



PLANNING STATEMENT

LAND OFF HENTHORN ROAD,
CLITHEROE

OCTOBER 2019

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EXECUTIVE SUMMARY

- i. This planning statement supports an outline planning application made by Gladman for a site composed of two parcels, north and south of Henthorn Road, Clitheroe. The development will comprise up to 160 dwellings, public open space, landscaping, a sustainable drainage system and vehicular access points from Henthorn Road and through the previously permitted development.
- 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 is well located to the existing urban area and represents a suitable and sustainable location for housing.

Accordance with the Policy

- iv. Development proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- v. This development proposal is wholly in accordance with the development plan and therefore should be approved without delay.
- vi. The Ribble Valley Core Strategy was adopted in December 2014. The development proposals are in accordance with the development plan, specifically Policies DS1 and DMG2. Support for this drawn from the Gladman Henthorn Road appeal decision ref 3221189 (appendix 1). The appeal site was on the northern side of Henthorn Road, and the appeal decision identifies that residential development in this location is acceptable in principle and accords with policy DMG2. Policy DMG2 is permissive of development that is closely related to the built up part of Clitheroe. The appeal decision confirms that development outside the settlement limits of Clitheroe does not conflict with the provisions of policy DMG2, as it meets the definition of consolidation and expansion. This approach is also supported by the Council in the SoCG on the principle of development (appendix 2).

Benefits Arising from Development at this Location

- vii. The proposal offers the opportunity to deliver:
 - Up to 160 residential dwellings where a meaningful number are capable of being delivered in the next 5 years. Due to the delays in the delivery of the Standen site the housing need for Clitheroe will not be met over the plan period. Even with the allocations in the HED DPD the residual requirement for Clitheroe will not be met, the application will go some way to meeting that shortfall;
 - The significant benefit of 30% affordable housing delivered in accordance with current adopted planning policy. There is a substantial backlog, under-delivery and acute affordable housing need in the Borough;

- 15% of the housing provided on site will for over 55s. There has been limited accommodation provided for older people in Ribble Valley, despite there being a higher than national and regional population of older people living in Ribble Valley. Furthermore, the SHMA anticipates that the older population is set to significantly increase;
- District wide benefits, in terms of making a strategically important contribution to housing supply and economic objectives;
- National objectives in boosting the supply of homes and delivering sustainable development;
- Structural landscape planting and the retention and positive management of key landscape features;
- Considerable areas of open space; circa. 2.95 ha of formal and informal open space (over 42% of the gross site outline application area);
- On site Sustainable Drainage System (SuDS) to improve the surface water flood risk on site;
- Improvements to biodiversity through on site mitigation strategies and enhancements including additional planting of native species and hedgerows;
- New access arrangements including a footway/cycle links and highway improvements Henthorn Road;
- Bus Stop Improvements; and
- Local benefits, through investment in the local community.

1 INTRODUCTION

1.1 Scope of this Statement

1.1.1 This Planning Statement has been prepared in support of an outline planning application for the development of up to 160 new homes over two parcels of land north and south of Henthorn Road.

1.1.2 The application is submitted by Gladman.

1.1.3 The description of development is as follows:

“Outline planning application for the erection of up to 160 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access points off Henthorn Road and via committed development on the northern side of Henthorn Road.”

1.2 The Proposal

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

- Site location plan (drawing number: 2018-128-101)
- Proposed site access layout (drawing number: 1677/01)

1.2.2 The application proposal includes the following:

- Up to 160 residential dwellings;
- 30% affordable housing delivered in accordance with current adopted planning policy;
- 15% of the housing provided on site will for over 55s;
- Structural landscape planting and the retention and positive management of key landscape features;
- Significant areas of open space; circa. 2.95 ha of formal and informal open space (over 42% of the gross site outline application area);
- On site Sustainable Drainage System (SuDS) to improve the surface water flood risk on site;
- Net Biodiversity gains through habitat enhancement;

- New access arrangements including a footway/cycle links and highway improvements Henthorn Road; and
- Bus Stop Improvements.

1.2.3 It is proposed that the northern parcel of the site will be accessed from the committed development site north of Henthorn Road and the southern parcel will be accessed off Henthorn Road directly, via a simple priority junction. It has been 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 as demonstrated by the Transport Assessment prepared by Ashley Helme.

1.2.4 A range of densities and house types are proposed to meet local need. 30% of the units would be affordable in order to meet the requirement of current adopted local planning policy. Affordable housing provision will be secured by a Section 106 Agreement. In addition to this 15% of the properties will be for over 55's.

1.2.5 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 local area for play (LAP) and informal open space. The proposal seeks to retain existing landscape features; the existing hedgerows are maintained where possible and any loss will be mitigated elsewhere on site. The illustrative Development Framework Plan incorporates these elements within a strategic landscape framework.

1.2.6 Due to the site being closely related to the main built up area of a principle settlement and that it accords the definition of expand and consolidate within the glossary of the Core Strategy, the proposed development is in accordance with the Development Plan. 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.

1.3 Scope of the Planning Application

1.3.1 The outline planning application is seeking approval in principle for the development proposals. Together, the description of development, Design and

Access Statement (DAS) and other supporting documents describe the nature and content of the development proposed.

1.3.2 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.

1.3.3 The following documents have been submitted in support of the planning application:

- Planning Statement
- Development Framework
- Socio-economic Sustainability Statement
- Statement of Community Involvement
- Travel Plan
- Transport Assessment
- Foul Drainage Analysis Report
- Flood Risk Assessment
- Arboricultural Assessment
- Ecological Appraisal
- Phase 1 Site Investigation
- Air Quality Assessment
- Noise Screening Report
- Archaeological DBA
- Crime Impact Statement

1.3.4 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.

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

1.3.6 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.

1.4 EIA Screening

1.4.1 As the application proposals are for urban development on a site of more than 0.5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. Such projects only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

1.4.2 The location does not present any environmental constraints and nor is it in a sensitive area.

1.4.3 The Local Planning Authority will be required to screen the proposals as part of its legal requirements however the applicant does not consider that an Environmental Statement is required.

1.5 Planning History

1.5.1 There have been no planning applications on the site itself. However, there have been applications approved which border the north east boundaries of both parcels.

1.5.2 For the land south of Henthorn Road, the adjacent development (reference: 3/2015/0446) was approved in September 2015 for 130 dwellings and is currently being built out by Story Homes.

1.5.3 An application has also been approved (reference: 3/2018/0688) for 110 units at appeal (reference: APP/T2350/W/19/3221189) on the land to the north of Henthorn in June 2019, which was also made by Gladman. It is this development that facilitates access to the northern parcel of this proposed development.

- 1.5.4 The approval of both of these applications indicates that this part of Clitheroe is a sustainable location for growth and can support the development of new homes. This is reaffirmed by the appeal decision (appendix 1) for the 110 dwellings approved in June 2019 which concludes that the site on the northern side of Henthorn Road is accessible and accords with the Development Plan.

2 THE NATIONAL HOUSING CRISIS

2.1 Introduction

2.1.1 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 Borough Council and the observed effects on affordability in the Borough.

2.2 National Delivery of Housing

2.2.1 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.

2.2.2 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.

2.2.3 The House of Lords Select Committee on Economic Affairs said:

To address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future. One million homes by 2020 will not be enough.¹

2.2.4 In recognition of the national housing crisis, the government responded in the 2017 Autumn budget with a commitment to deliver 300,000 new homes a year. Since the start of the financial crisis, delivery of new homes has not yet come close to delivering this nationally recognised need:

Year	Net Additional Dwellings ²
2007/08	223,534
2008/09	182,767
2009/10	144,870
2010/11	137,394
2011/12	134,896
2012/13	124,722

¹ House of Lords Select Committee on Economic Affairs 1st Report of Session 2016–17 HL Paper 20 Building more homes

² Ministry of Housing Communities & Local Government *Table 122: housing supply; net additional dwellings, by local authority district, England 2001-02 to 2017-18* (Accessed January 2019)

2013/14	136,605
2014/15	170,693
2015/16	189,645
2016/17	217,345
2017/18	222,194

- 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 In order to reach the government's targets, Kit Malthouse MP, Minister of State for Housing, Communities and Local Government recently said in *The Times*, "If we want to achieve 300,000 homes a year, we need to have one million homes in production and four to five million in planning."³
- 2.2.7 In 2017 consultancy Lichfield also identified that in order to meet the 300,000 a year delivery target, a constant stock of between 900,000 and 1.1 million of implementable planning permissions would be required⁴.
- 2.2.8 This application therefore responds to the national housing crisis and the need to grant additional planning permissions in order to meet the government's objectives. In addition, as will be explained later in this Planning Statement, this document responds to the local housing issues in the Ribble Valley Borough 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. This is reflected in the significant shortfall in affordable housing in Ribble Valley. The Strategic Housing Market Assessment (SHMA, December 2008) concluded that the net annual housing need of affordable or social rented dwellings was 264 dwellings per annum.

³ Anne Ashworth (2019) 'Kit Malthouse: It's time to 'keep calm and keep building'', *The Times*, 4th January 2019

⁴ Nathaniel Lichfield and Partners (2017) *Stock and Flow, Planning Permissions and Housing Output*, NLP, January 2017

2.3.2 The 2013 SHMA updated the 2008 SHMA and took account of the guidance in the SHMA Practice Guidance. It concluded that there was a net annual need of 404 affordable dwellings in Ribble Valley for the first five years. The Core Strategy Inspector took into account a recalculation based on a higher percentage of income spent on housing than the SHMA, this reduced the net annual need to 268 affordable homes. The Inspector also took into account 154 households living in private rented accommodation and found the scale of need to be 114 dwellings per year for the first 5 years.

2.3.3 Notwithstanding the above, the Core Strategy monitors affordable housing against a housing target of 75 units per year (i.e. 1,500 affordable homes over the plan period to 2028).

2.3.4 The following information, based on Shelter Housing Data, demonstrates that the Council is failing to deliver the level of affordable housing that it needs. This has led to the increasing unaffordability of housing in the Borough since the start of the Local Plan period in 2008:

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Earnings Ratio	7.30	6.49	7.25	7.08	6.79	6.78	6.66	7.16	7.36	7.69	6.78

2.3.5 Mortgage lenders typically offer loan to income ratios from 3.25 annual salary up to a cap at around 4.5 times annual salary. More often than not this requires a deposit and loan to value (LTV) ratio of 95%. Since then, median house prices to median quartile earnings have always been higher than the cap.

2.3.6 The October 2018 Housing Land Availability Survey confirms that there have been just 647 affordable dwellings delivered between 1st April 2008 and 30th September 2018, in Ribble Valley. Taking either the SHMA figure or examining Inspectors figures, Ribble Valley Borough Council are demonstrating a persistent under delivery.

2.3.7 The Housing Land Availability Survey October 2018 provides a breakdown of affordable housing completions in Ribble Valley since the start of the plan period. This is as shown below in table 3:

Year	Total Affordable Completions
2008/09	37
2009/10	43
2010/11	27
2011/12	61
2012/13	29
2013/14	45
2014/15	113
2015/16	78
2016/17	100
2017/18	70
01/2018 - 09/18	44

- 2.3.8 It is clear this delivery of 647 affordable dwellings in the past 11 years is significantly short of the need identified need for 11 years of 4,444 using the higher SHMA figure of 404dpa or 2,904 using the amended lower figure of 264dpa. It is even significantly lower (almost 2 years' worth of affordable dwellings) than using the arbitrary monitoring figure of 75 dwellings per annum imposed by the Council.
- 2.3.9 To meet the affordable housing monitoring target of 75 dwellings per annum over the plan period, 853 affordable homes would need to be delivered to 2028. Given that the Standen site will not deliver in full in the plan period, it is unclear how the Council intends to address affordable housing needs and meet the target set out in the Core Strategy in the plan period to 2028.
- 2.3.10 On the Council's own figures, there are only a further 817 affordable homes that could potentially be delivered in the plan period to 2028. This demonstrates that the Council will not meet the housing target set out in the Core Strategy based on its own figures. Gladman consider that only 729 affordable homes could potentially be delivered over the remaining years to 2028, which means that the target will not be met by an even greater margin.

- 2.3.11 The affordable housing delivery has been well below that anticipated by the examining Inspector over the first 5 years of the plan on any version of the figures that the Inspector considered.
- 2.3.12 The allocations in the HED DPD will not address the shortfall in affordable housing. It is therefore apparent that further sites are required.
- 2.3.13 The reality is therefore that those most in need in the Ribble Valley Borough are unable to afford to buy their own homes.

2.4 Accommodation for Over 55's

- 2.4.1 Core Strategy Policy H3 (Affordable Housing) identifies that housing for older people is a priority for the Council within the Housing Strategy. Policy H3 requires 15% of units on a scheme of 10 or more dwellings to be for older people, with a minimum of 50% of these forming part of the affordable provision.

- 2.4.2 Policy DMH1 (Affordable Housing Criteria) reiterates this position by stating:

... providing housing for older people is a priority for the Council within the housing strategy, and has been for a number of years. However, very little such accommodation has been developed by the market.⁵

- 2.4.3 The Addressing Housing Need in Ribble Valley (June 2011) reinforces the under delivery and need for accommodation for older people at Paragraph 1.2:

Ribble Valley has an ageing population, which is projected to increase by 49% in the next 15 years. The market has failed to meet the housing needs of this age group, and therefore accommodation appropriate for the elderly will be delivered through section 106 agreements.⁶

⁵ Core Strategy, page 102, policy DMH1

⁶ Addressing Housing Need in Ribble Valley (June 2011), paragraph 1.2

2.4.4 This is supported by the demographic trends reported in the SHMA (2013), Figure 3 illustrates a notable increase in population aged over 45 between 2001 and 2011 in the Borough:

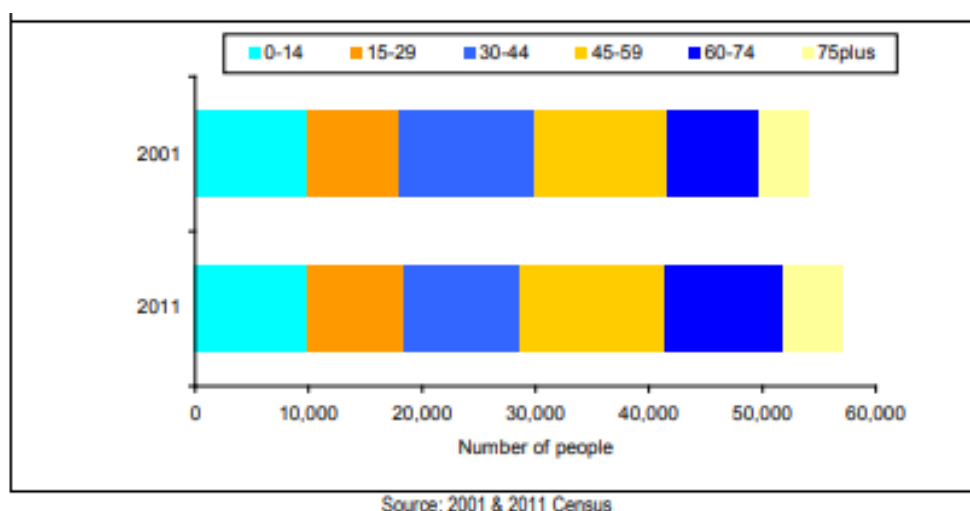


Figure 1: Population Composition in Ribble Valley (SHMA, 2013)

2.4.5 As reported in paragraph 2.13 of the SHMA, Figure 4 compares the household composition in Ribble Valley in 2011 with that recorded for the North West region and England. Figure 4 shows that older person's only households constitute 11.2% of all households in the Borough, which is over 3% more than the regional figure of 8.1% and 2.8% more than the national 8.4% older households.

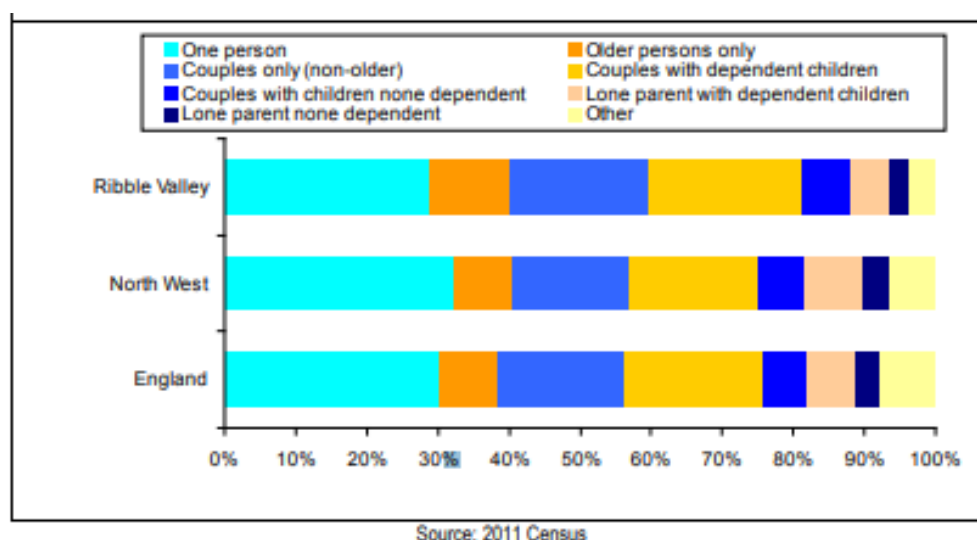


Figure 2: Household Composition in Ribble Valley, the North West and England, 2011 (SHMA, 2013)

2.4.6 Paragraph 6.5 of the SHMA identifies that:

The most recently published long-term population projections available at a local level are the 2010-based ones from the Office of National Statistics. These projections demonstrate the projected change to the age profile of the population in Ribble Valley. Figure 6.1 shows the projected change within each age cohort between 2013 and 2028. The population projection data indicates that there will be reductions in certain age groups (0-4 year olds, 45-54 years olds and 20-29 year olds) but the majority of cohorts are predicted to grow, albeit moderately. The exception is the number of older people, which is projected to grow quite notably; with the number of people aged 90 or over expected to almost double by 2028.⁷

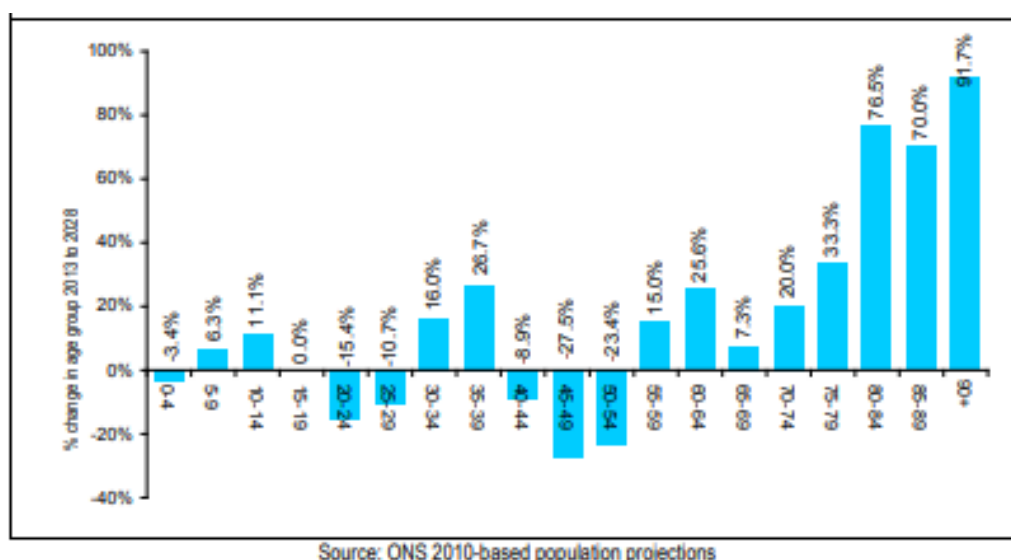


Figure 3: Forecast population change by age group in Ribble Valley, 2013-2028 (Figure 6.1, SHMA, 2013)

- 2.4.7 The Core Strategy identifies that there has been a need for accommodation for older people 'for a number of years'⁸. The SHMA anticipates that the older population in the Borough will significantly increase over the Plan period. Given that there has historically been little provision of accommodation for older people and that the older population is set to significantly increase, the provision of 15% of the units on site for older people is a significant benefit of the scheme.

⁷ SHMA 2013, page 6, paragraph 6.5

⁸ Core Strategy, Page 102

2.5 Conclusion

- 2.5.1 It is clear that the Council has not come close to achieving its affordable housing requirement over the Plan period. The accumulated shortfall in affordable housing delivery is significant and the Council need to take action to redress this failure.
- 2.5.2 Furthermore, according to the Council's evidence base for the Core Strategy, it is apparent that there is and has historically been a significant need for over 55's accommodation that has not been delivered.
- 2.5.3 The provision of 30% affordable housing units on the appeal site, amounting to up to 48 dwellings and 15% accommodation for over 55's, represents a significant benefit that should be afforded significant weight in favour of the proposals.

3 SITE AND LOCATIONAL SUSTAINABILITY

3.1 Site Location

- 3.1.1 The 6.96 ha site is located to the southwest of the principle settlement of Clitheroe and split over two parcels which are adjacent to the existing permitted residential development on the edge of Clitheroe. Clitheroe is a principle settlement and therefore, offers a range of shops, services and employment opportunities.
- 3.1.2 The site is in a sustainable location and will be able to make a valuable contribution to the supply of housing in Clitheroe as well as contributing to the wider Ribble Valley Borough.

3.2 Suitability of Location and Site

- 3.2.1 The application site comprises fields in agricultural use. As outlined above it is well related to the settlement, with good pedestrian and cycle links and it is contained by physical features at its urban edge.
- 3.2.2 The development would expand and consolidate this part of the settlement and represent a logical extension to existing development to the southwest of Clitheroe. Part 1 of Policy DMG2 of the Core Strategy provides 'strategic considerations' for the location of development. It states that "development proposals in the principal settlements of Clitheroe, Longbridge and Whalley and the Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas".
- 3.2.3 Clitheroe is the most sustainable settlement in Ribble Valley as stated in the Settlement Hierarchy Paper (2008). This is reflected in its placing in the settlement hierarchy and has a range of services and facilities capable of meeting day to day needs and accommodating additional housing development, this is confirmed at 4.3 of the Statement of Common Ground (appendix 2) for the appeal (reference: APP/T2350/W/19/3221189).
- 3.2.4 The site is situated within approximately 2km of Clitheroe town centre and Clitheroe Railway Station and it is therefore close to existing shops, services and employment opportunities in the town allowing easy access by foot and bicycle as well as through the use of public transport.

- 3.2.5 The site's proximity to key services and facilities is shown in Figure 11 of the Design and Access Statement (DAS). Details of facilities and services are also shown within the Transport Assessment at figure 3 and 4 which illustrate that all amenities are within recommended guideline walking and cycling distances of both sites. This is further reiterated in the appeal decision notice (appendix 1) at paragraph 52 which identifies that there are a range of facilities within an easy walk of the site. Additionally it was confirmed the in appeal decision (appendix 1) at paragraph 55 that local facilities and the town centre are adequately accessible by means of walking.
- 3.2.6 Development of the site will both support, and be supported by, a range of services and facilities. These include, but are not limited to: bus stops, nursery/pre-school, ATM, convenience store, public open space which includes a playground, and Edisford Road Primary School.
- 3.2.7 There is a bus stop located approximately 450m from the centre of the site which caters for journeys into Clitheroe town centre every 30 minutes from 07:30am using the service number 2. This service coincides with typical workplace start and finish times and therefore future residents of the site have a genuine prospect of using the bus for their commute to/from Clitheroe. There is a school bus service (No 686) which calls at bus stops on Garnett Road, which is about 850m from the Site. This service offers trips to/from Bowland County High School on schooldays only. There are also school bus services which call at stops Edisford Road. Service Nos 510 and 645 offer trips to/from Clitheroe Royal Grammar School, Bowland County High School and Ribblesdale High School school days only. In paragraph 59 of the appended appeal decision it is confirmed by the inspector that there is an acceptable degree of public transport service provision within the vicinity of the site. The Inspector goes on at paragraph 61 to confirm that '... the No 2 service does operate during typical workplace start and finish times and offers some genuine opportunity for the use of public transport to be made to access employment.' Additionally this service is routed near to Clitheroe Rail Station and the journey time from the stop closest to the site is 12 minutes, therefore a highly sustainable option.

3.2.8 Clitheroe Railway Station is circa. 2km walk from the proposed development. Journeys to the rail station can also be made by cycle and bus. There are 5no cycle lockers available at the station and multiple cycle stands adjacent to the station. The train station provides journeys within an hour to Blackburn and Bolton, and Salford Crescent and Manchester Victoria under 80 minutes.

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

- The site is suitable for residential development in terms of its sustainable location and characteristics;
- The site is accessible and prospective residents would have the opportunity to undertake sustainable journeys as it is clear that facilities and services are accessible via walk, cycle and public transport trips as confirmed by the Inspector in the appeal decision for the adjacent site (Appendix 1);
- The site is well contained within the landscape and important trees and other landscape features are retained;
- The local highway network has capacity to accommodate the additional traffic associated with the development, without adverse impact;
- The sites comprises land in agricultural use, but its usefulness for agricultural purposes is limited and its loss would not be significant in Framework terms (Framework 170);
- 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 through new habitat creation, planting, landscaping and private back gardens and therefore there are opportunities through development to improve the environmental conditions of the area;
- The majority of 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); and

- 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.

3.2.10 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.

4 THE DEVELOPMENT PLAN

4.1 Introduction

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

- The Ribble Valley Core Strategy 2008-2028, A Local Plan for Ribble Valley, Adoption Version (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 my evidence.

4.1.3 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 Framework is a material planning consideration but does not change the statutory status of the Development Plan as the starting point for decision making. The planning application should be considered in this context.

4.3 Core Strategy 2008 – 2028 A Local Plan for Ribble Valley (2014)

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

Policy H1: Housing Provision

- 4.3.2 As mentioned above, Policy H1: Housing Provision 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 less than 10 years of the plan period remaining it is anticipated that a third 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. This also has the consequence of the minimum housing need for Clitheroe not being met over the plan period.
- 4.3.3 As stated in Gladman's submitted hearing statement for the emerging HEDDPD, whilst it is acknowledged that housing delivery has increased in recent years, it is important to note that housing delivery will be likely associated with peaks and troughs over the plan period. It is unlikely that all of the Council's housing commitments will come forward at the same time and rate of delivery due to complex issues relating to discharge of conditions, infrastructure requirements or may not come forward as originally anticipated. Furthermore, there is still a need to ensure that the significant shortfall that has already accumulated is planned for as soon as possible.
- 4.3.4 The proposal will assist the Council in both delivering the minimum housing requirement and meeting the residual requirement for Clitheroe.

DS1: Development Strategy

- 4.3.5 Policy DS1 outlines the strategy by provided a settlement hierarchy structure for the Borough to identify how the housing requirement is to be delivered.
- 4.3.6 The identified housing requirement is distributed in accordance with a settlement hierarchy as set out in Key Statement DS1: Development Strategy. DS1 lists 3 principal settlements of Clitheroe, Longridge and Whalley, 9 Tier 1 settlements and 23 Tier 2 settlements.
- 4.3.7 The hierarchy was established through the Settlement Hierarchy Paper (2008), which scored Clitheroe as the most sustainable settlement in the Borough, with a score of 42 out of 42. The Examining Inspector commented that:

45. I am of the firm view that the development strategy and hierarchy of settlements proposed through MM2 is justified. There can be little serious doubt that Clitheroe performs the function of a principal settlement...

47. ...Consequently, in relation to the principal settlements, I regard the Settlement Hierarchy document analysis to be adequately reliable.⁹

- 4.3.8 Key Statement DS1; Development Strategy, sets out the development strategy for the Core Strategy. The strategy in relation to housing is for the majority of new housing to be directed to the strategic site located on the edge of Clitheroe, known as Standen and the principal settlements of Clitheroe, Longridge and Whalley. DS1 goes on to identify that in addition development will be focussed towards the Tier 1 villages. For the Tier 2 settlements, development will need to meet proven local needs or deliver regeneration benefits.
- 4.3.9 The proposal accords with the spatial strategy as it will deliver 160 dwellings on the edge of the most sustainable settlement in the Borough.

DS2: Presumption in Favour of Sustainable Development

- 4.3.10 Policy DS2: Presumption in Favour of Sustainable Development (DS2) outlines that planning applications that accord with the policies in this Local Plan (and, where

⁹ Core Strategy Inspectors Report paragraph 45 and 47, page 10

relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

- 4.3.11 DS2 takes a positive approach towards sustainable development in Ribble Valley and confirms that the Council will work proactively with applicants to find solutions to ensure that proposals can be approved where they improve the social, economic and environmental conditions in the area. The suite of reports supporting this application demonstrate how the development will improve the economic, social and environmental conditions in the area.
- 4.3.12 The proposed development scheme does accord with the local plan and should therefore be approved without delay. This is reiterated through the SoCG regarding the principle of development for the site on the northern side of Henthorn Road (Appendix 3). The Council agreed that development in this location is acceptable in principle subject to accessibility. As confirmed by the Inspector in the appeal decision at Appendix 1, this is a sustainable and accessible location and accords with policies DS2, DMI2 and DMG3 of the Core Strategy (Appendix 1 para. 66). The same conclusions can be drawn to the application site.

H2: Housing Balance

- 4.3.13 Policy 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

- 4.3.14 Policy 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, which equates to 48 affordable dwellings which will provide a home for 48 families in real need.
- 4.3.15 Policy 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 therefore providing 24

dwelling suitable for those aged over 55 and there will be a 50% split of these between market and affordable tenures, ensuring at least 12 affordable bungalows will be provided.

4.3.16 Policy DMH1 outlines the groups of people that the 30% affordable should be for. These are outlined below:

- a. First time buyers currently resident in the parish or an adjoining parish;
- b. Older people currently resident in the parish or an adjoining parish;
- c. Those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment;
- d. 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;
- e. Those about to take up employment in the parish and;
- f. People needing to move to the area to help support and care for a sick, older person or infirm relative.

4.3.17 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.

DMG2: Strategic Considerations

4.3.18 Policy 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 main built up area of Clitheroe, with new development recently approved that are located outside of the defined settlement to the east of the both site parcels. The glossary of the Core Strategy provides a definition for consolidation, expansion and rounding-off. As per the appeal site on the northern side of Henthorn Road the application site meets the definitions of both expansion and consolidation. This is confirmed at paragraphs 17 and 18 of the Inspectors decision (Appendix 1) and furthermore it was accepted that

development in this location are acceptable subject to accessibility (which the Inspector confirmed to be accessible) and through the SoCG in relation to the principle of development (Appendix 3).

17. The Council accepted that the policy (DMG2) is permissive of development that adjoins the settlement boundary and confirmed that development outside the settlement limits of Clitheroe would not necessarily conflict with the provisions of this policy.¹⁰

- 4.3.19 As per the appeal site the application site accords with Policy DMG2 is a residential development that is closely related to the built up area of Clitheroe that will 'expand' and 'consolidate' development. The application proposal fully accords with Policy DMG2.

DMG3: Transport and Mobility and DMI2: Transport Considerations

- 4.3.20 Policy DMG3: Transport and Mobility identifies that considerable weight will be attached to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development and lists 7 criteria; relationship with strategic network, pedestrian and cycle access, promotion of development to locations which are highly accessible to other means than the car, proposals that locate major generators of travel demand within the existing centres, strengthen existing town centres, maintain and improve choice for people to walk, cycle or catch public transport and discourage reliance on the car for work and other journeys.
- 4.3.21 Policy DMI2: Transport Considerations identifies the importance that new development should be located to minimise the need to travel by private car and that there is good access by foot and cycle and have convenient links to public transport.
- 4.3.22 The accessibility of this location was explored at length through the appeal on the northern side of Henthorn Road and considered that this location is an accessible location with the Inspector identifying that:

63. Taking the above factors into account, I consider that the proposal would be located on an accessible site and that prospective residents would have the opportunity to undertake

¹⁰ Appeal Decision APP/T2350/W/19/3221189

walk, cycle and public transport trips. Consequently, there is no basis to support the Council's assertion that there is inadequate accessibility by non-car modes of transport.

4.3.23 The Inspector went on to confirm that:

66. Other than accessibility issues, no other substantive evidence was provided by the Council to suggest that the proposal constituted unsustainable development or was any more unsustainable than the adjoining developments to the north east and south east. On the basis of my findings above, the proposal would constitute an accessible and sustainable form of development. As such there would be no conflict with Key Statements DS2 and DMI2 and Policy DMG3 of the Core Strategy.

4.3.24 The application site is located adjacent to and opposite the appeal site on the northern side of Henthorn Road and shares the same proximity and routes to services and facilities. As identified elsewhere in this statement and in the submitted Transport Assessment the application site is accessible to a wide range of services and facilities on foot, cycle and bus.

4.3.25 As concluded by the Inspector for the adjacent site, the proposals accord with policies DMI2 and DMG3.

4.4 The Emerging Development Plan

The Housing and Economic Development, Development Plan Document (HED DPD)

4.4.1 The emerging Housing and Economic Development, Development Plan Document (HED DPD) will form part of the Local Development Framework (LDF) once adopted. The HED DPD compliments the policies of the Core Strategy and includes allocations for housing and employment land within the Borough.

4.4.2 The HED DPD was formally submitted to the Secretary of State on 28th July 2017, the examination hearings were held between 27th November 2018 and 24th January 2019, subsequently the Inspectors report was published on 10th September 2019.

4.4.3 In the Inspectors Report it was confirmed that the plan will only be found sound subject to the inclusion of the proposed modifications.

4.4.4 The HED DPD provides more detailed policy coverage of the key issues of the Core Strategy and includes allocations for residential development. The Council's

approach to settlement boundaries is a flexible one through the application of policy DMG2 as confirmed at paragraph 24 of the Inspectors Report:

24. I agree with the Council that this is achieved by flexible policies in the CS that enable development to be brought forward in a sustainable manner and by way of a reserve of allocated sites.

- 4.4.5 The HED DPD has not yet been adopted and as was the case for the appeal site on the northern side of Henthorn Road (Appendix 1 para.21) the HED DPD has little relevance to the determination of this application.

4.5 Summary of the Development Plan

- 4.5.1 In the light of the above, it is clear that the development proposal accords with all parts of the Development Plan and in accordance with Local Plan policy DS2 and paragraph 11c) of the Framework the application should be approved without delay. This is the same approach taken by the Inspector for the site on the northern side of Henthorn Road:

111. ... I concur with the main parties views that Key Statement DMI2 and Policy DMG3 of the Core Strategy are the remaining policies applicable to the reason for refusal. I also concur that, in accordance with the 'Principle SoCG', if the appeal scheme is found to be accessible then it should be approved without delay as per Key Statement DS2 of the Core Strategy and paragraph 11c of the Framework.

112. As explained above, I have found that the appeal scheme is accessible and therefore there is no conflict with Key Statement DMI2 and Policy DMG3. There are no other considerations of such weight as to warrant a decision other than in accordance with the aforementioned development plan policies and the Framework. Consequently, for the above reasons, and taking into account all other matters raised, I conclude that the appeal should be allowed.

- 4.5.2 In accordance with paragraph 213, due weight should be given to policies according to their degree of consistency with the Framework. These policies are consistent with the Framework and it is not alleged that they are out-of-date on this basis.
- 4.5.3 Furthermore, Gladman consider that the Council are unable to demonstrate a five year housing land supply, it is further considered on accordance with paragraph 11

d) footnote 7, the policies that are most important to determining the application are out-of-date and the tilted balance is engaged.

4.5.4 The application therefore should be approved without delay.

5 SUSTAINABLE DEVELOPMENT: THE NATIONAL PLANNING POLICY FRAMEWORK

5.1 Introduction

5.1.1 The government published a revised Framework in February 2019.

5.1.2 This section of the Planning Statement sets out why the planning application meets with the objectives of the Framework in delivering sustainable development.

5.2 The Presumption in Favour of Sustainable Development

5.2.1 At the heart of the Framework 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 Framework indicate development should be restricted (see paragraph 11).

5.2.2 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. Further, the application site is not the subject of any of the designations cited within footnote 6 of the Framework and therefore policies do not apply which indicate the presumption should be disapplied.

5.2.3 This section describes how the development proposals meet the relevant objectives of the Framework.

5.1 Building a Strong and Competitive Economy

5.1.1 The Framework 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).

- 5.1.2 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.”

- 5.1.3 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 Sustainability Statement estimates the following key benefits arising from the proposal:

- Construction spend - £17.5 million
- GVA over the build period - £5.3 million
- Resident annual expenditure - £5 million
- Council tax - £2.7 million per annum (based on England Band D average 2018/19)
- New Homes Bonus - £800,000

- 5.1.4 The provision of quality housing in Clitheroe is central to the achievement of sustainable economic growth across the Ribble Valley Borough and is fully supported by the requirements and advice of the Framework; indeed, paragraph 80 is clear that, “significant weight should be placed on the need to support economic growth through the planning system”.

5.2 Promoting Sustainable Transport

- 5.2.1 At paragraph 102, the Framework requires LPAs 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...”

- 5.2.2 At paragraph 103, the Framework 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.”

- 5.2.3 Clitheroe has a number of services and facilities which are within easy walking and cycling distance (all within 1600m) of the site, including: bus stops, nursery/pre-school, convenience store, playground, Edisford Primary School and leisure facilities on Edisford Road. There are also various other facilities in Clitheroe Town Centre which is located circa. 2km from the site.
- 5.2.4 The nearest bus stop to the site is located 450m from the proposed development. This bus stop is for the Service No 2 which is a town circular service operating at a 30 minute frequency. This service also provides the opportunity for commuters into Clitheroe as the times are from 07:27 and last return at 18:15.
- 5.2.5 The nearest rail station is at Clitheroe and is just over a 2km walk from the proposed development. Journeys to the rail station can also be made by cycle and bus. If you were to take bus No 2 to the train station there is a journey time of just 12 minutes.
- 5.2.6 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.
- 5.2.7 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.
- 5.2.8 Access will be achieved for the northern site through the adjacent permitted development. The southern site will be accessed from a new access point comprised of a priority junction off Henthorn Road.
- 5.2.9 There is an existing Public Rights of Way (PROW) near to the Site. Footpath 3-1 FP17 is aligned around the western and southern perimeter of the Site. This provides a walking connection between Edisford Road and Henthorn Road.
- 5.2.10 A range of improvements are proposed to enhance pedestrian access, details of which are contained in the TA. 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.

- 5.2.11 It has been confirmed by the appeal Inspector for the northern side of the Henthorn Road (Appendix 1) that this location is accessible and provides an opportunity for access to services and facilities via foot, cycle and public transport.

5.3 Delivering a Wide Choice of High Quality Homes

The Need for Market and Affordable Housing

- 5.3.1 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 White Paper 'Fixing the Broken Housing Market', 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."

- 5.3.2 The 2013 SHMA makes clear 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."

- 5.3.3 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."

5.3.4 However, the scale of affordable housing need in the Borough is leading to a chronic shortage of much needed new homes.

5.3.5 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.

5.4 Achieving Well-Designed Places

5.4.1 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.

5.4.2 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 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.

5.4.3 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 2.95Ha of Green Infrastructure comprising a variety of potential habitats and open space; and
- Reinforcement of existing hedgerows around the site boundary to improve the quality and connectivity of habitat.

5.5 Conserving and Enhancing the Natural Environment

- 5.5.1 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.
- 5.5.2 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 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.
- 5.5.3 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.

5.6 Meeting the Challenge of Climate Change

- 5.6.1 Paragraph 148 of the Framework 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.

5.7 Conserving and Enhancing the Historic environment

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

5.8 Summary

- 5.8.1 From the above, it is clear that the application proposal complies with relevant provisions of the Framework. Accordingly, it can reasonably be concluded that the proposal is also in compliance with the broad planning objectives of the Framework.
- 5.8.2 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 outline planning application is made in the context of the government's requirement to boost housing land supply and the presumption in favour of sustainable development.
- 6.1.2 The proposal is in accordance with the development plan when read as a whole.
- 6.1.3 This proposal would be deliverable in the short term and increase the supply and choice of housing at one of the most sustainable and principle settlements in the Borough. 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.
- 6.1.4 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. Gladman is willing to enter into constructive dialogue with the Council to agree a list of conditions and Section 106 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 Section 106 Agreement is enclosed at Appendix 4.
- 6.1.5 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 and green infrastructure.
- 6.1.6 The development of the site, as proposed, would be both suitable and sustainable, and there is justification to grant planning permission in accordance with the presumption in favour of sustainable development.
- 6.1.7 The relevant material considerations in this case are:
- The principle of development is acceptable as it accords with the Core Strategy, in particular DMG2 as the site lies adjacent to the settlement

edge of Clitheroe and would expand and consolidate development in this location;

- As confirmed by the Council and Planning Inspectorate this is a suitable location for residential development in terms of accessibility and characteristics and the site 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:

Market Housing	It will help to deliver much needed new, quality, family homes, in a community where people wish to live, in a suitable and sustainable location close to existing public transport, shops, employment opportunities and community services.
Affordable Housing	It will provide a wide range of homes including a policy-compliant provision of affordable housing (30% or up to 48 units) in an area where there is an existing unmet need unlikely to be delivered through alternative means. There will also be 15% of housing provided to meet the needs of those aged 55 or above.
Jobs and the Economy	Immediate Impacts The build cost for the development is expected to be around £17.5m. Calculations suggest that this construction expenditure would support around 150 Full Time Equivalent (FTE) construction jobs over the period of the build. The development of new homes in the proposed development could help to address local unemployment in the industry, and provide apprenticeship and training opportunities for young unemployed people.

	Over the four years following the completion of the development, Ribble Valley Borough Council will benefit from circa £800,000 via the New Homes Bonus. Lasting Impacts It is anticipated that 368 of residents from the new development will be of working age and in employment. Household expenditure from the 160 new homes would be circa £5million per year. The scheme will supply new affordable rented and intermediate housing, helping to address substantial local affordable housing needs by providing opportunities for lower income households to own their own home or to secure rented accommodation.
Protecting and enhancing Vitality and Viability	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 town and surrounding area. There is no associated impact on the town centre from the local centre proposed on site.
Public Open Space and Recreation	It will provide formal and informal public open space and green infrastructure and secure its long-term management for use by the new and existing community. It will improve connectivity and access to public rights of way.
Environmental Benefits	Biodiversity of the site will be protected, diversified and improved through new hedgerow and tree planting and delivery of new garden spaces and formal and informal green spaces. Overall, the proposal will achieve a net gain in biodiversity.

6.3 Harm

- 6.3.1 The 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.
- 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 Framework 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 Framework and Development Plan do not indicate that development should be restricted.
- 6.4.3 In accordance with paragraph 11 of the Framework, the development proposal clearly constitutes 'sustainable development'.
- 6.4.4 Accordingly, it is clear there are significant material considerations supporting alongside its compliance with the Local Plan and the planning application should therefore be approved without delay.

APPENDIX 1

Appeal Decision

Appeal Decision

Inquiry Held on 8 - 10 May 2019

Site visit made on 10 May 2019

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

an Inspector appointed by the Secretary of State

Decision date: 19th June 2019

Appeal Ref: APP/T2350/W/19/3221189
Henthorn Road, Clitheroe BB7 2QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Limited against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2018/0688, dated 7 August 2018, was refused by notice dated 11 January 2019.
 - The development proposed is the erection of up to 110 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Henthorn Road.
-

Decision

1. The appeal is allowed and outline planning permission with all detailed matters reserved except access is granted 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 at Henthorn Road, Clitheroe BB7 2QF in accordance with the terms of application Ref 3/2018/0688, dated 7 August 2018, subject to the attached schedule of conditions.

Application for costs

2. At the Inquiry an application for costs was made by Gladman Developments Limited against Ribble Valley Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The application was submitted in outline with all matters reserved for future consideration with the exception of access. Only details of one vehicular access to the site are submitted so any other access to, and access within, the site remain a reserved matter. The site access details are shown on the plan 'Proposed Access Arrangements 1616/13/rev B' which along with the 'Site Location Plan 8439-L-04 rev A' are the plans that describe the proposal. An 'Illustrative Framework Plan 8439-L-02 rev C' was submitted for illustrative purposes only to demonstrate one way in which the site could be developed. I have had regard to this plan in the determination of this appeal.
4. At the Inquiry, the appellant submitted a S106 Unilateral Planning Obligation, signed and dated 10 May 2019, relating to the appeal development which would take effect should planning permission be granted. Amongst other

matters, the Planning Obligation provides for 30% of the total number of dwellings to be constructed as affordable units, 15% of the total number of dwellings to be of bungalow construction to be occupied by persons over the age of 55, the management arrangements for open space within the site and for contributions towards town centre cycling parking, travel plan, public transport and education provision. A Community Infrastructure Levy (CIL) Compliance Statement was submitted at the Inquiry by the Council. I have had regard to the provisions of the Planning Obligation in the consideration of this appeal and I shall return to this later in this decision.

5. Prior to the opening of the Inquiry, three Statements of Common Ground (SoCG) were submitted. These related to general planning matters ('Planning SoCG') and accessibility ('Accessibility SoCG'), both signed and dated 10 April 2019, and 5 year Housing Land Supply SoCG ('HLS SoCG') signed and dated 9 and 10 April 2019.
6. A further SoCG relating to the principle of development, signed and dated 2 May 2019, was submitted at the Inquiry ('Principle SoCG'). After the close of the Inquiry a further SoCG, signed and dated 16 May 2019, was submitted containing an updated and agreed list of suggested planning conditions.
7. The Inquiry was conducted on the basis of topic based round table discussions in relation to matters of accessibility and 5 year housing land supply. Matters relating to planning policy and the planning balance were considered by the formal presentation of evidence. Although not a matter contested by the Council, highway safety and the effect of the proposed development on the free flow of traffic was of considerable concern to local residents. This issue was dealt with at the Inquiry by a question and answer session with the concurrent involvement of the Appellant's witness dealing with highway matters and an officer from the highway authority. Both responded to related questions from local residents.

Main Issues

8. Having taken into account the evidence before me and from what I heard at the Inquiry, the main issues are:
 - Whether the proposed development would be appropriately located, having regard to planning policies that seek to manage the location of housing development.
 - Whether the Council can demonstrate a five year supply of land for housing.
 - Whether the proposal would be an accessible and sustainable form of development with particular regard to the accessibility of the site to services and facilities for future residents in terms of limiting the need to travel and offering a genuine choice of transport modes.

Reasons

Background and the proposal

9. The appeal site comprises an agricultural field off Henthorn Road with boundaries defined by mature hedgerow. It is located on the edge of, but outside, the settlement boundary of Clitheroe and as such is lies within the open countryside.

10. The north eastern boundary of the site adjoins a recently constructed residential development for 270 dwellings on land to the north of Henthorn Road which was granted planning permission on appeal (Ref APP/T2350/A/11/2161186)¹ which for the purposes of this decision letter I have referred to as the Blakewater Road development. To the south east, on the opposite side of the road, a further 130 dwellings are being constructed and is referred to as the Storey Homes site (Ref: 3/2015/0446). To the south west the boundary is shared with a detached residential property known as Siddows Hall, located within substantial grounds, and a field. To the north west is a field and a community park with the River Ribble beyond.
11. The submitted plans indicate that the site could accommodate a development of up to 110 dwellings with access provided off Henthorn Road in the vicinity of an existing field access gate. The submitted access arrangement plan (Ref 1616/13/rev B) shows that a 5.5m wide road would be provided at the access point/junction with Henthorn Road, with 2m wide footways either side. The eastern side footway would continue onto Henthorn Road up to the recently formed junction with Blakewater Road. The access arrangement plan also shows a section of Henthorn Road, between the site access and the above mentioned junction, would be widened to provide a 5.5m carriageway.
12. The submitted "Framework Plan" shows the broad location of where the dwellings could be sited within the site, with a landscape buffer provided along the site boundaries. This plan also shows the potential location of an on-site play area, an attenuation pond and a proposed footpath/cycleway that would run around the edges of the site and provide pedestrian access to the neighbouring Blakewater Road development and community park to the north.

Whether the proposed development would be appropriately located

13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Core Strategy 2008-2028 - A Local Plan for Ribble Valley (Core Strategy) was adopted in December 2014 and contains a number of key statements and policies relevant to the consideration of this appeal.
14. Core Strategy Key Statement DS1 sets out the settlement hierarchy strategy for the Borough. It seeks to guide development to the most appropriate locations through the identification of groupings of settlements in a hierarchy based upon 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. In that context, Clitheroe is identified as one of three principal settlements which are the highest order settlements within the hierarchy where the majority of new housing development will be located.
15. The Core Strategy does not define an up-to-date settlement boundary for Clitheroe. Key Statement DS1 indicates that specific allocations will be made through the preparation of a separate Allocations Development Plan Document. Consequently, the settlement boundaries currently utilised by the policies of the Core Strategy are those defined by the proposals map of the preceding

¹ CD 4.10

- Ribble Valley Districtwide Local Plan. It is not a matter of dispute that the site is located outside of, but adjacent to, the existing settlement boundary of Clitheroe and therefore, lies within open countryside.
16. Part 1 of Policy DMG2 of the Core Strategy provides 'strategic considerations' for the location of development. It states that "development proposals in the principal settlements of Clitheroe, Longbridge and Whalley and the Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas". Those quoted terms are defined in the Core Strategy glossary. 'Rounding Off' requires development to be within the settlement boundary. However, 'consolidation' is defined as locating development so that it adjoins the main built up area of a settlement. 'Expansion' allows for limited growth of a settlement.
 17. Conflict with Policy DMG2 is identified as a reason for the refusal of planning permission for the appeal scheme. However, during the Inquiry the Council accepted that the policy is permissive of development that adjoins the settlement boundary and confirmed that development outside the settlement limits of Clitheroe would not necessarily conflict with the provisions of this policy². In this respect, I have no other evidence to suggest that the proposed development would otherwise constitute the consolidation and expansion of the settlement within the context of Policy DMG2.
 18. Indeed, the Council confirmed that several developments outside of, but adjoining, the settlement boundary of Clitheroe had previously been permitted pursuant to the provisions of this policy. As such, the Council conceded that it would not be correct to conclude that the appeal scheme breaches Policy DMG2 and that the principle of residential development on the site would be appropriate.
 19. I have also taken into account the emerging Ribble Valley Housing and Economic Development - Development Plan Document (HED DPD) which has been subject to Examination in Public Hearing Sessions which closed on 23 January 2019. The Inspectors report is awaited.
 20. The HED DPD provides more detailed policy coverage of the key issues of the Core Strategy and includes allocations for residential development. However, this emerging plan does not propose the allocation of the appeal site for development. The Council's approach to settlement limits in the HED DPD is a flexible one as confirmed in the Main Modifications to the document³.
 21. Both main parties agreed at the Inquiry that the provisions of this emerging plan have little relevance to the consideration of the issues in this appeal. Although this HED DPD has reached an advanced stage in the plan making process, and therefore should be afforded moderate weight, other than confirming flexibility in settlement boundaries its content has not been referred to or relied upon in the provision of any evidence in this appeal from any parties. Furthermore, I have been provided with little information as to any other content or relevance that this emerging plan may have in the determination of this appeal.

² Paragraphs 2,5 and 6.13 Mr Plowman's proof of evidence

³ CD 7.04, page 3, section 1, fifth paragraph

22. The 'Principle SoCG' states that the sole area of disagreement between main parties as to whether the appeal proposal accords with the development plan is in relation to accessibility of the appeal site. It further states that if it is found that the appeal scheme is accessible then the proposal accords with the development plan and should be approved without delay as per Key Statement DS2 of the Core Strategy which sets out a presumption in favour of sustainable development.
23. Subject to the consideration of accessibility and sustainability matters, which are dealt with later in this decision, there is agreement between the main parties that the proposed development would be appropriately located and that there would be no conflict with Policy DMG2 of the Core Strategy. I have no other evidence or reasons to disagree with this view.

Five year housing land supply

24. The Appellant contends that the Council cannot demonstrate a 5 year Housing Land Supply (HLS) and therefore considers that the provisions of Paragraph 11 of National Planning Policy Framework (the Framework) is applicable in the determination of this appeal
25. Paragraph 11d of the Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 7 of the revised Framework advises that policies which may be considered to be out-of-date in relation to applications involving the provision of housing include situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73).
26. Therefore, in relation to this proposal, should I find that a 5 year HLS cannot be demonstrated, and that I also find that the appeal scheme is not accessible, then a conclusion would need to be reached whether the harm significantly and demonstrably outweighed the benefits of the appeal scheme. Therefore, to conclude on the main issues in this appeal, as identified above, it is necessary to consider the 5 year HLS position in Ribble Valley.
27. The housing requirement set out in Key Statement H1 of the Core Strategy indicates that land for residential development will be made available to deliver 5,600 dwellings, estimated at an average annual completion target of at least 280 dwellings per year over the plan period 2008 to 2028. The Council's latest position on 5 year HLS is set out in the Housing Land Availability Statement dated 30 September 2018⁴ (HLAS). The base date for the HLAS is 30 September 2018 and the document identifies housing delivery over each of the subsequent 5 years. The deliverable supply set out in the HLAS does not include any of the proposed allocations in the HED DPD.
28. Following the publication of the Housing Delivery Test for 2018, both main parties agree that a 5% buffer should be applied to the housing requirement. Taking into account previous years delivery shortfalls, the Council's latest

⁴ CD 5.02

updated housing land supply position presented at the Inquiry⁵ is identified as 5.75 years. This comprises of an identified five year supply of 2,385 dwellings with an agreed annual requirement of 415 dwellings.

29. The appellant disputes the above figure and considers that the Council can only demonstrate 4.86 years HLS. The primary reasons for this difference from the Council's position is that the appellant contends that the Council's calculations on lead-in-times to commence development and build-out-rates on five sites included in the September 2018 Housing Land Availability Statement (HLAS) are overly optimistic. In particular, that the Council has failed to consider comparable sites to determine lead-in-times and build-out-rates and instead has relied on SoCG's and discussions with house builders regarding their anticipated house building start dates and build rates. The five disputed sites are considered below.
30. *Higher Standen Farm* – This site has outline planning permission for 1,040 dwellings. Phase 1, which has detailed consent for 228 dwellings, commenced development in September 2017 and is under construction by a single developer. As at 31 March 2019, 45 dwellings had been completed. The Council referred to a SoCG with the housebuilder which indicates an intention to complete 50 dwellings from Phase 1 by 30 September 2019 (Year 1), 50 by 2020 (Year 2), 48 by 2021 (Year 3), 45 by 2022 (Year 4) and 13 by 2023 (Year 5). Phase 2 is expected to produce 20 dwellings by Year 3, 40 by Year 4 and 40 by Year 5. The Council indicates that the housebuilder's business plan provides for 65 dwelling completions per annum.⁵ The appellant considers these delivery rates to be too optimistic as experience of the housebuilder's other site in the Borough is delivering 29 dwellings per annum. Other large sites in the area are delivering 30 dwellings per annum. Notwithstanding the SoCG with the housebuilder, the delivery of 65 dwelling per annum appears overly optimistic when compared with delivery rates on most other single developer site within the Borough. I have taken into account the fact that the 'Monks Cross' site has achieved delivery of approximately 50 dwellings per annum by a single developer and in taking a pragmatic approach, whilst recognising the housebuilders business objectives, I consider that a lower delivery rate of 35 dwellings to be more reasonable and the contribution from this site is more likely to be around 175 dwellings in the five year period to 2023. As such, 133 dwellings should be removed from the 5 year supply
31. *Chipping Lane, Longbridge* – This site has permission for 311 dwellings with the first dwelling completed in November 2018. This is also a single developer site. A SoCG with the housebuilder indicates the delivery of 246 dwellings by 30 September 2023⁵. For the same reasons as identified with the site above, the delivery rates for this site also appear to be overly optimistic. The identified delivery of 20 dwellings in Year 1 is agreed between the main parties but thereafter I consider that 35 dwellings per annum is likely to be more realistic and the contribution from the site likely to be around 160 dwellings in the 5 year period. Therefore, 86 dwellings should be removed from the 5 year supply identified in the identified in updated housing land supply position.
32. *Land south-west of Barrow and west of Whalley Road* – This site has outline planning permission for 504 dwellings. Phase 1 (183 dwellings) is under

⁵ Inquiry Document 1 - Updated 5 year housing supply table and Scott Schedule

construction. A reserved matters planning application for 233 dwellings on Phase 2 has been submitted by another housebuilder. The Council indicate that permission for Phase 2 would be expected to be granted by July 2019. The appellant does not dispute the Council's expected delivery rates but considers that the lead-in time to be optimistic and that delivery should commence in 2020/21 as opposed to the Council's view that delivery will commence in 2019/20. The Council referred to an email⁶ from the housebuilder which suggests that 20 units could be completed by 2020 (as opposed to 30 by 2020 in the HLAS). The appellant considers that average lead-in times in the area are around 16.25 months and as such completions could not be expected until 2021. I agree with the appellant that the delivery of 30 dwellings by 2020 is optimistic. However, the prospective housebuilder on this site has a track record of delivery in the Borough and, on the basis of the evidence before me, I consider that it would be unreasonable to suggest that no dwellings would be constructed in Year 2. Therefore, I consider that the housebuilder's suggestion that 20 dwellings would be constructed in Year 2 would not be unreasonable. Therefore 10 dwellings should be deducted from the five year supply.

33. *Land off Waddington Road* – This site has planning permission for 208 dwellings. The anticipated delivery rates are not disputed. However, both main parties agree that the lead-in period would mean that it is unlikely that 30 dwellings would be delivered in Year 2, as identified in the HLAS. Delivery of these 30 dwellings is unlikely to occur until Year 3 with an annual supply of 50 dwellings from this site thereafter. Therefore, I agree that 50 dwellings should be deducted from the five year supply.
34. *Land off Henthorn Road* – This site lies to the south east of the appeal site and has outline planning permission for 24 dwellings. A SoCG identifies that 12 dwellings are intended to be delivered in each of the Years 2 and 3. This trajectory is included in the HLAS. The appellant considers that this site does not meet the test of "deliverable" as set out in paragraph 74 of the Framework and Paragraph 3-036 of the Planning Practice Guidance (PPG). This is on the basis that the SOCG has been agreed with the site promoter and there is no 'site developer' who can commit to the trajectory for this site. The Council indicate that it would not be unreasonable to suggest that 12 dwellings would be provided in Years 4 and 5 particularly as the site promoter has indicated developer interest and that the site access is to be provided through the Storey Homes site that is currently under construction thereby minimising the some of the initial infrastructure requirements. On the basis of the evidence provided by the Council, I consider that it would be unreasonable to agree with the appellant's suggestion that there would be no delivery from this site during the five year HLAS period. In my view, the Council's suggested revised delivery of 12 dwellings in Years 4 and 5 would not be an unreasonable approach to take at this stage. Therefore, there should be no deduction from the 5 year supply.
35. Discussions during the Inquiry resulted in the Council changing its approach regarding the contribution that small sites (less than 10 dwellings or less than 0.4 hectares) and windfall allowance would make to the five year supply. At the round table discussion the Council agreed that 297 dwellings should be used as the figure for small sites with planning permission and small windfall sites and not 378 as originally identified. This was on the basis that a number

⁶ Inquiry document 5

of completed dwellings identified by the Council were on sites larger than 0.4 hectares. The Council's revised approach is reasonable and has been reflected in the updated housing land supply position presented at the Inquiry⁷.

36. The appellant also considers that the Council should have taken into account the Inspector's findings in the 'Woolpit' appeal decision⁸ and considers that the Council's approach to validate the HLAS by seeking statements of common ground with developers/promoters to justify its delivery predictions after its publication is erroneous. The appellant considers that the Council's approach places doubt on the validity of the content of the HLAS.
37. However, I consider that there are material differences between the circumstance in that appeal regarding housing land supply and those in this case. In particular, in the Woolpit case the Inspector indicated that the five year housing land supply calculation undertaken by the Council was, in effect, guesswork, which the Council subsequently sought to validate. The Inspector criticised the Council for failing to engage with developers/promoters. In the appeal case before me there is some evidence of engagement with promoters and developers prior to the HLAS and the subsequent post November 2018 contact and statements of common ground simply seek to discover the current position regarding delivery on the ground and future intentions. This is a reasonable sense check to undertake. Consequently, I do not consider that the 'Woolpit' decision has any material bearing on the consideration of the issues in this case.
38. I accept that there is a degree of subjectivity in the data on lead-in times and building rates provided by housebuilders. Equally, there is some subjectivity in the use of comparable information. However, in taking a pragmatic approach with regard to the disputed sites, and on the basis of the evidence before me, I consider that the Council's housing land supply should be reduced by 279 dwellings in total during the five year period from that shown on the updated five year housing supply table from 1 October 2018 to 30 September 2023. The number of dwellings should therefore be reduced to 2106. As a consequence, I find that the deliverable housing land supply demonstrated is 5.07 years (2106 divided by the agreed annual requirement of 415 dwellings per annum).
39. For the above reasons, I find that the Council can demonstrate a 5 year HLS. Consequently, the Council's policies for the supply of housing as set out in the Core Strategy remain up to date and the tilted balance as set out in paragraph 11d of the Framework is not engaged.

Accessibility and Sustainability

40. The reasons for the refusal of planning permission refer to a conflict with Policy DMG3 of the Core Strategy. However, the Council confirmed that this is not a prescriptive policy but simply identifies matters that will carry considerable weight in decision-making.
41. In particular, Policy DMG3 identifies that considerable weight will be attached to the availability and adequacy of public transport, and associated

⁷ Inquiry Document 1 - Updated 5 year housing supply figure and Scott Schedule

⁸ Appeal Ref APP/W3520/W/18/3194926 – CD4.03

- infrastructure to serve those moving to and from the development. Amongst other matters, it identifies that such weight will be applied to the relationship of the site to the primary route network; the extent to which provision is made for access to the development by pedestrian facilities, cyclists and those with reduced mobility; proposals which promote development within existing developed areas or extensions to them at locations which are highly accessible by means other than the private car; proposals which locate development in areas which maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities.
42. Both main parties identified that the most important Core Strategy policy consideration regarding the accessibility of the proposed development is Key Statement DMI2. This key statement, amongst other matters, identifies that development should minimise the need to travel and should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need to travel by car. It further states that, in general, schemes offering opportunities for more sustainable means of transport and suitable travel improvements will be supported.
43. The reasons for refusal of outline planning permission identified that "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". At the Inquiry the Council provided no substantive evidence regarding the alleged inadequacy of cycling opportunity into the town centre. Moreover, the Council accepted that access to the town centre by cycling was adequate and that there were no concerns regarding the qualitative aspects of available routes. I have no reasons to disagree with this view.
44. Concerns were expressed by the Council regarding the lack of facilities within the town centre for cycling parking. However, the submitted planning obligation provides a financial contribution of £10,000 towards the cost of such facilities. Taking these factors into account I do not consider that there are any substantive reasons to suggest that there would be any material lack of cycling access to the town centre.
45. At the Inquiry it was agreed that accessibility concerns were only in respect of the walking distance into the town centre and the availability of public transport to serve the proposed development. In this context, as outlined above, Key Statement DSI2 of the Core Strategy was agreed as being the principal policy consideration regarding this issue.
46. The appeal site is located at the extreme edge of the urban area and approximately 2km from the town centre and Clitheroe Railway Station. The 'Accessibility SoCG' confirms that within approximately 1km of the site is a convenience store (McColls) on Henthorn Road, the Edisford Primary School and bus stops on Henthorn Road, Blakewater Road/Lune Road and Garnett Road.
47. The Illustrative Framework Plan (Ref 8439-L-02 rev C), shows pedestrian access to the Blakewater Road development to the north east and to the community park to the north from which access can be gained to the Leisure Centre, Swimming Pool and Spar convenience store on Edisford Road. In my view, all of these facilities are within an easy walk from the appeal site.

48. The proposed site access arrangements show that a 2m width footway would be formed on both sides of the junction with Henthorn Road and continue to the north east to meet the existing footway network along Henthorn Road. The appellant provided evidence of a variety of footway widths in the vicinity of the appeal site and leading to the town centre⁹. The submitted evidence shows that existing footway widths are consistently between approximately 1.7m to 2.2m along the northern side of Henthorn Road leading up to the town centre and benefit from an acceptable surface and street lighting. These widths were not disputed by the Council. Although there may be localised street furniture and other minor impediments that may cause reductions in width, overall I consider that the footway infrastructure in the vicinity of the site to be adequate for the range of users including those persons requiring the use of mobility equipment.
49. There is some dispute between the main parties regarding the application of relevant guidance regarding journeys undertaken on foot. The appellant identified the National Travel Survey 2017¹⁰ which indicates that 81% of trips under 1 mile (1.6KM) are made by foot. Both parties refer to the CIHT document 'Guidelines for Providing for Journeys on Foot'¹¹ which indicates that the preferred maximum distance to walk to town centres, commuting/school and journeys elsewhere is 800m, 2,000m and 1,200m respectively.
50. Reference was also made to the Manual for Streets¹² (MfS) which identifies that 'walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800m) walking distance of residential areas in which residents may access comfortably on foot'. However, paragraph 4.4.1 of MfS identifies that this is not an upper limit and further adds that walking offers the greatest potential to replace short car trips, particularly those under 2km.
51. The Council considers that basic facilities are beyond acceptable walking distances as indicated in the CIHT Guidelines. In the Council's view, the appeal proposal does not meet an acceptable standard of accessibility. This view is also supported by local residents and interested parties.
52. In my view a degree of realism needs to be applied to the distances in the guidance and the locational circumstance of the appeal site. It is clear that there are a range of facilities within an easy walk of the site. Although the town centre is 2,000m away, the routes to it are relatively direct on good footway infrastructure. The walk from the appeal site to the town centre, which I undertook at the site visit, was neither unduly lengthy nor strenuous. I consider that some residents are likely to walk into the town centre as a matter of choice.
53. Although Henthorn Road is relatively straight and level, I recognise that local topography on the close approach to the town centre has, in parts, moderate gradients. However, this is common to residents wherever they live in Clitheroe and is no more or less a deterrent to walking for residents of the appeal site than is typical for existing residents.

⁹ Figure 2 and page 18 Mr Helme's proof of evidence

¹⁰ CD 10.02 and Appendix E Mr Helme's proof of evidence

¹¹ Chartered Institute of Highways and Transportation - CD 10.06 and Appendix G Mr Helme's proof of evidence

¹² CD 10.01

54. Furthermore, there is little material difference in the walking distances to the town centre and those nearer facilities for the prospective residents of the appeal site and those of the Blakewater Road development to the north west, that was granted on appeal, and the Storey Homes development currently under construction to the south east. The residents of these developments would predominantly use the same routes to facilities and the town centre as those walking from the appeal site.
55. Taking the above factors into account, I consider that the proposed development would be adequately accessible to local facilities and the town centre by means of walking.
56. With regard to public transport, there is a relatively frequent bus service operating near to the appeal site. Service No 2 calls at a stop approximately 325m from the appeal site¹³ on Lune Road/Blakewater Road and functions as a town circular service including a stop close to Clitheroe Railway Station. Other stops are within easy walking distance on Garnett Road and Henthorn Road. This service runs at half hourly intervals between 07.27 hours and 18.27 hours Monday to Saturday.
57. The No 2 service is currently assisted by a financial contribution, secured through a planning obligation attached to the permission for the Blakewater Road development, which is paid annually until December 2021. Thereafter, the Council indicate that the service may revert to a hourly frequency or cease to operate if there were to be insufficient patronage.
58. The submitted planning obligation in respect of this appeal would provide for a financial contribution of £40,000 per annum over a period of 5 years to enable the continuation of the current frequency of the No 2 service until 2026. The appeal proposal also has the potential to generate additional patronage and establish public transport 'habits' that could enable the service to be sustained on a commercial basis beyond 2026.
59. There is a school bus service (Service No 686) which calls within 800m of the appeal site at bus stops on Garnett Road and provides a service to Bowland County High School on school days only. There are also school bus services which call at stops within 1200m of the appeal site on Edisford Road (Service Nos 510 and 645) and provide a service to Clitheroe Royal Grammar School, Bowland County High School and Ribblesdale High School. In my view, there is an acceptable degree of public transport service provision in the vicinity of the appeal site.
60. The Council and local residents consider that the bus stop on Lune Road/Blakewater Road for the No 2 service to be inadequate and that the planning obligation for the Blakewater Road development envisaged that a 'Quality Bus Stop' should have been provided. However, I have no evidence to suggest that there is any breach of the planning obligation attached to the permission for that development in terms of the bus stop provision that has been made. The fact remains that the bus stop is there and is operational.
61. In addition, the Council and local residents expressed concerns that the No 2 bus service timetable is not compatible with some working hours of those

¹³ Appendix 1 Accessibility SoCG

residents on shift patterns or those who may wish to travel beyond Clitheroe by public transport. Whilst this may be the case, a degree of realism also needs to apply here. I accept that some residents of the proposed development would need to use the private car to access employment opportunities. Nevertheless, the No 2 service does operate during typical workplace start and finish times and offers some genuine opportunity for the use of public transport to be made to access employment.

62. In the response to the consultation on the planning application, the highway authority identified that accessibility to public transport for the proposed development is good.¹⁴ Furthermore, the Travel Plan submitted with the planning application¹⁵ identifies a range of measures to promote the use of alternative transport modes other than the private car for which the submitted planning obligation provides for a financial contribution of £6,000 towards the cost of implementing the measures identified in the Travel Plan. An appropriate planning condition could secure the implementation of the recommendations made in the Travel Plan.
63. Taking the above factors into account, I consider that the proposal would be located on an accessible site and that prospective residents would have the opportunity to undertake walk, cycle and public transport trips. Consequently, there is no basis to support the Council's assertion that there is inadequate accessibility by non-car modes of transport.
64. Accessibility is a contributory element of sustainable development. The appeal site would be an extension to the existing settlement of Clitheroe in a location where the Core Strategy identifies that growth would be expected to be directed. Notwithstanding the Council's concerns at the accessibility of the appeal site, it accepts that the site could be appropriately developed for housing purposes and would not conflict with the policies in the Core Strategy in respect of its location within the countryside but adjoining the settlement. In particular, there would be no conflict with Policy DMG2.
65. There are many other components of sustainability other than accessibility. Notably these include the contribution to boost the supply of housing generally; the provision of affordable housing; providing for economic development through the construction period and subsequent engagement of the prospective occupants in the local economy; and providing for social and community cohesion by supporting local facilities and access to recreation. These aspects of the proposed development are uncontested by the Council and are consistent with the concept of sustainability.
66. Other than accessibility issues, no other substantive evidence was provided by the Council to suggest that the proposal constituted unsustainable development or was any more unsustainable than the adjoining developments to the north east and south east. On the basis of my findings above, the proposal would constitute an accessible and sustainable form of development. As such there would be no conflict with Key Statements DS2 and DMI2 and Policy DMG3 of the Core Strategy.

¹⁴ CD 3.07

¹⁵ CD 1.08

Other Matters

Highway and pedestrian safety

67. The effect of the proposal on highway and pedestrian safety is not a matter contested by the Council. The Framework advises in paragraph 109 that development should only be prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Lancashire County Council, in its capacity as highway authority, is satisfied that the safe access on to Henthorn Road can be made from the site and that the additional traffic arising from the proposed development can be accommodated on Henthorn Road and the surrounding highway network without causing a severe impact.
68. Although the Council did not contest this matter, it was of considerable concern to local residents. At the Inquiry the appellant's witness dealing with highway safety matters and an officer from the highway authority participated in a question and answer session which enabled local residents to ask questions regarding, amongst other things, the safety of the proposed access junction, the capacity of the local highway network, the safety of junction of Henthorn Road with Thorn Road and the effect of the railway level crossing on Thorn Road on queue lengths and pedestrian safety.
69. The submitted evidence and answers to questions at the Inquiry confirms that the site access arrangements would meet the appropriate standards for visibility. Although concerns were raised at the design of the existing recently formed junction of Henthorn Road with Blackwater Road, both the Appellant and the highway authority confirmed that its design was acceptable in safety and visibility terms and that a swept path analysis demonstrated that it was adequate for use by HGV's.
70. Baseline traffic counts were undertaken of existing vehicular flows and speeds on Henthorn Road and an assessment of the likely traffic that would be generated by the proposed development was modelled. This modelling included the likely traffic to be generated from recently completed residential developments in the vicinity of the site and committed schemes. In addition, the modelling took into account traffic generation in the years 2023 (the assumed date of the completion of the development) and 2028. Growth factors were also applied using the National Transport Model (NTM).
71. It is clear from the evidence provided and the responses to questions that the local highway network has the capacity to accommodate the predicted traffic that would be generated from the proposed development. There is no evidence to suggest that the residual cumulative impacts on the road network would be severe.
72. The Transport Assessment also considered the effect of the predicted traffic generation on the safety and capacity of twelve junctions in the vicinity of the site that would likely be used by traffic arising from the proposed development. Both the highway authority and the appellant's witness agreed that it is common practice to undertake a detailed assessment of the performance of a junction where development is predicted to increase traffic by more than 30 vehicles. Three of the twelve junctions considered are predicted to receive an increase of 30 vehicles or more.

73. Of these three, the junction that is of primary concern to local residents is the junction of Henthorn Road with Thorn Street which operates as a priority controlled junction. The results of modelling, which were not disputed by the highway authority, indicates that the junction would operate in an acceptable manner in the year 2023. By 2028 the model indicates that the Thorn Street arm may experience some reduction in performance at peak PM hours as the proposed development may add 5 vehicles to the Thorn Street (east) queue with an associated increase in operating delay of 34 seconds. However, the highway authority confirmed that this does not lead to a deterioration in performance of the junction that could be described as severe.
74. The other junctions that were considered in the modelling were Greenacre Street/Woone Lane/Eshton Terrace and Whalley Road/Greenacre Street. The model demonstrates that the traffic impact of the proposed development on these junctions in the years 2023 and 2028 would be acceptable.
75. Consideration was also given to the impact of the level crossing on queue lengths and the operation of the Henthorn Road/Thorn Street junction. Whilst it is clear that queues build up during the closure of the barriers, my observations and the views of the highway authority confirm that these quickly clear once the crossing is reopened. I have no demonstrable evidence before me to suggest that the predicted traffic generation for the development would have a severe effect on the operation of the Henthorn Road/Thorn Street junction.
76. I have also considered the evidence provided by Ribble Valley Rail and Mr Burke regarding the potential for increased rail services using the level crossing in the future. Whilst I recognise the local desire to increase rail service provision serving Clitheroe, no substantive evidence was available at the Inquiry to confirm if, and when, such increase in rail traffic may occur. Consequently, I have attached no weight to this matter in my consideration of the highway and traffic implications of the appeal proposal.
77. With regard to pedestrian safety, as outlined above, the proposed site access arrangement show that a 2m width footway would be formed on both sides of the junction with Henthorn Road and continue to the north east to meet the existing footway network along Henthorn Road. The submitted evidence shows that existing footway widths are consistently between approximately 1.7m to 2.2m along the northern side of Henthorn Road and benefit from an acceptable surface and street lighting. Given the relatively straight alignment of Henthorn Road the footway provides good frontage surveillance.
78. Taking the above factors into account, and the lack of any other contrary evidence, I have no reason to suggest that the proposed and existing footway network would be inadequate to cope with pedestrian flows arising from the proposed development or would give rise to circumstances that would be detrimental to the interests of pedestrian safety.
79. I recognise that there is a genuinely held perception that the proposed development would give rise to highway safety problems and that the highway network may be unable to cope with the increase in traffic that would result. However, based on the evidence before me, the discussions at the Inquiry and my observations of the site and its surroundings at different times of the day, I have no reason to take a different view to those of the highway authority. In addition, I do not see any reason to doubt the validity of the submitted Transport Assessment and Highways evidence. Consequently, I do not

consider that the proposed development would be detrimental to highway safety or pedestrian safety or the free flow of traffic on the local highway network.

Ecology

80. The effect of the proposal on ecological interests is also not a matter contested by the Council but is of concern to local residents. An Ecological Appraisal was submitted with the planning application and was further supplemented in the Inquiry by a further evaluation statement in response to resident's concerns.
81. Both submitted documents identify the site as comprising largely of poor semi-improved grassland, of low nature conservation value, with a small section of moderately species rich grassland in south eastern corner. The latter is of local importance only, given its small area. The illustrative development framework shows that the site can be developed for up to 110 dwellings whilst retaining this area.
82. Other than foraging bats, no other protected species were identified on the site. The perimeter hedgerows have the potential to provide bird nesting opportunities. The Illustrative Framework Plan indicates that hedgerow loss could be confined to the creation of a small gap in the north east of the site to facilitate a potential pedestrian access to the adjoining residential development and minor loss in the vicinity of the existing field access gate which would form the site access position. As such, hedgerow loss could be small and the appraisals confirm that proposed planting would more than compensate for these losses in the long term.
83. In terms of the impact on bats, two trees were identified as having moderate potential for roosting but the level of bat activity recorded is defined as being fairly unexceptional during the spring, summer and autumn surveys that were undertaken.
84. To minimise the potential impacts on foraging birds and bats, the development framework shows that a scheme could be designed which provides for the retention of all areas of higher value habitat resource with the built development proposals being confined to the areas of semi-improved grassland which is considered sub-optimal for foraging bats. As such, all trees, the majority of the hedgerows and the moderate species rich grassland could be retained and buffered within the proposed greenspace.
85. As part of the detailed development design, the Ecological Appraisals, amongst other matters, recommend an appropriate lighting scheme to ensure that any lighting is directed away from likely bat foraging areas. Additional enhancements include the provision of bat and bird nesting boxes on retained trees and potentially within the external elements of the dwellings. These requirements can be secured by suitable planning conditions at reserved matters stage.
86. Overall, the Ecological Appraisals confirm that the proposed development need not cause a negative impact on protected species and habitats in the long term. Based on the evidence before me, I have no reason to take a different view. Consequently, I find that that the proposed development need not have an adverse impact upon ecological interests.

Education and medical facilities

87. Many interested parties have raised concerns regarding the ability of local education and health facilities to cope with the likely demand that would be generated by the prospective occupiers of the development. It is not contested by the Council that the development would have a harmful effect on these facilities and no objections were raised, subject to the provisions of financial contributions to education provisions, by Lancashire County Council in its capacity as education authority.
88. The appellant has provided a planning obligation which, amongst other matters, provides for financial contributions towards educational provision based upon the County Council's formulae in respect of need anticipated to be generated from the future occupiers of the proposed development.
89. With regard to health care the nearest facilities to the appeal site are the Pendleside Medical Practice and the Castle Medical Group which are located at the Health Centre within Clitheroe Town Centre. Whilst I recognise local residents concerns regarding the existing access to health care services, there is no substantive evidence before me to suggest that health care facilities cannot accommodate the likely increased demand that would occur as a consequence of the proposed development.
90. As such, there is no evidence before me from education and health care service providers to indicate that the proposal should be resisted because of the likely impact on these services. Thus, I have no justifiable reasons for withholding permission because of the concerns raised.

Other appeal decisions

91. The appellant has referred to many appeal decisions which have been provided to support their case. However, it is rarely the case that appeal decisions on other sites will bring to light parallel situations and material considerations which are so similar as to provide justification for a decision one way or another. My decision is based squarely on the evidence before me. For that reason, I do not consider that appeal decisions brought to my attention have a determinative influence on my consideration of the appeal case.

Planning Obligation

92. The S106 Unilateral Planning Obligation (the Obligation) includes provision for 30% of the total number of dwellings to be constructed within the development as Affordable Housing Units and 15% of the total number of dwellings to be of bungalow construction for occupation by persons aged over 55 years, with half of these to be Affordable Housing Units. In this respect, the Obligation is in line with paragraphs 62 and 64 of the Framework and Policy H3 of the Core Strategy.
93. The Obligation would also make the following contributions towards improving local infrastructure that would serve the development: an off-site leisure contribution to be paid prior to the occupation of 75% of the dwelling units and calculated in accordance with the formula set out in Schedule 2; education contributions in respect of primary and secondary school places calculated in accordance with the methodology and triggers as set out in Schedule 3; a public transport contribution paid in 5 annual tranches of £40,000 with the first payment made prior to the first occupation of any dwelling; a town centre

contribution of £10,000 towards the cost of providing cycle storage facilities at Clitheroe Town Centre to be paid made prior to the first occupation of any dwelling and a Travel Plan Support Contribution of £6,000 to be paid prior to the first occupation of any dwelling.

94. The obligation also provides for the specification and management arrangements for the proposed open space within the site and the Sustainable Urban Drainage Scheme.
95. It is not contested by the Council that the development would have a harmful effect on existing infrastructure, subject to the provisions of the planning obligation. Furthermore, there is no substantive evidence before me which would indicate that the available services and facilities would not have sufficient capacity to accommodate demand arising from the development beyond those that require the provisions of the planning obligation.
96. At the Inquiry the Council submitted a CIL Compliance Statement. This confirms that none of the obligations would conflict with Regulation 123 requiring that no more than five contributions are pooled towards any one specific infrastructure scheme.
97. Having regard to the above, and based on the evidence before me, I am satisfied that all of the provisions set out in the obligation are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Therefore, they all meet the tests as set out within paragraph 52 of the Framework and CIL Regulations 122 and 123. I am satisfied with the form, drafting and content of the obligation and therefore I have attached weight to the provisions contained therein in this decision.

Conditions

98. The agreed and signed SoCG dated 16 May 2019 proposes a number of planning conditions, including a number of pre-commencement conditions, which I have considered against the advice given in paragraph 55 of the Framework and the guidance contained in the section on 'Use of Planning Conditions' in the Government's Planning Practice Guidance. Where necessary I have deleted, altered or amended them in the interests of necessity, precision, conciseness or enforceability.
99. I have attached conditions limiting the life of the planning permission and setting out the requirements for the submission of reserved matters. In this respect both main parties agreed that the time period for the submission of reserved matters applications should be 18 months from the date of this permission in line with the appellant's anticipated programme of implementation.
100. I have specified the approved access plan and location plan in the interests of certainty. I have also attached a condition limiting the development to 110 dwellings. This is necessary as the technical assessments accompanying the planning application have assessed the impact of the proposal on the basis of a maximum 110 dwelling scheme.
101. Both parties suggested a condition requiring that the submission of the reserved matters shall be generally in accordance with the design parameters set out in the Design and Access Statement (August 2016) and the Illustrative

Framework Plan (8439-L-02 rev C). However, alternative and acceptable layout and design parameters may come forward at reserved matters stage that are different to those shown on the aforementioned statement and plan. Therefore, the imposition of the suggested condition at this stage would be unnecessary.

102. In the interests of protecting the character and appearance of the area, a condition is necessary requiring details and verification of finished floor levels. In order to ensure that appropriate provision is made for a children's play, a condition is necessary requiring the submission of details of an equipped play area and its subsequent implementation.
103. In order to ensure that the surface water arising from the proposed development can be appropriately drained and does not either cause off-site flood risk or is affected by flooding, a condition is necessary requiring the submission of details of the proposed drainage scheme and measures to ensure that the construction of the development accords with the submitted Flood Risk Assessment (Ref: SHF.1132.159.HY.R.001.A).
104. Both parties suggested a condition requiring the submission of details of a proposed attenuation pond. However, until the drainage details are designed and approved it is not certain at this stage whether such pond would be required. However, I have amalgamated parts of the suggested condition into the condition requiring the submission of details of the drainage scheme referred to above (condition 7).
105. A condition requiring an investigation and the recording of the potential archaeological interest on the site is necessary in order to ensure that any archaeological interest is recorded or safeguarded. A condition requiring a site investigation of the nature and extent of any contamination affecting the site, along with any requisite remediation, is also necessary to safeguard the health and well being of future occupiers.
106. Conditions are necessary requiring the submission of an Arboricultural Report containing measures to identify and protect retained trees and to ensure that any vegetation, hedgerow or trees proposed to be removed are free from nesting birds. These conditions are necessary in the interests of protecting the character and appearance of the surrounding area and to ensure that any tree or hedge removal has no detrimental effect on nesting birds.
107. Both main parties have suggested the imposition of a condition requiring the implementation of ecological mitigation measure. However, such measures are relevant to the details of landscaping of the site which remains a reserved matter. Consequently, the suggested condition is unnecessary at this stage. However, in the interests of protecting the character and appearance of the area and, where possible, enhancing the ecological value of the site, conditions are necessary requiring the submission of a landscape/habit management plan and the provision for bird boxes and artificial bat roosting sites.
108. A condition requiring an external lighting scheme is also necessary to minimise the effect of artificial light on local species and in the interests of protecting the living conditions of existing nearby residents and the future occupants of the development.

109. To promote sustainable modes of transport and reduce the need for travel by car, conditions are necessary to secure the implementation of the Travel Plan and the provision of electric vehicle charging points. The submission and approval of a Construction Management Plan is necessary to safeguard the living conditions of local residents and in the interests of highway safety.
110. Also in the interests of highway safety, conditions are necessary requiring the design details and early provision of the site access. Both main parties suggested the imposition of a condition requiring the submission of the details and implementation programme for the provision of the estate roads. However, as access within the site remains a reserved matter such condition is not necessary.

Conclusion

111. I have found that the Council can demonstrate a 5 year supply of land for housing and such the tilted planning balance as set out in paragraph 11d of the Framework does not apply. I concur with the main parties views that Key Statement DMI2 and Policy DMG3 of the Core Strategy are the remaining policies applicable to the reason for refusal. I also concur that, in accordance with the 'Principle SoCG', if the appeal scheme is found to be accessible then it should be approved without delay as per Key Statement DS2 of the Core Strategy and paragraph 11c of the Framework.
112. As explained above, I have found that the appeal scheme is accessible and therefore there is no conflict with Key Statement DMI2 and Policy DMG3. There are no other considerations of such weight as to warrant a decision other than in accordance with the aforementioned development plan policies and the Framework. Consequently, for the above reasons, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY

David Manly QC	of Queens Counsel instructed by Ribble Valley Borough Council
He called	
Rachel Horton BSc (Hons), MA	Senior Planning Policy Officer, Ribble Valley Borough Council
Simon Plowman BA (Hons), BTP, MA, MRTPI	Plan:8 Town Planning Limited

FOR THE APPELLANT

Martin Carter	of Counsel instructed by Gladman Developments Limited
He called	
Ben Pycroft BA (Hons), Dip TP, MRTPI	Emery Planning
Simon Helme BEng (Hons), MSc MCIHT	Ashley Helme Associates Limited
Neil Lewis BSc (Hons), MCD, MRTPI	Gladman Developments Limited

FOR LANCASHIRE COUNTY COUNCIL (Highway Issues Question and Answer Session)	Ray Bennett
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INTERESTED PARTIES

Steven Burke Dip.Arch (Oxf'd)	Chairman, Clitheroe Civic Society
Dr W J David McKinlay MBE, MRCP, FRCGP	Retired GP and Local Resident
John Roberts	Local Resident
Maureen Fenton	Local Resident
Linda Parkinson	Local Resident
Barbara Alty	Local Resident
Judith Driver	Local Resident
Stuart Roberts	Local Resident
Jenny Roberts	Local Resident

DOCUMENTS SUBMITTED DURING THE INQUIRY

- 1 Updated 5 Year Housing Land Supply table and Scott Schedule.
- 2 Opening Submissions on behalf of the Appellant.
- 3 Opening Submissions on behalf of the Council.
- 4 Email from Gary Hull to Council dated 6 May 2019 regarding weed infestation and deposit of material on land adjoining Siddows Hall.
- 5 Email from Taylor Wimpey to Council dated 20 April 2019 identifying anticipated housing delivery rates on the Barrow site.
- 6 Paragraph from Dr McKinlay's intended transcript relating to school capacity.
- 7 Statement of Common Ground dated 2 May 2019 relating to the principle of development.
- 8 Planning Obligation by Deed of Undertaking dated 10 May 2019.
- 9 Updated CIL Compliance Statement.
- 10 Application for a full and partial award of costs submitted on behalf of Appellant.
- 11 Closing submissions of behalf of Council.
- 12 Transcript of Statement read by Steven Burke.
- 13 Letter from Mr David Butterworth, Ribble Valley Rail referred to in the Transcript of Statement read by Steven Burke.
- 14 Transcript of Statement read by Dr McKinlay.
- 15 Transcript of Statement read by Maureen Fenton.
- 16 Closing Submissions on behalf of Appellant.
- 17 Handwritten response to Appellant's Claim for an Award of Costs on behalf of Council.

DOCUMENTS SUBMITTED AFTER THE INQUIRY (Following discussion and agreement during the Inquiry)

- 18 Statement of Common Ground dated 16 May 2019 containing an updated and agreed list of suggested planning conditions.

SCHEDULE OF CONDITIONS

- 1) Details of the access, other than that shown on drawing 1616/13 rev B, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of all reserved matters must be made not later than the expiration of 18 months beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of 18 months from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- 3) The vehicle site access shall be constructed in accordance with the details shown on drawing number 1616/13 rev B (Proposed Access Arrangements).
- 4) The development hereby permitted shall be limited to no more than 110 dwellings and shall be carried out in accordance with the Location Plan (Drawing No 8439-L-04 rev A).
- 5) Any application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details. Prior to the occupation of each dwelling verification that the dwelling has been constructed in accordance with the approved levels shall be submitted to and approved in writing by the local planning authority.
- 6) The reserved matters application(s) shall include full details of an equipped play area for the written approval of the local planning authority. Such details shall include:
 - a) The layout of the equipped play area.
 - b) The siting of the equipped play area with the site.
 - c) The precise details of all play equipment proposed.
 - d) Details of soft and hardsurfacing materials and boundary treatments.

The equipped play area shall be provided in accordance with the approved details and shall be made available for use in accordance with the timescales agreed within the Unilateral Undertaking and the equipped play area shall be managed and maintained in accordance with the approved Management Plan as required by the Unilateral Undertaking.

- 7) The reserved matters application(s) shall provide the following drainage details for the written approval of the local planning authority:
- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change), discharge rates and volumes, temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
 - b) The drainage scheme should demonstrate that the surface water run-off will not exceed the existing pre-development runoff rate for the corresponding return period. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c) A plan showing any overland flow routes and flood water exceedance routes, both on and off site – flow routes must be directed away from property and infrastructure;
 - d) A timetable for implementation, including phasing where applicable;
 - e) Details of water quality controls, where applicable;
 - f) Details of any proposed surface water attenuation pond including proposed sections through the pond, including relevant existing and proposed land levels, details of all associated landscaping and boundary treatments where applicable and a timescale for implementation and completion of the pond;
 - g) Details of an appropriate management and maintenance plan for the lifetime of the sustainable drainage system.

The scheme shall be implemented in accordance with the approved details and agreed timetable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

- 8) The development permitted by this planning permission shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (Ref: SHF.1132.159.HY.R.001.A) and the following mitigation measures detailed within the FRA:
- a) Finished floor levels are set no lower than 150mm above external ground levels;
 - b) Limiting the built development (including surface water attenuation) outside the mapped extent of surface water flow pathways;
 - c) No below surface building (i.e. basements);
 - d) Providing a 4m easement free from development along either side of the 'Drain 1' as shown on Figure 3.6 of the FRA;

The mitigation measures shall be provided in accordance with an implementation timetable which shall have been submitted to and approved

in writing by the local planning authority prior to the commencement of any construction work above foundation level. The mitigation measures shall be subsequently implemented in accordance with the approved implementation timetable and shall thereafter be permanently retained.

- 9) No development shall take place until a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- a) An assessment of the potential of the site to contain archaeological remains or features of interest.
 - b) The programme and methodology of site investigation and recording which shall include where applicable an initial phase of both geophysical survey and trial trenching to establish the presence or absence of buried archaeological remains and their nature, date, extent and significance.
 - c) The programme and methodology for the post investigation analysis and assessment of the site investigation results including the excavation of any remains or measures to record their significance in-situ.
 - d) The provisions to be made for the archive deposition of the records and analysis of site investigation.

The development shall be carried out in accordance with the approved Written Scheme of Archaeological Investigation.

- 10) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment shall be carried out as recommended and described in Section 7 (Discussion and Recommendations) of the submitted Phase 1 Geo-Environmental Report by enzygo (Ref: SHF.1132.159.GE.R.001) and shall assess any contamination on the site or affecting the site from off-site sources.

The assessment shall include a survey of the extent, scale and nature of contamination and shall assess potential risks to:

- a) Human health.
- b) Property (existing and proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes.
- c) Adjoining land.
- d) Groundwater and surface water.
- e) Ecological systems.
- f) Archaeological interests.

No development shall take place where, following the risk assessment, land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority.

The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, a description and programme of the remediation works proposed and the submission of a subsequent verification report to confirm that the land has been remediated in accordance with the approved scheme. The remediation scheme shall ensure that upon completion of the remediation works the site shall not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The remediation of the site shall be carried out in accordance with the approved scheme and the verification report, endorsed by a suitably qualified contaminated land practitioner, shall be submitted to and approved in writing by the local planning authority before the development (or relevant phase of development) is occupied.

- 11) The reserved matters application(s) shall include an Arboricultural Impact Assessment and Tree Constraints Plan in respect of the existing trees situated within influencing distance of the development site. The assessment shall be submitted for the written approval of the local planning authority and shall include details of all root protection measures which shall accord with BS5837 "Trees in Relation to Demolition, Design and Construction" and a timetable for the implementation and retention of such works linked to the proposed phasing and completion of construction work. The development shall be carried out in strict accordance with the approved assessment.
- 12) The reserved matters application(s) shall include details of a Landscape/Habitat Management Plan to include long-term design objectives, timings of the works, habitat creation, enhancement, management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens). Such details shall be submitted for the written approval of the local planning authority. The requirements of the Landscape/Habitat Management Plan shall be informed by the submitted Ecological Appraisal (dated August 2018) and the recommended measures shall be carried out in accordance with the approved Plan.
- 13) The reserved matters application(s) shall include details of the provisions to be made in the development for the creation/preservation of habitats for nesting birds and bats. Such details shall be submitted for the written approval of the local planning authority and shall include artificial bird nesting boxes and artificial bat roosting sites which shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings/buildings as identified in the approved details during their construction and shall be completed before and made available for use before the identified dwellings/buildings are first occupied or brought into use. The artificial bird/bat boxes shall be permanently retained thereafter.

- 14) The reserved matters application(s) shall include details of a scheme for any external building or ground mounted lighting/illumination. Such details shall be submitted for the written approval of the local planning authority and shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution. The submitted details shall also demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

External lighting shall only be provided in accordance with the approved scheme(s) and shall thereafter be retained as approved.

- 15) Any removal of vegetation, including trees and hedges, should be undertaken outside the nesting bird season (March to August) unless a pre-clearance check has been carried out by a licensed ecologist on the day of removal and no nesting birds are present. The pre-clearance check shall have been submitted to, and shall have received the written approval of, the local planning authority prior to the removal of any trees and/or hedges.
- 16) Each dwelling shall be provided with an electric vehicle charging point which shall be installed in a suitable location to enable electric vehicles to be charged. The charging point be installed and made operational prior to the first occupation of the relevant dwelling.
- 17) Prior to the commencement of the development a scheme providing details of the construction of the site access and the off-site works of highway improvement shall be submitted to, and approved in writing by, the Local Planning Authority. The site access shall be provided in accordance with the approved details and shall be constructed to at least base course level for a distance of 23m into the site from the junction with Henthorn Road prior to the commencement of the construction of any dwellinghouse.
- 18) Prior to the occupation of the first dwelling, a Travel Plan detailing the measures and targets to encourage sustainable modes of transport, including but not limited to walking and cycling, shall be submitted to and approved in writing by the local planning authority.

The Travel Plan shall demonstrate how proposed measures will reduce peak hour car trips and shall accord the details shall accord with the general principles of the submitted Travel Plan dated August 2018 (Ref: 1616/3/A).

The Travel Plan shall be reviewed within 9 months of the occupation of the 60th dwelling and thereafter at 12 month intervals for a period of 5 years from the occupation of the 60th dwelling.

A monitoring report shall be submitted to and approved in writing by the local planning authority following each review period. The monitoring report shall include details of measured indicators of, but not limited to, pedestrian and cycle movements to/from the development and shall demonstrate whether the measures and targets contained in the Travel Plan have been achieved.

In the event that the monitoring report demonstrate that the targets are not being met the report shall provide details of intervention measures to ensure that the targets can be met. The intervention measures shall

thereafter be undertaken in accordance with the details provided in the approved monitoring report.

- 19) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Plan shall provide for:
- a) Working hours and arrangements for the delivery and storage of materials for the off-site highway works.
 - b) The parking on-site of vehicles of site operatives and visitors.
 - c) The loading and unloading of plant and materials.
 - d) The storage of plant and materials proposed to be used in the construction of the development.
 - e) The design, erection and maintenance of site perimeter fencing and security hoardings.
 - f) Details of working and delivery hours including details to avoid/minimise deliveries during peak hours and school opening/closing times.
 - g) The display of contact details of the site manager.
 - h) Routes to be taken by vehicles carrying plant/materials to and from the site.
 - i) Measures to ensure that construction plant and vehicles and delivery vehicles do not impede access to nearby properties.
 - j) Details of wheel washing facilities and other measures to prevent the deposit of mud and debris on the public highway.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

APPENDIX 2

Statement on Common Ground

Land off Henthorn Road, Clitheroe
Ribble Valley Borough Council

Statement of Common Ground between
Gladman Developments Ltd and Ribble Valley Borough Council

Proposed development for up to 110 dwellings with associated open space
with all matters reserved saved for access

APP/T2350/W/19/3221189



Ribble Valley
Borough Council
ribblevalley.gov.uk

April 2019

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1 INTRODUCTION

1.1 Background

1.1.1 This Statement of Common Ground (SoCG) has been prepared by Gladman Developments Ltd (the Appellant) and Ribble Valley Borough Council (RVBC/the Council) and identifies the areas of common ground between them.

1.1.2 It has been prepared in accordance with Annexe T of the PINS Procedural Guide, Planning Appeals – England January 2019).

1.1.3 The Statement is based upon the reason for refusal and statutory consultation responses received in respect of the application.

1.2 Parties

1.2.1 The SoCG is jointly agreed by:

Signed: 

Date: 10/4/19.

Neil Lewis

On behalf of Gladman Developments Ltd

Signed: 

Nicola Hopkins

Date: 10th April 2019

On behalf of Ribble Valley Borough Council

2 SITE LOCATION AND DESCRIPTION

2.1 The Appeal Site

- 2.1.1 The 5.2 ha site lies adjacent to the existing residential development on the edge of Clitheroe. Clitheroe is a town with a population of over 14,500. The site is bound by agricultural land to the south west, two new developments to the south east and north east and a country park created as part of one of the new developments to the north west. Henthorn Road runs along the south east boundary of the site.
- 2.1.2 Clitheroe is a principle settlement and therefore, offers a range of shops, services and employment opportunities.

2.2 The Appeal Proposal

- 2.2.1 The appeal seeks outline planning permission for the erection of the erection of up to 110 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Henthorn Road, with all matters reserved, except for access.
- 2.2.2 The appeal proposals include:
- The erection of up to 110 dwellings, of which 30% will be affordable homes
 - 15% housing onsite for over 55s
 - Vehicular access off Henthorn Road
 - 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.
- 2.2.3 The appeal proposals include an illustrative Framework Plan showing one example of how the proposed development could be accommodated on site. The illustrative Framework Plan demonstrates a proposed residential area of 3.16ha. The density on site would be 35 dwellings per hectare for 110 dwellings, with units ranging from 1-5 bedrooms. The development would also include 1.79ha of open space. The drawings for which planning permission are sought are as follows:

Drawing ref	Drawing Name
8439-L-04	Location Plan

1616/13/B Access Plan

2.2.4 The indicative drawing submitted for information:

8439-L-02 Framework Plan

2.3 Planning History

2.3.1 There is no relevant planning history associated with this site

3 THE DEVELOPMENT PLAN

3.1 The extent of the Development Plan

3.1.1 The Development Plan currently comprises (so far as material for the purposes of this appeal):

- 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).

3.1.2 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.

3.1.3 The parties agree that as all policies pre-date the revised National Planning Policy Framework (the revised Framework) an assessment of the relevant policies and their consistency with the revised Framework must be made as per paragraph 213 of the revised Framework.

3.1.4 The PPG refers to the requirements of Article 35 of the Town and Country Planning (Development Procedure) (England) Order 2015 which includes the requirements for LPAs that “... *where planning permission is refused, to state clearly and precisely the full reasons for refusal, specifying all policies and proposals in the development plan that are relevant to the decision*”. As such, both parties agree that it is only the policies listed in the Reason for Refusal (RfR) that the Council consider the proposal to conflict with. The proposal must therefore accord/not conflict with all other policies of the Development Plan.

3.2 Ribble Valley Core Strategy

3.2.1 Ribble Valley’s Core Strategy was adopted in December 2014 to guide development in the Borough from 2008 until 2028. It is the central document of the Local Development Framework and establishes the vision, underlying objective and key principles that guide the development of the Borough over the plan period 2008 to 2028. It sets out the overall strategy for development which includes focussing development in the principal settlements; including Clitheroe.

3.2.2 The parties agree the following policies are relevant to this appeal:

- **H1: Housing Provision**
- **DS1: Development Strategy**
- **DS2: Presumption in Favour of Sustainable Development**
- **H2: Housing Balance**
- **H3: Affordable Housing**
- **DMI2: Transport Considerations**
- **DMH1: Affordable Housing Criteria**
- **DMG1: General Considerations**
- **DMG2: Strategic Considerations**
- **DMG3: Transport and Mobility**
- **DMH3: Dwellings in the Open Countryside and AONB**

3.3 The Emerging Development Plan

3.3.1 The emerging Housing and Economic Development, Development Plan Document (HED DPD) will form part of the Local Development Framework (LDF) once adopted. The HED DPD compliments the policies of the Core Strategy and includes allocations for housing and employment land within the Borough.

3.3.2 The HED DPD was formally submitted to the Secretary of State on 28th July 2017, responses to the Inspectors Initial Questions were submitted in December 2017 and the hearing sessions were due to commence in January 2018. Due to the Inspectors ill health the Hearing Sessions were adjourned. Initial dates were proposed to sit between the 3rd and 5th July, however a number of key matters relating to housing land supply had taken place over the intervening period. This included the Council updating its Housing Land Supply evidence, appeal decisions and the publication of revised National Policy and Guidance. In light of this the Council suggested that the Inspector postpone the hearing sessions in order to consider additional allocations and for the participants to consider the new Housing Land Availability Report. The Inspector considered it was necessary for parties to have the opportunity to review that new information and the Hearings were re-scheduled for the 27th November 2018.

3.3.3 On the 27th July 2018 the Authority ran a 6 week consultation on proposed Main Modifications to the HED DPD in relation to additional housing allocations which closed on Friday the 7th September and all responses were sent to the Inspector.

3.3.4 The first hearing session of the Independent Examination into the Housing and Economic Development DPD was held on Tuesday the 27th November 2018. The session was then adjourned until the 22nd January 2019 to allow parties to have the opportunity to review the updated Housing Land Availability Survey (November 2018). The Authority were also requested to publish a 'Housing Position Statement' which includes the planned trajectory of housing provision over the plan

period. This was published in December 2018. The EIP Hearing Sessions reconvened on the 22nd January 2019 and closed on the 23rd January 2019.

- 3.3.5 The Authority are currently consulting on the proposed Main Modifications of the HED DPD in relation to proposed housing allocations. The consultation commenced on Friday 1st March 2019 and closes on Friday 12th April. The consultation document confirms the Council's position in respect of the consultation as follows:

The Council has subsequently revised its Housing Land Supply Evidence (September 2018) and holds the view that it can demonstrate a 5 year supply of housing as required by Government guidance. The previous consultation was predicated upon the need to ensure sufficient land was identified to meet 5 year supply, however the Council is mindful to ensure that there is sufficient flexibility in the plan to secure a stable and robust supply position which is capable of being delivered by the plan. This is achieved by flexible policies in the Core Strategy that enable development to be brought forward in a sustainable manner and by way of a reserve of allocated sites. Consequently the Council is proposing a number of additional sites are allocated to allow flexibility.

- 3.3.6 All responses to this consultation will be sent to the Inspector and the Authority awaits the Inspectors Final Report. There are unresolved objections to the HED DPD, as evidenced at the hearing sessions, relating but not limited to, the deliverability of the proposed allocations, the process to which the sites were selected and the flexibility of the plan. The weight to be attached to relevant policies in the emerging development plan needs to be considered in the context of paragraph 48 of the revised Framework. The appellant consider that in the light of these objections only limited weight can be afforded to the DPD. The Council consider that given the stage the DPD is at the DPD should be afforded moderate weight.

4 AREAS OF COMMON GROUND

4.1.1 This section of the Statement sets out the matters that are agreed between the two parties.

4.2 The National Planning Policy Framework

4.2.1 The parties agree that, under the provision of section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be determined in accordance with the development plan unless material considerations indicate otherwise.

4.2.2 Paragraph 2 of the revised Framework (July 2018) makes clear that the Framework is a material consideration in determining planning applications. The two parties are in agreement that the revised Framework is a material consideration in the determination of this appeal.

4.2.3 The parties agree that the sections of the Framework most pertinent to the appeal are:

- Section 2- Sustainable Development (specifically paragraph 11)

4.3 Settlement Sustainability, Site Status and Designations

4.3.1 The two parties agree that:

- The appeal site is situated outside, but directly adjacent to, the settlement boundary of Clitheroe;
- The Site is not allocated for any purpose within the adopted Development Plan;
- The Site is not the subject of any planning designations, including any environmental, historic environment, open space or landscape designations;
- The Site is not a valued landscape for the purposes of paragraph 170 of the revised Framework;
- Clitheroe is the most sustainable settlement in Ribble Valley as stated in the Settlement Hierarchy Paper (2008). This is reflected in its placing in the settlement hierarchy and has a range of services and facilities capable of meeting day to day needs and accommodating additional housing development.

4.4 Other Matters

4.4.1 It is agreed that, with appropriate mitigation where relevant, the following matters can be adequately addressed in respect of the appeal proposals:

Highways & Access

4.4.2 The application was accompanied by an access plan 1616/13/B which was subject to a Road Safety Audit that demonstrates that the proposal is a suitable and safe vehicular access to the site from Henthorn Road.

4.4.3 Both parties agree that the proposal would not result in any unacceptable impact in terms of capacity or safety on the existing highway network and any impacts can be mitigated by appropriate conditions.

4.4.4 The parties agree that the Travel Plan provides an adequate framework for travel planning initiatives for the new development and this can be secured by an appropriately worded condition.

Design and Residential Amenity

4.4.5 The application was submitted in outline and was accompanied by a Framework Plan and a Design and Access Statement, as such, no detailed design evidence will be presented by either party and as design is not a reason for refusal, both parties agree that an acceptable design would be secured at the reserved matters stage.

4.4.6 Notwithstanding that the proposals are in outline only, there are no amenity impact concerns such to dismiss the appeal.

Archaeology

4.4.7 It is agreed by both parties that LCC Archaeology service raised no objection to the application subject to a suitably worded condition requiring an archaeological programme to be implemented prior to commencement of development on site.

4.4.8 As such, both parties agree that with the imposition of a suitable condition, the scheme is entirely acceptable in archaeological terms.

Heritage

4.4.9 Both parties agree that there would be no impact on any heritage assets as a result of the appeal proposals.

Landscape and Visual Impact

4.4.10 Both parties agree that the appeal site is not located within an area of land that is covered by national, local or international landscape designations.

4.4.11 This limited harm is localised and subject to the use of a good layout and design, will not amount to a significant impact upon the character of the area.

4.4.12 Up to 110 dwellings can satisfactorily be accommodated on the site whilst preserving the character of the area.

Arboriculture

4.4.13 There are no trees within the site boundary which are the subject of TPO (Tree Preservation Orders) and no trees/hedgerows will be unacceptably harmed as a result of the proposal with the vast majority retained.

- 4.4.14 The proposal will result in significant additional tree and hedgerow planting around the boundary of the site, which will prevent any development within the root protection zones.

Ecology

- 4.4.15 Both parties agree that adequate ecological surveys have been carried out which demonstrate that there is no ecological reason to prevent the development of the proposal. Both parties agree that the development could, subject to appropriate conditions, result in a net biodiversity gain.

Economic Benefits

- 4.4.16 It is agreed that, in accordance with paragraph 80 and 81 of the revised Framework, significant weight should be attributed to the economic benefits of the proposal. The economic benefits of the proposal will include construction jobs along with associated expenditure on local goods and services from the residents of the new dwellings.

Affordable Housing

- 4.4.17 Both parties agree that 30% of the proposed residential dwellings shall be affordable homes and that this is compliant with Policy DMH1. It is also agreed that 15% of the units would be specifically for over 55s.
- 4.4.18 It is agreed that the provision of affordable housing within the development will contribute to the affordable housing need within the Borough.

Flood Risk and Drainage

- 4.4.19 The area of the site to be developed is situated within Flood Risk Zone 1, an area at least risk from flooding (<0.1% chance), where the principle of residential development is considered acceptable.
- 4.4.20 It is confirmed that the discharge rates will be limited to the greenfield runoff rate, this has been agreed with the Lead Local Flood Authority (LLFA).
- 4.4.21 There is no objection from the LLFA and it is recommended that conditions would ensure an appropriate drainage system at the reserved matters stage. It is agreed that the proposal would not result in any unacceptable impacts upon flood risk and drainage.

Open Space

- 4.4.22 The scheme proposes 1.79ha of open space on site. The parties agree that details of layout, maintenance and management of on-site POS would be secured through planning conditions and through a Planning Obligation.
- 4.4.23 The appeal proposal includes facilities for the use of the general public and local community in the form of informal recreational routes, public open space and play space. Both parties agree that the aforementioned are a benefit arising as a result of the appeal proposal.

4.5 Health Facilities

- 4.5.1 In respect of the nearest health care facilities to the appeal site Pendleside Medical Practice and the Castle Medical Group are located at the Health Centre within Clitheroe town centre.
- 4.5.2 In 2012 outline planning permission was granted for 270 dwellings (ref: 3/2010/0719) on the land that adjoins the northeast boundary of the site. This outline permission included provision for a doctor's surgery with a site identified and a financial contribution secured as part of the Unilateral Undertaking. However, the surgery element of the development was never taken forward by the CCG.
- 4.5.3 As part of the consultation process for the planning application a notification letter was sent to the Practice Manager at the Clitheroe Health Centre inviting them to make comments in relation to patient capacity in this area. No comments were received at application stage. The minimum extent of new residential development for Clitheroe up to 2028 was identified in 2014 as part of the Adopted Core Strategy. The Main Modifications required to make the Plan sound by the examining Inspector included paragraph 8.11 of the Core Strategy which confirms that:

8.11 The Council is committed to ensure the necessary infrastructure is brought forward to meet the needs of the area resulting from proposed growth and development. The Council will continue to work with relevant authorities, public bodies and agencies to secure the delivery of infrastructure in a timely and effective manner. In providing a policy framework through this Core Strategy and the use of its Planning powers relevant infrastructure can be delivered. Statutory undertakers such as United Utilities and relevant authorities such as Lancashire County Council, and NHS England will need to meet their legal responsibilities for the provision of water and water treatment, health services to meet the needs of the areas and school facilities. However much of this provision will be dependent upon the timing of development, the emerging needs to be addressed at the time and capacity of existing provision.

- 4.5.4 To date there has been no evidenced need or plans to expand either surgery to accommodate the minimum identified level of growth allocated to Clitheroe (established as part of the Adopted Core Strategy in 2014).
- 4.5.5 Following the Case Management Conference on the 18th March 2019, the practices within the Health Centre were contacted again by the Council and both the managers have commented (comments attached at Appendix 1 and Appendix 2) with concerns in respect of the number of housing developments planned within the area and health care provision. The correspondence from Pendleside Medical Practice states that the patient list has grown by 300 patients over the last 12 months and with the housing developments planned in the area they expect this to rise by another 2000 patients in the future, however no evidence has been produced to confirm these figures. In the Managers opinions both practices need additional space to serve the practice population.

- 4.5.6 However this opinion is not supported by the NHS website¹, which identifies that Pendleside Medical Practice is currently taking on new patients, has 10,734 registered patients and 8 Doctors and that The Castle Medical Group is also taking on new patients, has 14,476 patients registered and 13 Doctors. The NHS website² identifies that the average GP's per 1000 patients per practice in England is 0.58. This equates to 1,724 patients per GP. Both surgeries are well below the average number of patients per GP.
- 4.5.7 Through the ongoing partnership work with the Clinical Commissioning Group (CCG) the Council are aware that the CCG with the NHS are undertaking a facility review and options are being considered. The Council contacted the CCG for an update in this regard on the 27th March 2019. The CCG confirmed that in response to practice and public concerns about premises within Clitheroe, the CCG commissioned a feasibility study as a desk top exercise looking at NHS estate in the Clitheroe area. This however is only in draft form and requires input from the GPs. At the time of writing there is no evidence to confirm that the practices cannot accommodate residents of the appeal proposal.
- 4.5.8 Should an evidenced need be provided by the CCG, to increase capacity at either of the two practices, to accommodate the proposed development, then this is a matter that could be dealt with through a financial contribution secured through the Unilateral Undertaking, should it be demonstrated to be CIL compliant.

4.6 Planning Obligations

- 4.6.1 It is agreed by both parties that all planning obligations must be reasonably related in scale and kind to the proposed development and must also meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 4.6.2 A Unilateral Undertaking will be completed in respect of the appeal proposals which will address:

Affordable Housing

- 4.6.3 30% of the proposed residential dwellings shall be affordable homes and 15% of the units would be specifically for over 55s.

Open Space

- 4.6.4 On site Public open space will be provided to facilitate the increased infrastructure demands from the new dwellings.
- 4.6.5 A financial contribution towards the provision of Sport and Leisure Facilities within the vicinity is required as a result of the increased demand the new dwellings would create on existing facilities.

¹ www.nhs.uk/Services/GP/Overview

² <https://www.nhs.uk/Scorecard/Pages/IndicatorFacts.aspx?MetricId=100063>

Education

- 4.6.6 Lancashire County Council (LCC) are the relevant education authority for Ribble Valley and the parties agree that LCC have assessed the need for an education contribution from this development and raised no objection to the proposal (CD3.06). A contribution is required as LCC project that in five years there will be a shortfall of both primary school places (within the 2 mile catchment area of the site) and secondary school places (within the 3 mile catchment area of the site).
- 4.6.7 As such LCC have requested a financial contribution in respect of primary and secondary school places towards projects at Clitheroe Edisford Primary School and Bowland High School. The formula that LCC use to calculate pupil yield and an appropriate level of contribution are contained in the legal agreement and will ensure that the pupil yield relevant to the housing mix will be secured at the detailed application stage

Public Transport Contribution

- 4.6.8 A public transport contribution towards sustaining and promoting local public transport.

5 AREA OF DISAGREEMENT

5.1.1 The principle issues on which the parties do not agree are:

- Whether the proposals accord with Key Statements DS2 and DMI2 and policies DMG2 and DMG3 of the Adopted Core Strategy.
- The level of weight which can be afforded to provision of affordable housing within this location.
- The weight afforded to the HED DPD

APPENDIX 3

Statement on Common Ground – Principle of Development

**Land off Henthorn Road, Clitheroe
Ribble Valley Borough Council**

**Statement of Common Ground between
Gladman Developments Ltd and Ribble Valley Borough Council
in relation to the principle of development**

**Proposed development for up to 110 dwellings with associated open space with
all matters reserved saved for access**

APP/T2350/W/19/3221189



**Ribble Valley
Borough Council**
ribblevalley.gov.uk

May 2019

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1 INTRODUCTION

1.1 Background

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared by Gladman Developments Ltd (the Appellant) and Ribble Valley Borough Council (RVBC/the Council) and identifies the areas of common ground between them following exchange of evidence.

1.2 Parties

- 1.2.1 The SoCG is jointly agreed by:

Signed:



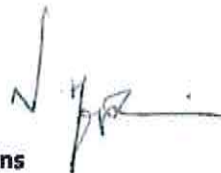
Date:

2/5/19.

Neil Lewis

On behalf of Gladman Developments Ltd

Signed:



Date:

2.5.19.

Nicola Hopkins

On behalf of Ribble Valley Borough Council

2 AGREEMENT ON THE PRINCIPLE OF DEVELOPMENT

2.1 The Principle of Development

- 2.1.1 Following exchange of evidence, both parties agree that the sole area of disagreement between the parties as to whether the appeal proposal accords with the development plan is in relation to the accessibility of the appeal site.
- 2.1.2 Both parties agree that if the Inspector concludes that the appeal scheme is accessible then the proposal accords with the development plan and should be approved without delay, as per policy DS2 of the Core Strategy and paragraph 11 c) of the NPPF2019.

APPENDIX 4: SECTION 106 DRAFT HEADS OF TERMS

Gladman will seek to enter into constructive dialogue with Ribble Valley Borough Council to agree Section 106 obligations for any obligations which, in accordance with the CIL Regulations (2010) (as amended) are necessary, directly related to the development and fairly related in scale and kind to the development.

The following Heads of Terms are suggested:

AFFORDABLE HOUSING

- i. 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.
- iii. The Agreement will require the Developer to provide, as necessary, an offsite sports provision.

HIGHWAYS AND PUBLIC TRANSPORT

- i. The Agreement will require the Developer to provide, as necessary, the improvements identified to improve the public highway, sustainable and public transport provision within the vicinity of the site.

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.



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