclusion that the case officer reached in the committee reports for application 3/2018/0688 with no objections received from any statutory consultees.
- 6.1.2 Alternatively, if it was determined that proposal did not accord with the Development Plan, as per the decision of the Longridge Inspector, the presumption in favour of sustainable development is engaged through paragraph 11 d) of the NPPF2018 as the Council are unable to demonstrate a five year supply of deliverable sites, therefore the Core Strategy policies which are most important for determining the application are considered out of date. In this regard there are significant material considerations which outweigh the statutory presumption in favour of the Ribble Valley Development Plan, which overall justifies the grant of permission for the development proposed.
- 6.1.3 The proposal does respond positively to the identified lack of a five year housing land supply in Ribble Valley and the identified needs for both market and affordable housing in the Borough. A matter given significant weight by the Hammond Ground, Read appeal Inspector in November 2018. In any case, a five year supply of housing should be considered the minimum target for the Council and shouldn't prevent sustainable development coming forward. This proposal adjoins the settlement boundary of the principle settlement of Clitheroe on two sides, it is in a logical location where growth would be expected in Clitheroe and has no technical issues. Therefore, whether the Council can demonstrate a five year housing land supply or not shouldn't prevent this sustainable site coming forward. This was reaffirmed by the Council at the eLP hearing sessions in January 2019 where the council confirmed that policy DMG2 provides flexibility in the plan to permit sites such as this at a time when it can demonstrate a five year housing land supply.
- 6.1.4 This proposal would be deliverable in the short term and increase the supply and choice of housing at one of the identified settlements in the Borough. This was reflected by Gladman's confirmation to reduce the time required to submit the REM application. It would contribute towards economic growth and have wider social benefits to the local community, meeting a range of housing requirements, including affordable housing. The principles outlined within the DAS would secure a high quality scheme.
- 6.1.5 The supporting material, assessments and reports demonstrate that there are no technical or environmental constraints that would preclude the development of this site, subject to planning

conditions and/or obligations, this was confirmed in the committee report for application 3/2018/0688. Gladman is willing to enter into constructive dialogue with the Council to agree a list of conditions and S106 Heads of Terms that are necessary to make the development acceptable in planning terms. In order to commence this process, a list of suggested Heads of Terms for a s.106 Agreement is enclosed at Appendix 1.

- 6.1.6 As with any greenfield site, the development will introduce changes to the area and some urbanising effects. Care has been taken to ensure that the perceived impact on Clitheroe is minimised and acceptable, through careful design and siting, the provision of extensive open space along the boundaries of the site and through taking a holistic approach to landscape provision at the site.
- 6.1.7 The development of the site, as proposed, would be both suitable and sustainable, as confirmed by the Council's committee report, the extension of the settlement boundary to incorporate the land adjoining the eastern boundary of the site and opposite and by the 2012 appeal Inspector for the adjoining site by confirming that this is an area where growth should be directed. There is justification to grant planning permission in accordance with the presumption in favour of sustainable development.
- 6.1.8 The relevant material considerations in this case are:
- Core Strategy policies for the supply of housing are out of date given the Council's failure to provide a robust deliverable five year supply of housing land and its historic under performance in respect of the delivery of housing therefore the presumption in favour of sustainable development is engaged;
 - The Council have confirmed that the principle of development accords with the Core Strategy as the site lies adjacent to the settlement edge of Clitheroe;
 - The application is submitted in advance of the adoption of the Council's HED DPD, this is yet to go through examination and is the subject of unresolved objections. Weight cannot therefore be attached to its emerging provisions or its evidence base;
 - As confirmed by the Council the site is suitable for residential development in terms of location and characteristics and it is not of high environmental value;
 - The landscape features of the site will be retained and reinforced to retain a suitable landscape edge and setting; and
 - The provision of affordable housing, without subsidy, is a significant benefit in circumstances where the Council is not delivering sufficient affordable homes to meet pressing needs.

6.2 Benefits

- 6.2.1 There are myriad benefits which flow from the proposal and, in this particular case, very limited harm which is set against those benefits which sit across the three strands of sustainable development:

BENEFITS	HARM
Social	
Provision, in a sustainable location, of up to 33 affordable dwellings in a district where there is significant identified unmet need.	None
Provision, in a sustainable location, of market housing where the Council cannot demonstrate a five year housing land supply and have a history of persistent under delivery.	
Provision of a LAP in a publicly accessible location and informal recreational routes available to all inhabitants of Clitheroe.	
Environmental	
Provision of an extensive area of Green Infrastructure much of which will be publicly accessible and which would link the footpath network both into the village and out to the countryside.	Limited impact upon the character of the landscape at completion reducing to a very limited impact post mitigation
Net gain in biodiversity.	
Development in a sustainable location which is well served by public transport and which will contribute toward the sustaining of those services through additional use.	
Incorporation of a Sustainable Drainage System (SUDS).	
Economic	
Estimated construction spend of £11.8m	None
98 FTE construction jobs for 3 years along with 107 FTE indirect jobs	
£3.7m Gross Value Added	
Additional resident expenditure of £2.8m	
Over the four years following the completion of the development, Ribble Valley Borough Council	

will benefit from circa. £700,000 via New Homes Bonus.	
The new residents will increase demand for and use of local services and businesses and increased spending will help to protect, maintain and enhance the services available and accessible within the village and surrounding area.	
It is anticipated that 151 of residents from the new development will be of working age (those in work or actively seeking work).	

6.3 Harm

- 6.3.1 The table at section 6.2, supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme.
- 6.3.2 As with any greenfield site, the development will introduce changes to the area and some urbanising effects and it will involve the loss of some agricultural land however, this is to be expected and the LVA demonstrates the scheme can be delivered without unacceptable wider landscape and visual impacts. There has been no objection to the development of this site by any statutory consultees or evidenced harm.
- 6.3.3 Despite these changes, significant and demonstrable harm will not arise through development overall as proposed.

6.4 Planning Balance and Conclusions

- 6.4.1 The NPPF2018 policies on the delivery of sustainable housing development carry significant weight, and the delivery of the proposed development would support housing and economic development objectives and meet the aims and objectives of sustainable development, securing net gains across all three strands of sustainable development (economic, social and environmental).
- 6.4.2 There are no technical or environmental impacts that would significantly or demonstrably outweigh the substantial benefits of the proposal and specific policies of the NPPF2018 and Development Plan do not indicate that development should be restricted.
- 6.4.3 In accordance with paragraph 11 of the NPPF2018 and as confirmed in the committee reports for application 3/2018/0688, the development proposal clearly constitutes 'sustainable development' and the application should be approved without delay.

APPENDIX 1: S.106 DRAFT HEADS OF TERMS

The following S.106 Heads of Terms are proposed as those obligations which, in accordance with the CIL Regulations (2010) are necessary, directly related to the development and fairly related in scale and kind to the development:

AFFORDABLE HOUSING

The Agreement will provide for 30% affordable housing with a tenure split to be agreed with the Local Authority

OPEN SPACE

- i. The Agreement will require the Developer to provide onsite informal open space and an equipped children's play area.
- ii. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long term maintenance and management of these areas, including any off-site commuted sums as applicable.

OTHER

- i. Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.
- ii. £200,000 contribution over five years towards public transport.