



## Appeal Decision

Hearing held on 9 December 2025

Site visit made on 9 December 2025

by **Elaine Moulton BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

**Appeal Ref: APP/T2350/W/25/3372635**

**Land to South of Chatburn Old Road, Chatburn, BB7 4QG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
- The appeal is made by Mr Ronald Jackson against the decision of Ribble Valley Borough Council.
- The application Ref is 3/2025/0414.
- The development proposed is residential development of up to nine dwellings.

### Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 1 dwelling and a maximum of 9 dwellings at Land to South of Chatburn Old Road, Chatburn BB7 4QG in accordance with the terms of the application, Ref 3/2025/0414, dated 23 May 2025.

### Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second (technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted<sup>1</sup>. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

### Main Issues

4. The main issues are:
  - a) Whether the site is a suitable location for the proposed development, having regard to local policy; and
  - b) Whether any harm would be outweighed by other material considerations, in particular whether the Council can currently demonstrate a five-year housing land supply, the provision of affordable housing and economic benefits of the development.

<sup>1</sup> PPG Permission in Principle Paragraph: 012 Reference ID: 58-012-20180615

## Reasons

### ***Suitable location***

5. Key Statement DS1 of the Core Strategy 2008 – 2028 (CS), adopted 16 December 2014, sets out a development strategy for the Borough. The strategy directs the majority of new housing development to an identified strategic site and the principal settlements of Clitheroe, Longridge and Whalley. In addition, it states that development will be focused towards Tier 1 Villages, which are the more sustainable of the defined settlements. The appeal site is, largely, outside of the defined boundary of Chatburn, which is identified as a Tier 1 Village.
6. CS Policy DMG2 indicates that outside of defined settlement areas, development must meet at least one of several considerations. CS Policy DMH3 states that within areas defined as open countryside, residential development will be limited to specified types. The main parties agree that, as the proposed development does not meet any of the listed considerations or exceptions, it does not accord with such policies. There is no evidence before me that would lead me to conclude differently.
7. Although within the open countryside, the appeal site adjoins the defined settlement boundary of Chatburn. Notwithstanding the gradients of the surrounding land, it has good pedestrian and cyclist access to the facilities and services it contains along the quiet Chatburn Old Road. Furthermore, the nearest bus stop is within a reasonable walking distance of the site which, according to the evidence before me, provides frequent bus services to and from the principal settlement of Clitheroe, as well as Skipton and Preston.
8. The future occupiers of the proposed development would not, therefore, be wholly reliant on the use of a private vehicle. As such, it would be in an accessible location. Nonetheless, it remains that the proposal conflicts with the policies identified above.
9. In conclusion, although in an accessible location, having regard to the identified conflict with CS policies DMG2 and DMH3, the site is not a suitable location for the proposed development.

### ***Other considerations***

#### ***Housing land supply***

10. The main parties agree that the five-year housing land supply (5YHLS) should be calculated against local housing need using the standard method in the PPG, and that this equates to 311 dwellings per annum. There is also agreement that a 5% buffer applies. Based upon the evidence before me, I concur.
11. There is, however, disagreement between the main parties on two grounds. The first relates to how past over-supply of housing should be taken into consideration. The second issue relates to the extent of the deliverable supply.
12. It is the Council's position that the 5YHLS requirement should be reduced by the over-supply of previous years, 536 dwellings, which would reduce the requirement to 204 dwellings per annum, or 214 dwellings when the 5% buffer is applied. The

appellant contends that local housing need should not be reduced by over-supply. The effect of which would reduce the housing land supply position from 6.19 years, as advanced by the Council, to 4.05 years.

13. I acknowledge that the Framework and PPG do not rule out the use of past over-supply to reduce future housing requirements. Nevertheless, to adopt the approach of the Council, and that of the Inspectors in the decisions it has highlighted, would impede the achievement of the Government's objective to significantly boost the supply of homes. I therefore find that the forward-facing approach adopted in the appeal decisions and local plan examination letters that have been referred to by the appellant to be the most appropriate.
14. Thus, it is my judgement that past over-supply should not be used to reduce local housing need requirements in this case. This should not be seen as penalising the Council, as has been suggested, rather, it is part of the solution to the acute housing crisis that exists nationally.
15. Turning to the second matter of disagreement, the extent of the deliverable supply, it is now agreed that 74 dwellings on the site of land at Accrington Road, Whalley should be included in the housing land supply. However, the appellant considers that development on three other sites is not deliverable within the 5-year period and should not count towards the 5YHLS.
16. The disputed site, land at Highmoor Farm, Clitheroe, has the benefit of outline planning permission. The sale of the site and the submission of a reserved matters application is, however, dependent upon the completion of an agreement with the Council to facilitate the creation of an appropriate access. For this reason, the applicant for the outline planning permission, states that the completion of the sale of the land and the submission of a reserved matters application before the outline permission expires are hopeful rather than guaranteed. At the Hearing the Council advised that progress had been made on the agreement, but that it was not yet completed. Furthermore, there is no evidence before me that a performance agreement is in place that sets out the timescale for approval of a reserved matters application and the discharge of conditions.
17. In my view, it has not been demonstrated that firm progress has been made towards approving the reserved matters and, accordingly, there is no clear evidence that housing completions will begin on the Highmoor Farm site within the five-year period. Therefore, 75 dwellings should be removed from the 5YHLS.
18. There is currently no planning permission on the disputed site of land at Wilpshire (Salisbury View), although I note that, following pre-application discussions, a planning application for 80 dwellings was submitted on 1 October 2025, to which no technical objections have been received from statutory consultees. Nonetheless, even if I were to agree that the appeal decision, that dismissed a development of 84 dwellings on this site, supports the density of the current proposal, this is not sufficient to demonstrate that it will be permitted, particularly considering the strong objections from the relevant Parish Councils that were brought to my attention.
19. Furthermore, although I note that the Council indicate that it is likely that the application would be determined by Planning Committee in January or February 2026, at the time of the Hearing a report had not been published on an agenda. As such, as well as there being no certainty as to whether the proposal will be

permitted, it is unclear when a decision will be made on the application. Consequently, there is no clear evidence that the projected number of dwellings on this site can be delivered within the 5-year period. 75 dwellings should therefore be removed from the 5YHLS.

20. The disputed site, Standen Littlemoor Phases 5 & 6, also has the benefit of outline planning permission and a reserved matters application was submitted in March 2022. However, approaching four years later it remains undetermined and, as confirmed by the Council at the Hearing, amended plans are awaited. Although the Council anticipates that the application will be determined in early 2026, in the absence of a planning performance agreement that sets out the timescale for approval of reserved matters there is no certainty in this regard.
21. It is apparent that the developers are constructing dwellings on Phases 2 to 4 of the Standon Littlemoor site, but a significant number are yet to be completed. Although the Council does not predict any completions on Phases 5 & 6 until year 5, it is my view that no robust evidence has been presented to demonstrate that development will be carried out on such later phases within 5 years. Accordingly, a further 41 dwellings should be removed from the 5YHLS.
22. I therefore find that, at this point in time, the deliverable supply of housing amounts to 1,130 dwellings, which, in combination with the consequences of not deducting past over-supply from the local housing need requirements, reduces the housing land supply position to 3.45 years.
23. The Council has consistently delivered more completions than required since 2014/15, and there is no compelling evidence before me to suggest that this will not continue. This is a material consideration that tempers the weight to be given to housing delivery as a benefit of the proposed development. Nonetheless, given the significant shortfall in the 5YHLS at this time, I afford substantial weight to the proposed provision of housing, given that it is in an accessible location.

#### *Affordable housing*

24. The Council contends that because affordable housing could not be secured at this first, permission in principle, stage, the provision of on-site affordable housing should not be considered as a benefit that weighs in favour of the proposed development. Nevertheless, CS Key Statement H3 states that for developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) on sites outside of the settlement boundaries of Clitheroe and Longridge, the Council will require 30% affordable units on-site. The policy also indicates that the Council will only consider a reduction in this level, to a minimum of 20%, where supporting evidence justifies it.
25. I note that, in a previous appeal decision on this site relating to the refusal of Technical Details Consent<sup>2</sup>, the Inspector found that a financial contribution towards off-site provision equivalent to the 20% minimum level set out in policy could be supported. Whilst acknowledging that financial circumstances can change over time, I see no reason why affordable housing in some form could not be secured in connection with the current proposal at the technical details consent stage. However, as there remains uncertainty as to the level of affordable housing

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<sup>2</sup> APP/T2350/W/23/3333973

provision, this benefit carries limited weight in support of the proposed development.

#### *Economic benefits*

26. There would be economic benefits arising from the construction of the proposed development, and expenditure by its future occupiers, which is quantified by the appellant. Although there is no certainty as to where the occupier expenditure would take place, it is reasonable to find that a considerable proportion would be spent in local shops, services and amenities given that they would be accessible and convenient. I therefore attach moderate weight to such benefits in favour of the proposed development.

#### **Other Matters**

27. Interested parties have raised concerns regarding the potential effects of additional traffic along Chatburn Old Road. However, based on what is before me, I agree with the Council that there are no highway grounds that would support the conclusion that the appeal site is not suitable for residential development. Furthermore, no robust evidence has been presented to conclude that local infrastructure, such as schools, lack capacity to accommodate the proposed development.
28. I have also had regard to the other matters raised by interested parties, including the effect of the proposed development on the character and appearance of the area, the living conditions of nearby residents, a protected tree, wildlife and habitats, a public right of way and drainage. Nonetheless, these relate to the details, and not the principle, of the proposed development. Accordingly, they are matters for consideration at this appeal and will be dealt with at the second (technical details consent) stage.

#### **Planning Balance**

29. The proposed development would conflict with the spatial strategy set out in the development plan as the site lies outside the settlement boundary of Chatburn. Furthermore, it would not meet any of the identified considerations or exceptions which are required for residential development to be acceptable in the open countryside.
30. I have found that the Council cannot demonstrate a 5YHLS. Accordingly, as set out in footnote 8 of the Framework, the most important policies of the development plan are considered to be out-of-date. Consequently, paragraph 11 d) of the Framework applies.
31. In its favour, the proposed development would make a modest contribution to the supply of housing, of up to 9 dwellings, in an accessible location. Given the significant shortfall in the 5YHLS at this time, I afford this substantial weight. Additionally, I attach moderate weight to its economic benefits and limited weight to the contribution that it could make in respect of affordable housing.
32. The adverse impact I have identified, arising from the conflict with the spatial strategy, would not significantly and demonstrably outweigh such benefits. Consequently, the presumption in favour of sustainable development applies and paragraph 11 d) indicates that permission should be granted. There are no other material considerations to override this finding.

## Conditions

33. The PPG makes it clear that it is not possible for conditions to be attached to a grant of permission in principle. Therefore, whilst I acknowledge that the conditions suggested by the Council all relate to matters within the scope of a permission in principle decision, I have not imposed them.

## Conclusion

34. For the reasons set out above, I conclude that the appeal should be allowed.

*Elaine Moulton*

INSPECTOR

## APPEARANCES

### FOR THE APPELLANT:

Christian Hawley	Barrister, No 5 Chambers
Ben Pyecroft	Emery Planning
Caroline Payne	Emery Planning

### FOR THE LOCAL PLANNING AUTHORITY:

Erika Eden-Porter	Head of Strategic Housing and Planning
Stephen Kilmartin	Principal Planning and Urban Design Officer
Yvonne Smallwood	Planning Policy Officer