

Late Items – Planning & Development Committee				 Ribble Valley Borough Council www.ribblevalley.gov.uk	
Meeting Date: 23 JULY 2026					
Briefing version		Issue Date:			
Committee Version		Y	Issue Date:		23/7/26
Application Ref:		3/2025/0801	Land to east of Salesbury View Wilpshire		REC: Defer & Delegate
Since the publication of the Committee Agenda further information has been received as follows:-					
LCC Education has requested a contribution towards permanent expansion of one of the nearby local schools for 13 primary places at a cost of £20,450 per place. This equates to £265,850.00 and would need to be secured in the S106 Agreement.					
Independent Technical Planning Review prepared by Wellbeing Designs on behalf of Wilpshire Parish Council					
This report is published on the Council's website:- 25_0801 Independent Technical Planning Review from WPC 22jul26.pdf					
A summary of the review is as follows:-					
Planning Response and Technical Evidence					
• The proposal relies on extensive landform alterations and engineering works. • Amendments are targeted, not a fundamental redesign, with many technical reports unchanged.					
Site Allocation and Development Principles					
• The site is allocated for housing in the local plan, establishing the principle of development. • The detailed layout and engineering responses are not fully aligned with the original site constraints and assumptions.					
Landscape and Visual Impact					
• Development remains on the site's transitional landscape, relying on mitigation rather than avoiding impacts. • Key concerns about landform, topography, and landscape relationship remain unaddressed. • Landscape mitigation relies on planting and time to soften impacts. • Visual effects, especially from Public Right of Way 25, remain largely unchanged. • The site's rural landscape is affected by development, but change is considered inevitable. • Landscape buffers and open spaces are improved, yet some high retaining structures near boundaries remain problematic. • The revised Landscape Masterplan aims to strengthen landscape buffers and improve landscape integration. • Engineering works have not significantly altered views or the effectiveness of buffers; concerns about long-term mitigation remain. • Effects on nearby properties and viewpoints like Viewpoint 8 remain significant; visual harm is not fully mitigated. • Long-distance views are less affected, but some visual prominence persists. • Layout revisions seek to improve visual effects and landscape integration. • High-quality design and landscape strategies are essential for acceptability. • Landscape strategies have been refined but do not reduce the site's visual prominence. • Significant earthworks and retaining structures are necessary due to topography; revisions do					

- not reduce intervention.
- Changes include increased separation from boundaries and adjustments to levels, but landform modifications remain substantial.
- Effectiveness depends on successful establishment and long-term maintenance.
- The revised proposals improve landscape buffers but do not materially reduce land re-profiling or engineering works.
- No evidence shows a stronger transition or reduced visual prominence of structures compared to previous schemes.
- The revised proposals aim to retain landscape character through strengthened planting and mitigation.
- No fundamental change in the overall landscape relationship or visual prominence has been demonstrated.
- Landscape buffers and the east-west tree belt are retained and enhanced.
- The development still extends into the countryside, with no material improvement in transition.
- The development continues to be experienced within its wider landscape context.
- Revised proposals remain within the established built limits of Hollowhead Avenue and Warrenside Close.
- The revised proposals do not materially alter the original landscape effects or reduce the high magnitude of change.
- The Inspector's qualified conclusion about moderate to minor residual effects remains unaddressed.
- The visual assessment relies on the same viewpoints and receptors as the appeal.
- Layout amendments are refinements, not a complete redesign, continuing to depend on site constraints.
- Cumulative effects of engineering and landscape impacts persist, affecting character and appearance.
- No objective evidence demonstrates that the visual effects or landscape strategy have been materially improved.
- The applicant's revised LVIA shows no material reduction in long-term visual effects from key viewpoints.
- The Inspector's concerns about underestimated impacts and limited mitigation opportunities remain unaddressed.
- Long-term mitigation reliance and physical constraints persist, with no substantial physical changes demonstrated.
- No verified photomontages or evidence show reduced impact or overbearing relationships.
- The revised landscape buffer has been retained and refined but not materially increased.
- No objective evidence shows long-term planting or softening of urban edges has improved.
- No visual evidence demonstrates reduced effects or successful scheme integration.
- No significant physical changes address concerns about Plot 7 or urban edge.
- The development still relies on the same layout, landscape strategy, and separation distances.
- Evidence shows the proposal still harms character and appearance.

Engineering and Landform Impact

- Extensive engineering works, including retaining walls, remain central to the development.
- Amendments do not eliminate the need for landform manipulation or reduce visual impacts.
- Multiple engineering interventions collectively alter the natural landform.
- The proposal appears imposed on landscape rather than responding to it.
- Significant level changes and steep access roads remain key physical constraints.
- Revised proposals do not substantially reduce engineering works or land re-profiling.
- Layout follows existing land contours, with some modifications to reduce visual prominence.
- Engineering structures like retaining walls are integrated into landscape buffers, but some remain visually prominent.
- Development must respond to topography, power lines, and landscape features.
- Layout adjustments aim to reduce harm and better reflect physical constraints.
- The eastern extent remains within existing built limits; rural character loss persists.
- The development risks creating a conspicuous urban edge without sufficient long-term

mitigation.

- Overall density is low, around 17 dwellings per hectare, including open space.
- Surrounding area varies from spacious detached homes to denser estates with landscaped gardens.
- The site features steep slopes, wooded boundaries, and Green Belt land, which remain unchanged.
- The revised proposals show minor layout refinements but rely on significant engineering works.
- The layout continues to be dictated by existing constraints, with minimal fundamental change.
- The arrangement of dwellings and open space remains similar to the dismissed scheme.
- The layout maintains a linear, hillside orientation, with minor reconfigurations improving boundary relationships.
- The overall pattern reflects surrounding development, though engineering and landform details remain complex.
- Reliance on retaining structures and land re-profiling remains necessary for development.
- Some boundary areas lack sufficient space for effective landscaping.
- Higher boundary retaining structures may remain visually prominent initially.
- Relationships between structures, levels, and boundaries remain largely unchanged.
- Cumulative height and prominence of engineered features remain prominent.
- No clear evidence shows the visual impact on public spaces has been materially reduced.
- The proposal's layout and relationship with surroundings remain similar, failing to deliver a high-quality, attractive development.
- Cumulative deficiencies in design, landscape, and visual effects persist, and no substantial improvements are demonstrated.

Site Accessibility

- The development depends on a single steep access road, with limited winter resilience assessment.
- No evidence shows safe operation during severe weather or inclusive access for all users.
- Only access via Salesbury View remains, with concerns about safety and inclusivity.
- Pedestrian routes are maintained, but gradients and accessibility for all users need further assessment.
- No assessment of winter operation, snow, or ice conditions was included in the transport and highway reports.
- No evidence shows the constraints of topography, power lines, or water mains have been overcome.
- The revised proposals retain key routes to PRoW 25 and east-west links, with minor refinements.
- Improvements include relocating the swale away from PRoW 25, enhancing landscape integration, but overall strategy remains similar.
- Parking strategy remains broadly unchanged, with a mix of frontage and rear parking, supported by landscape buffers.
- Highway assessment covers internal roads and existing access, with conditions still unresolved, such as footway width.
- No fundamental change in the development's relationship with the eastern boundary or PRoW 25.
- Limited space and extensive earthworks prevent meaningful landscape buffers or transition.
- The extensive earthworks and limited landscape buffers continue to cause high adverse effects on users.

Planning Policy and Decision Context

- No significant policy changes since the appeal.
- The revised proposal does not overcome the original conflict with the development plan.
- Changes in national policy emphasise the need for more housing but do not override harm concerns.
- No objective evidence that demonstrates the harms have been fundamentally addressed.
- The proposal must align with current landscape and visual policies, emphasising character and

appearance.

- The development's transition between urban and rural areas is a key factor in its acceptability.
- Policy DMG1 and Paragraph 129 of the Framework guide land use, design, and environmental safeguarding.
- National policy supports land efficiency while protecting environmental quality.
- The applicant's revisions do not materially overcome the Inspector's concerns on layout, landscape buffer, or visual effects.
- The overall planning balance remains unchanged, with key issues of character, appearance, and visual quality still unresolved.

Addressing Inspector's Concerns

- The proposal conflicts with national planning policy due to layout, visual effects, and landscape reliance.
- The applicant provided more detailed evidence but did not demonstrate that key concerns about space and relationships are fully overcome.
- The applicant's explanations and visual evidence strengthen presentation but do not overcome physical and visual impact concerns.
- Concerns about cumulative impact, landscape buffers, and engineering prominence remain unaddressed.
- Supporting documents explain revisions but lack evidence of overcoming key visual and landscape harms.
- Amendments do not materially change the factual findings underpinning original decision.
- The Inspector's findings about overbearing effects and landscape harm remain unaltered.
- The Inspector concluded effects would remain high despite mitigation; applicant's updates do not materially change this.

Policy Changes and Planning Balance

- The December 2024 NPPF emphasizes housing delivery but retains the need to assess all planning considerations.

Planning Obligations and Benefits

- Section 106 secures contributions for education, open space, affordable housing, and infrastructure.
- 30% affordable housing is a significant benefit; other obligations are mitigation measures.

Overall Planning Balance and Decision

- Benefits include housing delivery and biodiversity; harm relates to character and appearance.
- The Inspector concludes harm outweighs benefits despite some positive aspects.
- Benefits do not outweigh the harm; the balance remains unchanged.

Officers Response:

- The report considers the impacts and mitigation on landscaping and visual receptors and states that the harm expressed by the Planning Inspector remains unchanged.
- The Inspector specifically raised concerns with individual plots as well as cumulative visual impacts from receptors.
- There are fundamental issues that cannot be changed and these include:
 - The single vehicular access from Salesbury View;

- The topography of the site and its prominence in the landscape;
 - The constraints of the site – including trees, powerlines and water mains;
 - The site is a housing allocation and is wholly within the settlement boundary;
 - The site will require significant earthworks and extensive retaining structures to allow for development (point 16 of the Appeal Decision)
- The Inspector found no harm to adjacent residential dwellings even with retaining structure and dwellings clearly visible from properties to the west of the site (point 18 of the appeal decision).
 - The Inspector goes on to state that although it would take time for the landscape buffers to mature, reasonable sized specimens at the outset would lessen the visual appearance (as is the case as existing) and can be dealt with by an appropriate condition (point 18).
 - In terms of the retaining structures these would now be set into the hillside and greened over so they would not be as visible (point 19).
 - Plots have been completely reorientated and the housetypes changed which individually address the Inspectors point which must improve the overall cumulative impact (Point 20)
 - There has been a substantial increase in tree planting and landscape buffers across the site and particularly to the boundaries. The site is low density and facilities open spaces as well as connections to the adjacent public rights of way.
 - In terms of wider landscape and character impact the Inspector recognises that “while the development’s size and scale would result in an urban incursion into the countryside and expand the settlement” “creeping development on valley slopes is a common feature of the area” (point 32).
 - Point 35 also recognises that the “visual envelope of the proposed development would be contained, and the loss of fields would be localised to the site and its immediate context”.
 - It is also important to note that the previous appeal decision was at a time when Ribble Valley Borough Council had a five-year housing land supply. That is no longer the case and although this report makes reference to the appeal decision (Chatburn) it does not consider the impacts in terms of the tilted balance when considering the weight to be given to the harm and the benefits which we are required to do.

Highways and Transport Review prepared by CTS Traffic & Transportation Ltd on behalf of a local resident

This report (including summary and gradient plan) is published on the Council's website:-

[Microsoft Word - CTS 63855 - Salebury View - Transport Review Final July 2026](#)

[Microsoft Word - CTS 63855 - Salebury View - Transport Review Exec Summary Final July 26 Layout1](#)

A summary of the review is as follows:-

CTS Traffic and Transportation have been appointed by a local resident to produce a highways and transport review of the proposal. A summary of the issues raised is as follows:-

Main Issue - Gradient

There is one issue which is very serious and we believe would require a major alteration to the design of the scheme to address. This would be described as the site’s sustainable transport and / or

inclusive mobility characteristics, but in layman's terms would be the effects of the severe gradients of the carriageways and footways that would be involved within the site. In simple terms, it is not clear how the site could readily allow residents or visitors safe and secure access given the topography of the site. This appears to be a red-flag to further consideration of the development of this location given that several attempts have been made to remediate but without success.

In the responses to the various applications LCC have correctly stated that the maximum gradient of any part of the highway is 1 in 12 and only for short lengths. It is further correctly stated that this is to ensure compliance with "Inclusive Mobility". "Inclusive Mobility" is the Government's advice on the minimum requirements for new development to ensure compliance with the Equalities Act 2010. Clear compliance is needed.

In the case of gradients, the reasons given for the standards are also not something that can be disregarded if inconvenient. They are:

- *"A continuous shallow slope that runs for a considerable distance might be an obstacle for users of a manual wheelchair, or people who can negotiate gradients over a short distance only, before experiencing pain, breathlessness or fatigue. If a level route is not feasible, then gradients should not exceed 1 in 20.*
- *1 in 12 should be the absolute maximum (gradient). Not only is the physical effort of getting up a steeper gradient beyond many wheelchair users, but there is also a risk of the wheelchair toppling over."*
- *The maximum gradient of 1 in 12 should only be used to a maximum length of 2000mm"*
Inclusive Mobility. DfT Dec 2021

"Where the gradient is too steep or an individual flight too long, a wheelchair user might not have sufficient strength to use the slope. In the same situation, a companion who is pushing a wheelchair user is also likely to encounter the same difficulties. If the gradient is too steep, there is also the danger of a wheelchair user falling out forwards when going downhill, or of a wheelchair tipping over backwards when going uphill. Control and braking are also difficult on steep gradients"

Maximum Length of Ramp and Change in Levels

1 in 12 Max height change 150mm. Length between landings 2m"

BS 8300 - 1 Design of an Accessible and Inclusive Built Environment. Part 1: External environment — Code of Practice

"The maximum gradient should never exceed 8% (1 in 12), and even this gradient causes difficulties for many disabled people including those in powered wheelchairs"

Revised Guidelines Reducing Mobility Handicap. Institution of Highways and Transport 1991

In the case of standards for cycling:

"The maximum gradients should generally be no more than 3%, or 5% (1 in 20) maximum over a distance of 100 m or less, and 7% (1 in 12) maximum over a distance of 30 m or less.

Steep gradients can lead to high speeds for descending cyclists or low speeds for climbing cyclists, which can create hazards for all users of the route. Stopping distances also increase on down gradients in excess of 3% (1 in 33)."

Local Transport Note 1 / 20 Cycling Infrastructure DfT 2020

A gradient plan has been provided demonstrating areas of the development which are considered to be non-compliant.

Second Issue - safety of the Whalley Road / Salesbury View junction.

In the first response to the first application the Highway Authority states that the speed survey used to

determine the appropriate visibility splays at this junction was not fit for purpose, listing the reasons, and requiring a survey that was fit for purpose before the application could be considered. In addition to the list of factors given as to why the survey was unacceptable, it is stated that the survey was undertaken during the peak periods. If this is in fact true, then the DfT standards particularly direct that speed surveys must not be undertaken in such periods. The survey is now many years out of date and for a 2025 scheme a new survey should have been undertaken in any event. The survey showed average speeds on Whalley Road just over 30mph. This seems very low. Little confidence can be applied to the 85th %ile speeds quoted for the visibility splays.

It may be that the appropriate visibility splays can be provided. It is simply impossible to say. A new survey fully in accordance with the correct standards and methodology should be undertaken.

Other Issues -

The review also considers the consequences for the local authority should planning consent be granted for the scheme as it currently stands, including probability of a judicial review of any consent by other house-builders or land owners being successful, as would a claim for non-compliance with the Equalities Act 2020.

If there was any doubt as to whether a scheme that proposed an access route several hundred meters long at gradients which would only be acceptable for 2m long sections, or even greater gradients than the standards permit regardless of length, then we would refer to the 110 dwelling scheme on the Devine Fisheries Site in Hyndburn.

On appeal against refusal of the application, the Inspector noted that:

"The ... access road would ... have a gradient of 1 in 12. Within the site itself, the indicative plans show a 1 in 12 gradient ... on other parts of the site. ... the steep gradient of the access road ... would not encourage pedestrians, particularly less ambulant people or those with prams to walk, or indeed cyclists. ... Consequently, the proposal would be likely to encourage private car borne travel to access the site more than anything else. Therefore, the proposal would fail to provide adequately for sustainable travel. This would conflict with Policies Env4 of the CS and DM32 of the DPD, which seek to ensure all development minimises the negative impact on the environment, ensuring new development is in sustainable locations and actively encouraging sustainable travel".

The same conclusions would be expected should the current scheme be refused and the applicant appeal.

Many of the consultees would not have been aware of the gradients of the access road and the lengths over which such gradients would exist. It is therefore recommended that the applicant be required to provide a similar plan to that which has been prepared for this review, or confirm that the objector's plan is accurate. Even with such a plan the scheme should be reconsulted.

The Environmental Health Refuse Collection department should be consulted.

The County Fire and Rescue Service should be reconsulted.

The Building Regulations department should be consulted

Active Travel England, the Government body to set up to ensure new development cater for pedestrians and cyclists, should be consulted.

On the basis of the submitted information, the application should be refused.

Officers Response:-

The Council's appointed independent highways consultant has reviewed the report and his response is as follows:-

[Firstly] I would reiterate that my previous report was confined to consideration of the following highways related areas of concern:

1. Whether or not the access proposed into / out of the site is safe - both during the construction

and post-construction stages - having particular regard to the steep incline of Salesbury View (in particular during adverse weather conditions i.e. snow and ice).

2. Whether or not the access would allow for refuse vehicles to access the site (again having regard to the steep incline and dip in the road).

3. Whether or not any additional improvements can be made to the access above those required by the LHA.

I confirm that the conclusions drawn are not affected by the issues raised in the CTS report.

Current Position

LCC, as the Local Highway Authority, have not raised an objection to the current scheme on the basis of longitudinal gradients (neither carriageways nor footways) and the Council have not previously raised this as a reason for refusal.

CTS Report

In summary the issues raised by CTS are as follows:

1. The longitudinal gradients of the carriageways and footways.
2. Road safety associated with visibility at the A666 Whalley Road/ Salesbury View junction.
3. Risks of non-compliance with the Equalities Act 2010

Compliance with the Equalities Act is outwith my expertise and would be a matter for the Council and their legal advisors. The other issues are considered in turn as follows.

The longitudinal gradients of the carriageways and footways

The report refers to various documents and guidance, however, most cross refer to, and appear to be consistent with, the document Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and

Transport Infrastructure. DfT Dec 2021. In summary, at section 4.3, this document confirms that

1. Gradients should generally not exceed 1 in 20;
2. Over short distances the maximum gradient should be no more than 1 in 10 (circa 1m), however as a general rule 1 in 12 should be the absolute maximum gradient.

It should be noted that this document sets out good practice recommendations, but these are not mandatory. Accordingly, there should be scope for justifiable departures where following the guidance would be impractical or create disproportionate impacts.

Manual for Streets 2 – this document also considers this matter. At 5.2.5, it states ‘The gradient of pedestrian routes should ideally be no more than 5%, although topography or other circumstances may make this difficult to achieve. However, as a general rule, 8% [approx. 1 in 12] should generally be considered as a maximum, which is the limit for most wheelchair users, as advised in Inclusive Mobility. This clearly accepts that 1 in 12 would be acceptable where constraints such as topography would make 1 in 20 unrealistic. There is no mention within this document of maximum lengths of road/footway at a 1 in 12 gradient. At 8.4.2 it states, ‘In hilly areas steeper [carriageway] gradients will frequently be required, but a gradient of 8% [approx. 1 in 12] should be regarded as a practical maximum unless there are particular local difficulties. This is also the maximum gradient that a manual wheelchair user can negotiate’. Clearly this again accepts that sections of 1 in 12 gradient carriageway would be acceptable, without restrictions on the length of such sections and acknowledges that where there are local difficulties, even steeper gradients could be acceptable. Given that footways are contiguous to the carriageway, then presumably this would also apply to footways.

Given the above and the fact that there are many roads and footways within Ribble Valley (and the wider Lancashire area) with carriageways/footways with longitudinal gradients of 1 in 12 or steeper, which operate in a satisfactory manner, it is understandable that LCC have not raised an objection to this application on the basis longitudinal gradient. However, only they would be able to confirm this.

I note that CTS have prepared a plan (dwg no 63855/01) which colour code the carriageway and footways depending on longitudinal gradient. As can be seen, a significant proportion of the internal site gradients are 1 in 12 or shallower, apart from several short sections where gradients are steeper ('blood red' sections). Given the shallower gradients on either side, it is likely that at the detailed design stage these steeper sections could be 'designed out' to ensure a maximum longitudinal gradient of 1 in 12 throughout the site. This presumably could be secured through planning condition, and, in any event, the internal site infrastructure would need to comply with Building Regulations.

Outwith the site, the existing Salesbury View carriageways and footways have longitudinal gradients of circa 1 in 8 in the lower section close to the A666 Whalley Road shallowing to 1 in 10 closer to the site. Clearly this does not comply with the 1 in 12 gradients above, however, it should be noted that these are existing roads and footways serving the existing 9 dwellings without detriment to safety despite the gradient (as noted in my initial review). There is no scope to improve the gradients along the existing sections of Salesbury View.

The CTS report makes reference to the fact that Active Travel England, Fire and Rescue Service, Building Regulations and Refuse Collection Service should be consulted in relation to the proposed gradients. These are dealt with in turn below.

- Active Travel England – as noted in the CTS report (para 3.65) the thresholds for consulting Active Travel England are 150 dwellings or more; or more than 7,500 square metres of floorspace; or five hectares or more in site area. Given that the development comprises just 80 dwellings and the site area is 4.99 Ha (CTS para 3.68) there is no requirement to consult ATE.
- Fire and Rescue Service – presumably the Fire and Rescue Service have been consulted on this planning application. Whilst they may not have been provided with the proposed longitudinal gradients within the site, they would have been aware of the existing gradients along Salesbury View. On the basis that no objection was raised due to the existing Salesbury View gradients (1 in 8 at its steepest) it is reasonable to assume that the shallower gradients within the site would not have raised concerns.
- Building Regulations – this would not normally be considered at the Planning stage - as noted above, this would be a matter for the detailed design stage.
- Refuse Collection Service – I would refer you to my initial review in this regard. In my consultation with Mr M Lancaster who is currently the Acting Refuse Manager on behalf of the Council, he was not unduly concerned as his view was that Salesbury View was typical of several other roads in the vicinity and with respect to snow and ice, the driver(s) undertake a 'dynamic risk assessment' during any extreme, adverse winter conditions encountered.

In my experience, LCC (and other authorities with similar topography) generally adopt a maximum gradient of 10% (1 in 10) for carriageways (and by default for the adjacent footways) with circa 2% (1 in 50) on the immediate approach to junctions. Clearly this is not the case at the existing Salesbury View/A666 Whalley Road junction however this proves that steeper gradients (i.e. 1 in 8) do not necessarily result in safety issues.

In summary and in light of the above, I am of the opinion that maximum longitudinal gradients of 1 in 12 would not be excessive or unsafe and would be commensurate with other residential estate roads within the Ribble Valley and the wider Lancashire area.

Road safety associated with visibility at the A666 Whalley Road/ Salesbury View junction

CTS have expressed concern around the validity/vintage of the speed surveys used to determine sightlines at the existing A666/Salesbury View junction. Notwithstanding this, a visual inspection of the junction clearly indicates (as illustrated in the photographs in my initial assessment) that sightlines in excess of the 2.4m x 43m visibility splays that would be required for a speed limit of 30mph are achievable.

Accordingly, I do not consider this to be a valid issue.

In summary, my thoughts on the issues raised by CTS are as follows:

1. The longitudinal gradients of the carriageways and footways – longitudinal gradients of 1 in 12 would not be excessive, being similar to other residential estate roads in the Ribble Valley and the wider Lancashire area and slacker than the approach generally taken by LCC (and other authorities) of 1 in 10 maximum gradients. Any internal sections currently shown as steeper than 1 in 12 could be 'designed out' at the detailed design stage. This could be secured via planning condition and in any event the final scheme would need to be Building Regulations compliant. LCC will be able to confirm whether they were cognisant of the proposed internal vertical profile of the roads and footways in providing their consultation response to the current application which raised no objections.
2. Road safety associated with visibility at the A666 Whalley Road/ Salesbury View junction – the requisite 30mph sightlines are clearly available at the existing junction and the evidence, in the form of the safety record, confirms that there is not a road safety issue associated with visibility.
3. Risks of non-compliance with the Equalities Act 2010 - this is outwith my expertise and would be a matter for the Council and their legal advisors.

Additionally officers have had regard to the Public Sector Equality Duty (PSED) as follows:-

In approving the development the dwellings would not be suitable for individuals who require level access walking / cycling routes to nearby services. Accordingly due regard has been had to the PSED contained in section 149 of the Equality Act 2010 which sets out the need to have due regard to eliminating discrimination, advancing equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Approving the development has the potential to disproportionately affect individuals who would be unable to live here due to the site topography. Nevertheless, this is largely due to the existing road access into the development site which cannot be changed, and so any housing scheme that is approved on the site would have the same impact on these individuals. Not bringing forward any housing on the site is not a realistic option given that this is an allocated housing site and given the requirement to deliver housing in the Borough. Furthermore, there is no evidence to suggest that the needs of these individuals could not be met from the existing housing stock or from future development. For these reasons this factor would not amount to a harm that would justify refusal of the application.

For these reasons the officers remain of the view that a refusal on highway grounds or design and visual impact is not justified.