

Ribble Valley Borough Council; Core Strategy
Publication of Proposed Main Modifications to Submitted Core Strategy
Representations Submitted by Janet Dixon Town Planners Ltd

Introduction

These representations are made further to the Council's consultation, which commenced in late May 2014 and closes on Monday 7 July 2014. The representations relate solely to the proposed main modifications, the Sustainability Appraisal (SA) Addendum and the additional published papers.

Core Strategy - Tracked changes version (post 5.14)

One of the 'additional published papers' is titled as above. It should be an essential document to all those seeking to understand the context and, thus, effect of the proposed main modifications. It seemingly purports to be an 'update' of the submitted Core Strategy (and previous modifications), thereby showing all of the currently proposed main modifications by blue highlight.

Unfortunately, the document available for consultation on the internet (listed as Item 3) patently fails to do what one can reasonably assume it is intended to do. Some of the main modifications have been included. Examples of included modifications are given below in relation to Key Statement DS1:

Development Strategy:

- MM2 – page 39;
- MM3 – page 39; and
- MM6 – page 39.

However, and very significantly, other modifications have not been included.

Examples of excluded modifications are given below in relation to Key

Statement DS1: Development Strategy:

- MM4 – page 39; and
- MM5 – page 39.

This is clearly shown to be the case by the extract from the Core Strategy - Tracked changes version (post 5.14), Key Statement DS1: Development Strategy (as below).

4.2 The proposed preferred option

KEY STATEMENT DS1: DEVELOPMENT STRATEGY

The majority of new housing development will be concentrated within an identified strategic site located to the south of Clitheroe towards the A59 and the main urban areas of the borough the principle settlements of Clitheroe, Longridge and Whalley. Strategic employment opportunities will be promoted through the development of the Barrow Enterprise Site as a main location for employment, and the Salmonsbury Enterprise Zone. New retail and leisure development will be directed toward the centres of Clitheroe, Longridge and Whalley.

In addition to the identified strategic site at Standen and the borough's principle settlements, development will be allocated to defined settlements listed in this policy. In general, the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area. Specific allocations will be made through the preparation of a separate allocations DPD.

The defined settlements are:

Barrow	Downham	Mellor Brook	Sawley
Billington	Dunsop Bridge	Newton	Slaidburn
Bolton by Bowland	Gisburn	Ossaldeston	Tosside
Brookhall	Grimdleton	Pendleton	Waddington
Calderstones	Holden	Read & Simonstone	West Bradford
Chatburn	Hurst Green	Ribchester	Wipshire
Chipping	Langho	Rimington	Wiswell
Copster Green	Mellor	Sabden	Worston

In allocating development, the Council will have regard to the AONB, Green Belt and similar designations when establishing the scale, extent and form of development to be allocated under this policy. The relevant constraints are set out as part of the strategic framework included in this plan.

Development that has recognised regeneration benefits, is for identified local needs or satisfies neighbourhood planning legislation, will be considered in all the borough's settlements, including small-scale development in the smaller settlements that are appropriate for consolidation and expansion or rounding-off of the built up area.

Through this strategy, development opportunities will be created for economic, social and environmental economic well-being and development for future generations.

Core Strategy Reg 22 with proposed post Rg22 changes Composite .doc

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This extract confusingly includes a list of 32 defined settlements, which is very clearly in conflict with the tier 1 and 2 settlements listed in the main modifications table.

Our review of the remainder of the tracked changes document seems to indicate that few of the other main modifications have been included in the tracked changes document. Very significantly, these errors relate to housing numbers, eg contradictory settlement housing numbers are shown at paragraph 4.11 and the housing provision levels under Key Statement H1: Housing Provision are, likewise, in conflict with those referred to in the table of main modifications (ie the tracked changes version refers to housing delivery over the plan period of 5,000 dwellings and a target annual rate of 250 dwellings).

In our judgement, these errors (or at best confusion about what document 3 is intended to do) are so fundamental that the consultation can only be regarded as wholly flawed and misleading. The Council's response may be that the tracked changes document is provided for information only and the schedule of main modifications is the document that should be referred to by those formulating any response. That would be an inadequate response.

Alternatively, the Council may claim that the document is simply a record of previously published main modifications. If so, that is far from clear to the reader. The Council's consultation web page explicitly says that 'Item 3 (*ie the tracked changes document*) is provided to help cross reference the modifications laid out in item 1' (*ie the main modifications table*). So, any viewer / reader should, with confidence, be able to read (and then comment upon) the tracked changes document in the belief that this is the document that the Council is now putting forward, without having to refer to the main modifications table. That may not have been the intention, but it is certainly the impression given.

We conclude that the consultation process is so flawed that it should be re-run and all comments from the consultation ending in July 2014 should be disregarded. This is to ensure that all those making representations are doing so on the basis of a clear understanding of the Council's present intentions. We have no doubt that, to do otherwise, would expose the Core Strategy to subsequent legal challenge. We, therefore, submit to the Council that it should re-run the consultation process. If it does not do so, we would invite the Inspector to advise the Council that the consultation process was flawed and must be re-run before he considers the modifications and representations any further.

Development Strategy - defining the more sustainable settlements and patterns of housing development

This document is provided by the Council as an evidence base to assist in addressing the concerns raised by the Inspector following his examination, with the intention of developing a more refined settlement strategy that focuses development on the more sustainable settlements. It examines the

sustainability attributes of the settlements and the constraints / capacity for growth.

Facilities and services (non-transport related)

Table 1 seeks to identify those settlements that have various services available within the settlement.

It would appear that the information is incomplete. For instance, whilst village halls / community centres are listed, Note 3 to Table 1 confirms that Church Halls have not been listed. No reason is given and, in our judgment, there can be no reasonable justification for such an omission. Church Halls are commonly used in exactly the same way as village / community centres, and can be a significant facility to the local community they serve. They provide community facilities such as toddlers / childrens' playgroups, exercise / sports / recreational sessions, along with a range of other classes and functions such as polling stations.

In counting the number of facilities in Table 6 it appears that if there are two facilities of the same kind, eg Read and Simonstone have two primary schools, this counts as one facility. This contrasts with the approach where a settlement has a primary school and a nursery, as this is counted as two facilities, eg at Ribchester. This uneven approach doesn't reflect the level of provision accurately.

The above clearly shows that the evidence / information upon which the selection of tier 1 and tier settlements is made is incomplete / inaccurate and, thus, unreliable. As such, the outcome of the assessment cannot be relied upon. That is, the Core Strategy proposals are not properly justified.

Transport related services

Table 3 seeks to identify the range / frequency of transport services that the settlements have.

The information for bus services has excluded the bus services X80, 180 and 280 from several villages. These are significant services and provide connectivity from many settlements to key services centres and employment. The services stop in Billington, Copster Green, Osbaldeston and close to Sawley. The bus stop at Sawley is on the junction of Sawley Road with the A59 and is easily accessible to the village on foot. The settlements these services serve should have been included accurately.

Examples of inaccuracies in Table 3 noted include:

- Billington – bus services 180 and 280, running approximately every hour Mondays to Saturdays from Preston to Clitheroe to Skipton;
- Copster Green – bus services 180 and 280 (as above); service 35, running from Blackburn to Chipping via Longridge on a twice hourly basis Mondays to Saturdays and service 25, running twice hourly Mondays to Saturdays from Clitheroe to Blackburn via Whalley;
- Sawley – bus services X80 and 180 (as 180 and 280 above) at ‘Smithies Bridge’, the junction turn off from the A59 to Sawley, near Browgate; and
- Osbaldeston – bus services 180 and 280 (as above); service 15, running from Mellor Brook to Blackburn every hour Mondays to Saturdays.

This clearly shows that the evidence / information upon which the selection of tier 1 and tier settlements is made is incomplete, inaccurate and, thus, unreliable. As such, the outcome of the assessment cannot be relied upon. That is, the Core Strategy proposals are not properly justified. Indeed, the additional information we have provided demonstrates that there are a number of other settlements (including Billington, Copster Green, Sawley and Osbaldeston) along the ‘A59 transport corridor’ that are equally as accessible as other settlements identified to be within ‘Tier 1’.

Number of Businesses within defined settlements

The chart at page 15 seeks to show the number of businesses associated with each settlement. By its own admission, the table only shows the number of businesses and not the level of employment available. As such, it is of limited value. Its value is even further diminished by reason that only businesses within the settlement boundaries are included. The settlement boundaries are (presumably) drawn from the adopted Local Plan. This Local Plan is now very out of date, adopted in 1998, and the settlement boundaries were tightly drawn around the settlements. The inadequacies of this approach is clearly shown by reference to Osbaldeston. Only 1 business is listed to be within the settlement. Presumably, this is either the Bay Horse Inn or the Maserati sales centre (both within the settlement boundary). So, the figure should be at least 2. In addition, there is a convenience store and petrol sales garage and a primary school immediately adjacent to the settlement boundary, all providing employment opportunities. Furthermore, there are a range of local employment opportunities, including those at nearby Fairfield Farm Business Park (approximately 0.4km to the north east), the Hawkshaw Business Park (a further 0.2km to the east), and the major employment site of BAE Systems Samlesbury (approximately 1.25km to the north east, which forms part of the recently designated Lancashire Enterprise Zone and where the Core Strategy promotes strategic employment opportunities).

Other inaccuracies in the Council's data / the inadequacies of the approach adopted include:

- Sawley – has two businesses within the defined settlement (The Spread Eagle and Riverside Home for the Elderly), rather than the one listed by the Council. Also, Bowland High School provides employment opportunities near (0.85km) to the settlement boundary; and
- Chatburn – Shackelton's Garden Centre / Homeware Shop and Café is outside of the settlement boundary, but provides considerable employment opportunities near (0.2km) to the settlement boundary.

It is also noted that the types of businesses listed under this section seem very arbitrary. Holiday cottages are included which may at most employ a part-time cleaner, whereas residential care homes (which employ high numbers of staff often drawn from the local community) and schools (which employ several people, other than teachers, often drawn from the local community such as welfare staff and cleaners) are not included. The village of Sawley and Chatburn from our local knowledge both have residential care homes. Sawley and Grindleton are both close to Bowland High School. It is not clear how the information that has been used is scored.

These examples, again, clearly show that the evidence / information upon which the selection of tier 1 and tier 2 settlements is made is incomplete, inaccurate and, thus, unreliable. As such, the outcome of the assessment cannot be relied upon and the Core Strategy definition of tier 1 and 2 settlements is not justified.

What does the information show?

Table 6 gives the accessibility score to seven destinations although the destinations are not listed (by contrast Table 4 lists links to nine centres), thus the foundation for the assessment is unclear.

In the table we have provided below, we summarise the scores given to each settlement by the Council. The accessibility to key services centres scores have been amended for Billington, Copster Green, Osbaldeston and Sawley to take account of the additional services we have detailed above, but not accounted for by the Council. These amended scores are shown in (brackets).

Settlement	Number of services in settlement	Accessibility by bus to KSC's	Services + Access to KSC's	A	Access to employment by bus	Services + access to KSC and access to employment by bus	B
Barrow	4	3	7	1	3	10	1
Billington	5	3 (5)	8 (10)	1	3 (5)	11 (15)	1
Bolton – by - B	5	0	5		0	5	

Brockhall	2	3	5		0	5	
Calderstones	0	3	3		1	4	
Chatburn	6	6	12	1	4	16	1
Chipping	6	3	9	*	2	11	*
Copster Green	0	1 (5)	1 (5)		0 (4)	1 (9)	*
Downham	4	2	6		2	8	
Dunsop Bridge	4	1	5		0	5	
Gisburn	3	5	8	1	4	12	1
Grindleton	4	1	5		1	6	
Holden	0	0	0		0	0	
Hurst Green	4	1	5		1	6	
Langho	7	4	11	1	4	15	1
Mellor	8	2	10	1	1	11	1
Mellor Brook	3	4	7	1	3	10	1
Newton	2	1	3		0	3	
Osbaldeston	3	1 (5)	4 (8)	*	0 (4)	4 (12)	*
Pendleton	2	0	2		0	2	
Read and Simonstone	6	3	9	1	3	12	1
Ribchester	6	3	9	*	3	12	*
Rimington	2	0	2		0	2	
Sabden	7	3	10	*	3	13	*
Sawley	3	1 (5)	1 (8)	*	1 (4)	5 (12)	*
Slaidburn	6	0	6		0	6	
Tosside	2	0	2		0	2	
Waddington	3	1	4		1	5	
West Bradford	3	1	4		1	5	
Wilpshire	5	3	8	1	1	9	1
Wiswell	1	0	1		0	1	
Worston	1	0	1		0	1	

The above table shows that the lowest score given by the Council for those settlements classed by the Council as tier 1, for the number of services plus accessibility by bus to Key Service Centre's, is 7 for Barrow and Mellor.

Column A identifies all the tier 1 settlements, as defined by the Council, by a 1. Settlements marked with an * in column A are those additional settlements which have a score of 7 or above based upon the amended information we have provided.

Similarly, the table shows that the lowest score given by the Council for those settlements classed by the Council as tier 1, for the number of services, access to Key Service Centres's and access to employment when added together is 9 for Wilpshire. Column B identifies all the tier 1 settlements, as defined by the Council, by a 1. Settlements marked with an * in column B are

those additional settlements which have a score of 9 or above based upon the amended information we have provided.

This analysis raises two questions.

1. Based on the calculations carried out by Council, why are settlements which appear to have good service provision / transport links, eg Sabden 13, Ribchester 12 and Chipping 11, not included in tier 1 settlements?

and

2. If the bus services links had been correctly attributed to Copster Green, Osbaldeston and Sawley should they not have achieved tier 1 status, given the resultant scores?

To conclude, at best the Council's assessment process appears unreliable. Alternatively, other factors are being taken into account to determine whether a settlement is sustainable listed under constraints and capacity for growth. The rationale behind this is not explained nor is the scoring system explicit. The reader is unable to understand how the conclusions have been arrived at. The process arrived at in determining the settlement hierarchy policy should be sound, accurate and transparent. Unfortunately, that is not the case in this instance.

Our Conclusions

The analysis of information leading to the separation between tier 1 and tier 2 settlements as well being unclear and inaccurate in its methodology produces a document which is (see Council's document, page 17) "broad brush given the timeframe available but it is a helpful starting point". This is an inadequate, unjustified and unsound approach to the formulation of a development Strategy. This is the basis for a Core Strategy policy document that will be 'set in stone' and be used for many years to come. Indeed, the Council is already using the policy document in determining current planning application prior to the completion of the consultation period and examination by the Inspector.

As is evident from the Council's evidence, Sabden is well served by facilities and transport links. Indeed, it is one of the largest of the 32 settlements. It is identified in Table 2 as being wholly within the AONB. Whilst that is the case, we consider that it is too blunt an instrument for the Council to conclude that Sabden has no capacity for growth (if that, indeed, is the Council's position). Indeed, AONB policy (unlike Green Belt policy) is not intended to prevent development. Rather, the policy is to ensure that development is in character. There are a number of sites within and immediately adjoining the settlement that have the potential for residential development without any adverse impact upon the character and appearance of the AONB. Accordingly, we consider that the main modification to Core Strategy Key Statement DS1 has not been justified on the basis of reliable evidence. We submit that Sabden should be identified as a 'Tier 1' settlement, to accommodate growth.

Based upon the sustainability thresholds that appear to have been used by the Council to define some of the tier 1 settlements and having regard to the correct information we have provided above on accessibility, services etc we conclude that the following settlements should also be classed as tier 1 settlements – Osbaldeston, Billington, Copster Green and sawley.

The adopted Local Plan refers to Wilpshire / Salesbury as a single settlement. We consider that to be the correct approach as the two settlements contiguous and to all appearances are one settlement and function as one. Accordingly, and for clarity, the listing of Wilpshire within Core Strategy Key Statement DS1 should be amended to Wilpshire / Salesbury.

To conclude, the assessment cannot be regarded as robust and should not be accepted as the basis for determining the 'tier 1' settlements. That is, the basis for the subsequent main modifications to the settlement hierarchy is not justified. Our view is that the assessment should be carried out again based on reliable information. In the alternative, and for the reasons set out above, we submit that a number of other settlements should (for the reasons set out above) be included within 'Tier 1', including Osbaldeston, Sabden, Billington, Copster Green and Sawley. In addition, we submit that the inclusion of

Wilpshire in the 'Tier 1' list of settlements should be amended to 'Wilpshire / Salesbury', as the two settlements are contiguous and function / appear as one. A re-apportionment of the residual housing requirement would be necessary as a result of the inclusion of these additional settlements.

Technical Note 2 – The Longridge Adjustment

It is noted that the 200 dwelling 'Longridge adjustment' has been re-apportioned as indicted would be required by the Inspector in his 31 January 2014 letter. However, the information upon which the 200 figure is based is no longer accurate. Further to the appeal decision cited in the appendix to the technical note, a planning application has been made for a development of 220 dwellings (Preston CC reference 06/2013/0785) at the same site. The application was granted planning permission in April 2014.

In addition, on an adjoining site (also within Preston CC's administrative area), to the south of Whittingham Lane, an appeal has been allowed for 81 dwellings (PINS reference APP/N2345/A/13/2200445).

The effect of the two planning permissions is that 301 dwellings are to be built within Preston CC's administrative area but adjoining Longridge. Accordingly, if the principle of a Longridge adjustment to the Core Strategy housing provision figures is to be accepted, to be correct the adjustment figure should be 300 and not 200. The use of inaccurate and out of date information results in the housing provision figures as now set out through the main modification to Key Statement DS1 being unreliable and not justified.

Main Modifications

We submit representations in relation to the following Main Modifications:

- MM4 – Key Statement DS1 – for the reasons set out above the list of Tier 1 villages has not been adequately justified as the evidence base is unreliable. Other settlements, including Osbaldeston and Sabden, should be included as Tier 1 settlements (and removed from the list of Tier 2 settlements) as their sustainability credentials are equivalent to the other Tier 1 listed settlements and, in the case of Sabden, its

inclusion within AONB is not a justifiable reason for exclusion from the list of Tier 1 settlements. The supporting text to DS1 should include a statement / make it clear that the housing figures, and their distribution by settlement as detailed in Appendix 2, are a minimum target to be achieved and not a cap on housing provision within each of the settlements. In particular, the text should refer to any development proposals for additional housing delivery in any settlement would be considered in the context of the NPPF, Key Statement DS2 and the over-riding presumption in favour of sustainable development;

- MM4 – Key Statement DS1 and MM8 – Residual dwelling numbers update - for the reasons set out above in relation to the Longridge adjustment, the housing figures attributed to the various settlements is incorrect and not adequately justified on the basis of up to date information;
- MM10 – Key Statement EC1 – it is not sufficient to state that the policy statement is to be updated. The intended wording should be provided so that the effect of any modification can be assessed and commented upon;
- MM12 – Key Statement H1 – we support the update of the annual housing requirement to 280 dwellings, as that is the figure indicated by the evidence from an objective assessment of the Borough's housing needs;
- MM12 – Key Statement H1 – the NPPF (paragraph 157) states that “crucially, Local Plans should” do a number of things, including “be drawn up over an appropriate time scale, preferably a 15-year time horizon” and “take account of longer term requirements”. The plan period provided for is 2008 to 2028. That is a period of 14 years from now. The period will inevitably be less from any date of adoption. There is no justification for the Core Strategy providing for development over a shorter period than 15 years. As such, the Plan cannot be regarded as sound;
- MM16 and MM17 – Appendix 2 – we support the update of the annual housing requirement to 280 dwellings, as that is the figure indicated by

the evidence from an objective assessment of the Borough's housing needs (see MM12 above). However, the plan period should extend to not less than 15 years from adoption. It will fail to do so as it falls short of that period. Accordingly, the total housing provision figures for the plan and each of the settlements should be amended (ie they would be proportionally greater, by the extended plan period);

- MM18 – Definition of Settlement – the modified text is versed in absolute terms. That is “Settlements smaller than this limit will not be given settlement boundaries as they are not considered to be large enough or to contain enough facilities to allow for growth beyond that delivering regeneration benefits or local needs housing”. It may be justifiable not to expect the future definition of settlement boundaries. However, it is inappropriate and unjustified to go on to make a statement about restrictions on future development. Rather, the text should be amended to make it clear that any development proposals in such settlements would be considered in the context of the NPPF, Key Statement DS2 and the over-riding presumption in favour of sustainable development;
- MM21 – Key Statement DS1 – please refer to comments above in relation to MM4;
- MM24 – Key Diagram – for the reasons set out above, in relation to MM4, the Tier 1 settlements identified on the Key Diagram should be amended to also include the settlements referred to in our representations further to MM4;
- MM25 – Key Statement DS1 - please refer to comments above in relation to MM4;
- MM26 / MM 27 / MM35 – After para 1.4 - we note the reference in the last paragraph to a review of the housing requirement within five years of the date of adoption. We object to such ‘short-termism’. We consider that the Core Startegy should plan for the long-term. Indeed, NPPF paragraph 157 expects Local Plans “to be drawn up over an appropriate time scale, preferably a 15-year time horizon”. To build in an early review is unjustified, inappropriate, not in accord with national

policy and would create uncertainty for communities, developers, those deciding planning applications and those involved in the phasing and delivery of necessary infrastructure. The last two sentences of the modification should be deleted.

We consider that the main modifications proposed would not make an unsound plan (as regarded by the Inspector) a sound plan. It remains unsound for the reasons given above. In particular, the main modifications are based on unreliable, inaccurate and out of date evidence, which does not adequately justify the main modifications now proposed to the settlement hierarchy.

Conclusion

For the reasons given above, in relation to the misleading nature of the tracked changes document, we submit to the Council that it should re-run the consultation process. If it does not do so, we would invite the Inspector to advise the Council that the consultation process was flawed and must be re-run before he considers the modifications and representations any further.

For the reasons given above, the assessment methodology / information used by the Council in determining the 'tier 1' settlements cannot be regarded as robust and should not be accepted as the basis for. That is, the basis for the subsequent main modifications to the settlement hierarchy is not justified. Our view is that the assessment should be carried out again based on reliable information. In the alternative, we submit that a number of other settlements should be included within 'Tier 1', including Osbaldeston, Sabden, Billington, Copster Green and Sawley. In addition, we submit that the inclusion of Wilpshire in the 'Tier 1' list of settlements should be amended to 'Wilpshire / Salesbury', as the two settlements are contiguous and function / appear as one.

The use of inaccurate and out of date information relating to the 'Longridge adjustment' results in the housing provision figures as now set out through the main modification to Key Statement DS1 being unreliable and not justified.

Our detailed comments on the main modifications are set out in the previous section. In summary, we consider that the main modifications proposed would not make an unsound plan (as regarded by the Inspector) a sound plan. It remains unsound for the reasons given above. In particular, the main modifications are based on unreliable, inaccurate and out of date evidence, which does not adequately justify the main modifications now proposed to the settlement hierarchy.

The Council is invited to reconsider its proposals for the Plan. If not, the Inspector is invited to find the Plan unjustified and unsound.

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