

2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

01772 369 669
info@pwaplanning.co.uk
www.pwaplanning.co.uk

STATEMENT OF COMMON GROUND

Appeal reference : APP/T2350/W/19/3242364

Date of Hearing : 17th March 2020

Address : Higher College Farm, Blackburn Road, Longridge, Preston PR3 2YY

Proposal : Residential development up to 21 dwellings - Outline

Appellant : Mr Mark Hurst

LPA : Ribble Valley Borough Council

CONTENTS

1 INTRODUCTION _____ **2**

2 AGREED MATTERS _____ **3**

3 MATTERS OF DISPUTE _____ **4**

4 CONDITIONS _____ **5**

5 PLANNING OBLIGATIONS _____ **6**

6 SIGNATURES _____ **7**

APPENDICES

- 1) Copy of Decision Notice;
- 2) Copy of the Council’s Officer’s Report.

1 INTRODUCTION

1.1 Mr Mark Hurst (the appellant) has appealed against the refusal by Ribble Valley Borough Council, of an outline planning application (application reference 3/3/2018/1105) for up to 21 dwellings with all matters reserved save for access at Higher College Farm, Blackburn Road, Longridge, PR3 2YY.

1.2 The proposed development is described in the decision notice and associated application documentation as:

'Application for outline planning permission for 21 dwellings and associated works.'

1.3 This Statement of Common Ground (SoCG) has been prepared by PWA Planning on behalf of the appellant and agreed with Ribble Valley Borough Council. It has been prepared in accordance with the Procedural Guide "Planning appeals – England" (August 2019) in particular Annex S.

2 COMMON GROUND

- 2.1 The application subject of the appeal was received by Ribble Valley Borough Council as a valid application on 3rd December 2018 and was determined by decision notice dated 3rd June 2019. A copy of the Decision Notice and Officer's Report is included in **Appendix 1 and 2** respectively.
- 2.2 Save for those areas explicitly referred to within the "uncommon ground" at Section 3 of this statement, it is agreed that the officer's report provides an accurate assessment of relevant matters and as such the following sections of the report are common ground: -
- a) "Relevant planning history";
 - b) "Proposed Development for which consent is sought", which includes a description of the site and the area as well as a description of the proposed development;
 - c) The local planning authority is able to demonstrate a five-year supply of housing land.
 - d) The appeal site is allocated for employment use in the Housing and Economic Development DPD (adopted 15 October 2019).
- 2.3 The Council do not intend to provide a defence in relation to Refusal Reason 2 insofar as it relates to the overarching development strategy as set out at Key Statement DS1. However, the Council do intend to defend Refusal Reason 2 on the basis that the proposed development would be contrary to Policies DMG2 and DMH3 of the Core Strategy to the degree that it has not been adequately demonstrated that the proposal is for that of local needs housing that meets a current identified and evidenced outstanding need, as per the uncommon ground / matters to dispute section 3 of this document.

3 UNCOMMON GROUND / MATTERS OF DISPUTE

3.1 The following matters are not agreed and are therefore in dispute in this appeal:-

- a) Principle of proposed development and compliance with relevant development plan policies, particularly those related to employment land supply;**
- b) Whether the proposal would lead to the loss of land with employment generating potential without sufficient justification;**
- c) Whether the loss of employment land would be detrimental to the economic and social wellbeing of the area;**
- d) Whether the appeal site is correctly identified to be within the open countryside and if so whether residential development of the site would be contrary to Policies DMG2 and DMH3 of the Core Strategy;**
- e) Whether proposed residential development would give rise to landscape and visual harm and result in a discordant form of development;**
- f) Whether the proposed development would have negative effects on the potential future development of the adjacent employment site by virtue of the introduction of noise sensitive development and whether such matters can be adequately addressed by planning conditions;**
- g) Whether there is a continued imperative to grant consent for residential development in Longridge to meet housing needs.**

4 CONDITIONS

4.1 LPA standard conditions to be included (LPA to complete)

4.2 Additional noise condition (to be suggested by the appellant's noise consultant) to ensure adequate protection to existing and future occupants and to ensure that the employment site is not affected

5 PLANNING OBLIGATION

5.1 A draft planning obligation will be drafted in co-operation with the LPA to address the following matters :-

- Affordable housing provision;
- Over 55's housing;
- Education contributions (as necessary);
- Leisure provision (off site).

6 SIGNATURES

On behalf of the Appellant

Name Rachael Leather

Signature R. Leather

Date 26/02/2020

On behalf of the Council

Name A. Birkett

Signature A. Birkett

Date 28.02.2020

APPENDIX 1: DECISION NOTICE

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

APPLICATION NO: 3/2018/1105

DECISION DATE: 3 June 2019

DATE RECEIVED: 03/12/2018

APPLICANT:

Mr M Hurst

C/o Agent

AGENT:

Mrs R Leather

PWA Planning

2 Lockside Office Park

Lockside Road

Preston

PR2 2YS

DEVELOPMENT PROPOSED: Application for Outline planning permission for 21 dwellings and associated works.

AT: Higher College Farm Lower Road Longridge PR3 2YY

Ribble Valley Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission **has been refused** for the carrying out of the above development for the following reason(s):

- 1 The proposal would lead to a loss of land with employment generating potential, allocated for employment use in Policy EAL of the emerging Housing and Employment Development DPD, without sufficient justification which would be detrimental to the economic and social wellbeing of the area contrary to Policy DMB1 of the Core Strategy which seeks to safeguard employment opportunities and support the local economy and paragraph 15 of the Framework which states that the planning system should be genuinely plan-led.
- 2 The proposal is considered contrary to Key Statements DS1, DS2 and policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new dwellings in the defined open countryside without sufficient justification which would cause harm to the development strategy for the borough.
- 3 It is considered that the approval of the application would lead to the creation of an anomalous, discordant and incongruous patterns and form of development that is poorly related to existing built form and the existing settlement boundary by virtue of an unacceptable degree of visual separation. As such, it is considered that the proposals would be of significant detriment to the character, appearance and visual amenities of the area contrary to policies DMG1 and DMG2 of the Ribble Valley Core Strategy.
P.T.O.

RIBBLE VALLEY BOROUGH COUNCIL
REFUSAL OF PLANNING PERMISSION CONTINUED

APPLICATION NO: 3/2018/1105

DECISION DATE: 3 June 2019

- 4 The applicant has failed to demonstrate whether the proposed development would provide satisfactory living conditions for future occupants, in terms of noise and disturbance. Therefore it would be contrary to Policy DMG1 of the Core Strategy and the Framework, which seeks at paragraph 128 to create places with a high standard of amenity for existing and future users, to avoid noise giving rise to significant adverse impacts on health and the quality of life at paragraph 180 and to ensure that new development can be integrated effectively with existing businesses and community facilities at paragraph 182.

Note(s)

- 1 For rights of appeal in respect of any reason(s) attached to the decision see the attached notes.
- 2 The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. The proposal does not comprise sustainable development and there were no amendments to the scheme, or conditions that could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

APPENDIX 2: OFFICER'S REPORT

Report to be read in conjunction with the Decision Notice.

Application Ref: 3/2018/1105
Date Inspected: 16/01/2019
Officer: AB



**Ribble Valley
Borough Council**

www.ribblevalley.gov.uk

DELEGATED ITEM FILE REPORT:

Development Description: Outline planning permission for 21 dwellings and associated works

Site Address/Location: Higher College Farm, Lower Road, Longridge PR3 2YY

CONSULTATIONS: Parish/Town Council

Hothersall Parish Council

In November 2017, the recommendation from RVBC's Planning Officers was that the application for industrial development at Higher College Farm (3/2017/0602/P) was considered 'to be essential to the local economy'.

Now it seems this 'essential' change of use from agricultural to industrial land is no longer required. Instead, this most recent application calls for a change of use from agricultural, via industrial, to housing development.

The adjoining site had, on the same grounds, also been granted planning permission for industrial development. Despite this, no such development has happened. Will this too now lead to an application to re-designate its use? We understand that all applications must be dealt with independently but are aware of the power of precedent.

We were frequently assured by officers that the Employment Land Refresh 2013 required that this parcel of land be developed. The Alston & Hothersall councillor, Jim Rogerson, assured us that there was a desperate need among local businesses for new premises to aid the expansion of the local economy. In fact, he claimed to know of a business, ready to move in as soon as the site was available. Over a year later, none of this has come to pass.

It appears that the officers' predictions of need have not yet materialised. It may be that they do before the current planning permission expires. If not, Hothersall Parish Council would argue in favour of returning to the pre November 2017 status quo and retaining the parcel of land for agricultural use at Higher College Farm.

Ribchester Parish Council

No comments.

Longridge Town Council

Object to this application as the council feels that there is a need for industrial land and this land would serve Longridge better as industrial units.

CONSULTATIONS: Highways/Water Authority/Other Bodies

LCC Highways:

With respect to this application the County Surveyor raises no objections to the principal of the works.

There are however a number of concerns regarding the self-build elements of the development which would require some further information and some conditions relating to the timing of the works required to form the new access and associated infrastructure. It is noted that the plans showing the

expected entrance do not show the bus stop approximately opposite the new access that is to be formed. It is also expected that the new junction and access road are to be substantially completed prior to the commencement of any building works, as it is not expected that the plots will be sold and developed in a similar manor to a conventional housing development.

In order to ensure that the estate road and its junction are satisfactorily completed we would look for the new junction to be completed prior to any construction works being carried out and the entire estate road being complete to base level within 6 months of the commencement of construction works. This shall include the provision of a footway for the full perimeter of the turning head.

LCC Education:

Based upon the latest assessment, taking into account all approved applications LCC will not be seeking a contribution for Primary or Secondary school places.

However, as there are a number of applications that are pending a decision that could impact on this development should they be approved prior to a decision being made on this development the claim for school provision could increase up to maximum of 8 primary places and 3 secondary places.

Calculated at the current rates, this would result in a maximum claim of:

Primary places:

$(£12,257 \times 0.97) \times \text{BCIS All-in Tender Price } (318 / 240) \text{ (Q1-2018/Q4-2008)}$

= £15,753.31 per place

$£15,753.31 \times 8 \text{ places} = £126,026.48$

Secondary places:

$(£18,469 \times 0.97) \times \text{BCIS All-in Tender Price } (318 / 240) \text{ (Q1-2018/Q4-2008)}$

= £23,737.28 per place

$£23,737.28 \times 3 \text{ places} = £71,211.84$

Lead Local Flood Authority:

No objection subject to conditions.

CONSULTATIONS:

Additional Representations.

Letters from 4 separate addresses have been received in relation to this application. Three letters object to the proposals and raise the following concerns:

- Core Strategy Policy DMB1 'Supporting Business Growth and the Local Economy' is relevant to the consideration of the application and requires proposals for the 'redevelopment of sites with employment generating potential for alternative uses' to be assessed against five criteria. These criteria have not been assessed and no reference is made to Policy DMB1 in the planning statement submitted with the application.
- The application site is already included in the draft HED DPD as an employment land allocation for Class B1 to B8 uses in Policy EAL3. It is one of three proposed employment allocations in the HED DPD and the only one serving Longridge. The draft policy explains that it is required to meet identified employment land needs for Longridge.
- The applicant received outline planning permission following the submission of the HED DPD and has not made representations or given any other indication to the HED DPD Inspector, that he opposes the proposed Policy EAL3 employment allocation.
- The Council granted outline planning permission for the erection of employment development on the land immediately east of the application site. There is a clear risk that housing developed at such close proximity will prejudice the delivery of the committed employment

scheme by deterring investors and occupiers.

- The applicant has not submitted any technical evidence, such as a noise impact assessment and other indicators of potential nuisance, to demonstrate whether the proposed housing development will be compatible with the neighbouring committed employment scheme, as well as cumulative road traffic noise and noise from the existing industrial units to the south of the site.
- Planning Practice Guidance (023:57-023-201760728) explains that in order to comply with the duty to grant planning permission, a relevant authority has three years from the end of each base period in which to permission an equivalent number of plots of land that are suitable for self-build and custom house building, as there are entries (on the register) for the respective base period. On this basis, the planning statement (paragraph 6.37) is incorrect to state that the Council has until 30th October 2019 to grant 26 no. suitable planning permissions, as its duty at any point in time is determined by the level of interest added to the register in the corresponding base year period and any preceding base years.
- There is no prescribed method by which relevant authorities should increase the number of planning permissions that are suitable for self-build and custom house building to meet demand. The Wyre Local Plan Inspector's Report of 1st February 2019 concluded that the 'limited need for self-build housing taking account of evidence from the self-build register would be met through the plentiful supply of plots with permission for one or two dwellings'. This could similarly apply in Ribble Valley.
- The provision of self-build housing can only be given limited weight in the planning balance in this case. This is consistent with the view reached by the Inspector determining the recent appeal at Wiswell Brook Farm (APP/T2350/W/18/3210850) of 10th December 2018 (paragraph 24). It is noted that the Inspector also identified conflict with Core Strategy Policy DMH3 on the basis that self-build market housing does not meet an identified local need, and self-build development within the countryside conflicts with Key Statement DS1 and Policy DMG2 (paragraphs 7 to 10).
- The proposed development is in fundamental conflict with Policy DMB1 of the Core Strategy, to which full weight can be attached, as well as Policies DS1, DMG2 and DMH3 arising from its countryside location and Policy DMG1.
- The application does not meet the Council's targets for affordable and over 55s housing.
- No play area provided.
- Insufficient parking spaces.
- Sewers in the area are already at capacity.
- The site does not conform to the Longridge Neighbourhood Plan.
- The original application for industrial development was a stepping stone to residential.
- Cumulative impact of development on the highway network.
- Adverse impact to ecology.

One letter states that residential development of the site is preferable to industrial development.

RELEVANT POLICIES:

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement EN2 – Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement H1 – Housing Provision

Key Statement H2 – Housing Balance

Key Statement H3 – Affordable Housing

Key Statement EC1 – Business and Employment Development

Key Statement DMI1 – Planning Obligations

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees and Woodlands

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation
Policy DME6 – Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMH3 – Dwellings in the open countryside and the AONB
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMB4 – Open Space Provision

**Longridge Neighbourhood Plan
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)**

RELEVANT PLANNING HISTORY:

3/2017/0602 - Application for Outline planning permission for industrial units (use classes B1, B2, B8) and associated access, parking, landscaping and services infrastructure with all matters reserved except access. Change of use of farmhouse to office (B1). Approved with conditions.

3/2008/0268 - Rebuilding of existing outbuildings to form an extension to the existing dwelling. Approved with conditions.

3/2006/0195 - Closure of existing access to farmhouse and provision of new access road off existing access road off Lower Road. Approved.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Proposed Development for which consent is sought:

The application proposes to develop the site for up to 21 dwellings. This is an outline planning application with all matters reserved except for access. The site at Higher College Farm is located to the east of Longridge and extends to an area of approximately 1.5 hectares of agricultural land to the north of the former farmhouse of Higher College Farm. The site is bound to the north by a hedgerow fronting Blackburn Road. Along the western boundary of the site runs a hedgerow lined track providing access to Higher College Farmhouse. Higher College Farmhouse and its associated outbuildings are located to the south and beyond the farmhouse are a range of commercial buildings used for food processing, packaging and distribution, along with external parking and servicing areas. To the east is a roadway leading to the food processing businesses.

The site is generally flat and is presently used for pasture. The site was granted outline approval for the erection of industrial units (use classes B1, B2, B8) and conversion of Higher College Farmhouse to office use in December 2017. The application site is identified as employment land allocation EAL3 in Policy EAL of the emerging Housing and Employment Development (HED) DPD. The hearings into the HED DPD closed on 23 January 2019 and the Local Planning Authority is awaiting the Inspectors Report.

On land to the east of the site, referred to from hereon in as the 'Blackburn Road site', there is extant outline planning consent for a mixed employment development on approximately 2 hectares of agricultural land comprising up to 2,140 square meters of office (B1) and 6,045 square meters of industrial (B2) and storage (B8). Dilworth Lane residential development, comprising 195 dwellings, is presently under construction on the north side of Blackburn Road opposite the application site.

Existing site features include boundary trees and hedgerows. There is a public right of way (PROW) that runs adjacent to the site's eastern boundary.

The proposed access would comprise a junction with Blackburn Road located centrally at the frontage of the site. It is proposed that the development would provide the requisite offer of affordable and over-55s homes to accord with the policies contained in the Ribble Valley Core Strategy.

The proposal seeks to retain existing boundary hedging and trees. All detailed matters, such as the appearance, landscaping, layout and scale, would be reserved however the application is submitted with plans that are for illustrative purposes.

Observations/Consideration of Matters Raised/Conclusion:

Principle of Development

The development plan for the Borough is the Ribble Valley Core Strategy which was formally adopted in December 2014. Having regard to the October Housing Land Availability Survey (HLAS) (published 19 November 2018) this evidenced that the Council could demonstrate a 6.1 year supply of housing land with a 5% buffer. At the recent Henthorn Road appeal inquiry which ran from 8 May – 10 May 2019 the Council agreed that the five year housing land supply was 5.75 years with a 5% buffer. The use of a 5% buffer is supported by the recently published revised NPPF.

This is a view that is challenged in the applicant's planning statement where it is stated that the Council's "assertion that the housing delivery test has been complied with is fundamentally flawed". It is the applicant's view that the annual housing requirement figure against which delivery should be measured is the adjusted requirement, taking into account any accumulated shortfall. However, as stated in the HLA 5 Year Supply Statement (30 September 2018), the Council's approach and use of the unadjusted Core Strategy figure of 280 dwelling per year accords with the provisions of the Housing Delivery Test (HDT). Since the submission of this application, the HDT measurements 2018 were published on 19 February 2019 and demonstrate that housing requirements in Ribble Valley have been met and therefore a 5% buffer to ensure choice and competition in the market for land is appropriate. The relevant policies for the supply of housing contained in the adopted Core Strategy can be afforded full weight and the presumption in favour of sustainable development is not engaged.

The Development Strategy for the Borough is set out in Key Statement DS1 of the Core Strategy. Key Statement DS1 states that:-

'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 principal settlements of Clitheroe, Longridge and Whalley.'

Key Statement DS1 goes on to state that, *'In general the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area'*.

The provision of up to 21 dwellings at the application site would reflect the existing population size of Longridge and would not result in any quantifiable or measurable harm to the Development Strategy presented by Key Statement DS1 of the Core Strategy, particularly given that it seeks to focus the majority of new housing development to principal settlements.

In terms of housing delivery in Longridge, the applicant seeks to demonstrate that the proportion of the borough's housing requirement to be provided in Longridge, as indicated by table 4.12 of the Core Strategy, will not be achieved by the end of the plan period. According to the HLAS (November 2018), 318 dwellings have been completed in Longridge during the period April 2008 to September 2018. In order to achieve the indicative minimum requirement of 960 dwellings in Longridge, there would be a requirement for approximately 65-70 dwellings to be delivered in each remaining year of the plan. According to the Council's latest figures, average completions in Longridge during the last two years (March 2017-March 2019) have reached such figures. Moreover, having regard to the housing land supply in Longridge there remains permissions for residential development which go above the indicative housing requirement for the settlement. As such, whilst the NPPF seeks to boost the supply of homes, there is no overwhelming requirement to approve residential development in Longridge at this time although the provision of new housing (including affordable and over 55s housing) is identified as a benefit of the scheme.

The settlement boundaries for the Borough have been reviewed and are contained on the emerging Proposals Map that was formally submitted, alongside the Council's HED DPD, to the Secretary of State on 28 July 2017. The draft settlement boundaries which form part of the HED DPD were adopted for Development Management Purposes as of December 2016. Prior to this the settlement boundaries used for Development Management purposes pre-dated the Core Strategy and were part

of the District Wide Local Plan (Adopted June 1998). These settlement boundaries were not amended during consideration of the Core Strategy.

The emerging Proposals Map for the Borough has yet to be formally adopted by the Local Planning Authority. Whilst the hearings into the HED DPD (including Proposals Map) concluded week ending 25 January 2019 it may still be subject to change. The draft settlement boundary for Longridge therefore can only attract limited weight in the decision making process at this time.

The application site lies in an area defined as open countryside. Core Strategy Policy DMG2 (Strategic Considerations) states that:-

'Development should be in accordance with the Core Strategy development strategy and should support the spatial vision.

- 1. Development proposals in the principal settlements of Clitheroe, Longridge 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, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.*

Within the Tier 2 Villages and outside the defined settlement areas development must meet at least one of the following considerations:

- 1. The development should be essential to the local economy or social wellbeing of the area.*
- 2. The development is needed for the purposes of forestry or agriculture.*
- 3. The development is for local needs housing which meets an identified need and is secured as such.*
- 4. The development is for small scale tourism or recreational developments appropriate to a rural area.*
- 5. The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.*
- 6. The development is compatible with the enterprise zone designation.*

In order to satisfy policies DMG2 and DMH3 in principle residential development in the open countryside or AONB must meet an identified local housing need or one of the other criteria. If the criteria relating to local housing needs are not met the proposed development would fail the requirements of these policies. However, policies DMG2 and DMH3 of the Core Strategy should not be applied in isolation nor should those policies be interpreted in such a way that would entirely restrict development for all new open market dwellings in the open countryside.

It is noted that previous Inspector's decisions have interpreted the requirement embodied within Policy DMG2 to "*consolidate, expand or round-off development*" in the Principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 Villages to apply only to land within the settlement boundaries. However, further consideration must be given to the physical, functional and visual relationship between sites and the main built up areas of Principal and Tier 1 settlements. This is reflected in recent decisions that have sought to apply a more flexible approach. In this case, whether the site is physically and functionally well-related to the settlement of Longridge and would constitute consolidation, expansion or rounding-off is discussed below.

Having regard to the sustainability of the site in terms of access to services and facilities, the distance from the site to the main centre of Longridge would be around 1km. The main shopping centre of Longridge contains a range of facilities as recognised by its categorisation as a Principal Settlement in Core Strategy Key Statement DS1. Key Statement DM12 says that development should be located to 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 private car. This is echoed in Policy DMG3 of the Core Strategy which attaches considerable weight to pedestrian, cycle and reduced mobility accessibility and 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. Development should be located in areas which maintain and improve choice for

people to walk, cycle or catch public transport rather than drive between home and facilities which they need to use regularly.

The publication, 'Providing for Journeys of Foot' (IHT, 2000), suggests a preferred maximum walking distance of 800 metres to town centres. Deleted Planning Practice Guidance Note 13 Transport stated "walking offers the greatest potential to replace short car trips, particularly those under 2km". It is considered that the proximity of the site to Longridge would provide future occupants the choice of multiple methods of transport to reach service and facilities that would be required on a day-to-day basis including walking and cycling. It must be noted that the proposal includes the provision of a footway along the south side of Blackburn Road westwards towards the existing bus stop adjacent to Woodville Cottages. The walking distance to the bus stop from the site entrance would be approximately 200 metres with regular buses into Longridge throughout the working day. It is considered that future occupants would be able to travel by foot, bike or public transport to facilities within Longridge and as such the site's location is judged to be reasonably sustainable.

Impact on Visual Amenity and Landscape Character

The proposed density of the development is relatively low at around 14 dwellings per hectare (dph). The Framework requires planning policies and decisions to support development that makes efficient use of land. It is acknowledged however that there are a number of considerations to take into account when determining an appropriate site density including the desirability of maintaining the area's prevailing character and setting. In this case, due to the application site's location in the open countryside, a low density scheme would result in less visual harm than a high density development.

In terms of its location, the application site lies to the east of the settlement of Longridge on the south side of Blackburn Road. The site lies outside of, and detached from, the settlement boundary of Longridge as shown on the Districtwide Local Plan (DWLP) Proposals Map (adopted June 1998). The Longridge settlement boundary, as denoted on the emerging Proposals Map, has been extended to take in extant 'edge of settlement' housing commitments including Land at Dilworth Lane (195 dwellings), Land at Chapel Hill (52 dwellings), Land East of Chipping Lane (outline pp up to 363 dwellings) and Spout Farm (34 dwellings). Further amendments to the settlement boundary would be required to take account of residential planning consents at Higher Road (outline pp up to 122) and Land West of Preston Road, Longridge (256 dwellings).

Core Strategy Policy DMG2 states that "*Development proposals in the principal settlements of Clitheroe, Longridge 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, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement*". The emerging settlement boundary extends further east when compared with the DWLP Longridge boundary due to the inclusion of the Dilworth Lane housing development and infill residential development between Lower Lane and Dilworth Lane. As such, the physical separation between the application site and the emerging settlement boundary of Longridge has been somewhat reduced. Still, the site does not bound the draft settlement boundary, being separated from the easternmost extent of the Dilworth Lane housing development by Blackburn Road, and south of Blackburn Road there would be a visual separation of 150 metres between the development site and the Lower Lane and Dilworth Lane junction and 450 metres to the nearest development on the south side of Lower Lane.

In the statement submitted with the application it is said that "*the development represents a site that has a functional relationship with the Longridge settlement by virtue of its proximity, ease of access and its interaction with other development both within and outside the formal settlement boundary*". Approaching Longridge from the east, the shift from rural surroundings to an urban environment is felt most notably at the junction between Lower Lane and Dilworth Lane. From here, travelling towards the centre of Longridge along Dilworth Lane, there is soon to be residential development on both sides of the highway. It is thought that the application site would fail to "*consolidate, expand or round-off development so that it is closely related to the main built up areas*" as required by Policy DMG2 of the Core Strategy. Whether experienced from Blackburn Road or seen in long-distance views from the north, the proposed development would be visually and physically disconnected from the main built up area and would be observed as an anomalous incursion into the open countryside.

It is acknowledged that the site has an existing permission for employment and the proposed residential use would result in a reduction in the scale of built form. The applicant contends that the proposed development would therefore result in less visual harm than the already approved development. Whilst the visual and landscape impact of the proposals may be no greater than the permitted employment development, it is the benefits of the scheme against which any harm would be weighed that would change. There remains a requirement for additional employment land in the borough, and in particular to serve the settlement of Longridge. In approving the application for employment development at the site the planning officer acknowledged that visual harm would arise from the development of the land but concluded in the balance that the economic benefits would outweigh the negative harm. Conversely, whilst the NPPF seeks to boost the supply of homes, there is no overwhelming requirement to approve residential development in Longridge at this time and as such the balance exercise to be undertaken is not the same.

Core Strategy policies DMG1, EN2 and DMG2 all highlight the importance of good design and ensuring the protection and conservation of the visual appearance and character of the open countryside. It is deemed that the proposal would lead to a discordant, alien and incongruous pattern of development by virtue of its significant outward encroachment into the defined open countryside and failure to relate positively to the defined settlement boundary, existing built-form or the main built up area of the settlement of Longridge. Furthermore, the proposals would fail to meet the requirements of policies DMG2 and DMH3 as the development proposal would not meet an identified local housing need or one of the other criteria.

Loss of Employment Land

The Framework states that planning should genuinely be plan-led (paragraph 15). As acknowledged above, the application site is identified as employment land allocation EAL3 in Policy EAL of the HED DPD. The hearings into the HED DPD closed on 23 January 2019 and the Local Planning Authority is awaiting the Inspectors Report. Allocation of the site for employment purposes was put forward by the applicant at various stages of the plan-making process and the applicant's representations included a thorough assessment to justify the need for additional employment land in Longridge. There are unresolved objections to the proposed allocation of the application site for employment although the nature of the objections are not significant and the site has already been given permission to be developed for employment.

The Employment Land Review carried out on behalf of the Council in 2013, noted that the supply of employment buildings in Longridge is limited. The Review recommended that the Council should explore the feasibility of bringing forward new allocations in Longridge (including a site at College Farm). It was stated in the applicant's written representations for the Issues and Options 2016 Consultation that they were not aware of any constraints on the delivery of an employment development at the site or abnormal costs in preparing the site for an employment development. As such, the site was considered "available, achievable and deliverable for employment development".

Core Strategy Key Statement EC1 states that the Council will aim to allocate an additional 8 hectares of land for employment purposes in line with the supporting evidence base during the plan period 2008-2028. It should be noted that the employment land requirement of 8 hectares is not expressed as a maximum – it is the minimum requirement to meet the economic needs of the borough to the end of the plan period. The most recent position is that there remains a residual requirement for employment land across the borough of 2.41ha which the emerging Housing and Economic DPD makes provision for. The Council proposes to allocate 4ha of employment land (including the application site) which results in an overprovision against the identified requirement in the Core Strategy of 1.6ha to provide for a choice of sites and locations to accommodate economic growth.

Core Strategy Policy DMB1 states that for the development of a site with employment generating potential for alternative uses there is a requirement for an assessment of the economic and social impact caused by the loss of employment opportunities and for the site to have been marketed for business use for a minimum period of six months or information that demonstrates that the current use is not viable. The applicant has provided commentary from commercial property consultants Eckersley on the employment market in Longridge in order to assess the economic and social

impact caused by the proposed loss of employment land at Higher College Farm. In terms of the capacity of the market and demand it is acknowledged that reasonable demand exists in Longridge for new employment floor space. The commentary goes on to state however that it is very doubtful that demand would be sufficient to deliver the both the application site and the adjacent site (the Blackburn Road site) which has outline planning permission to provide circa 8,000 square meters of mixed use employment.

The commercial property consultants state that industrial and storage uses at the site should be disregarded as the site is unsuitable due to its proximity to residential development and for 'logistical reasons'. In terms of the sites viability for employment development, the consultant identifies a wider issue across the business space market and that, "given the sites location approximately 5 miles from the nearest motorway junction, market values are at the lower end of the new build range". Further concern is expressed in relation to the viability of the proposed conversion of the existing house, Higher College Farmhouse, to office use.

Whilst the information provided gives a brief overview of the existing employment market, it is considered to represent the opinion of a single property consultant without the support of sufficient market data or marketing. In terms of the site's location, the sustainability appraisal for the site undertaken during the plan-making process states that "the area is relatively well served by sustainable transport links".

Regarding the site's proximity to residential development, the effects of the use of the site for B1, B2 and B8 uses on residential amenity was considered in the determination of the planning application 3/2017/0602P. It was concluded that subject to appropriate planning conditions such uses would not result in any undue harm to the amenity of nearby residential occupants and it is not considered that the planning conditions imposed would be so restrictive so as to make the development significantly less attractive to potential occupiers.

Whilst the concerns relating to viability are noted they are not substantiated by a detailed viability assessment or evidence of marketing. Many of the concerns raised are not specific to the application site but are applicable across the wider market area of Central Lancashire. The brief assessment of the viability of the site is based on the approved employment development scheme without any consideration given to the prospect of alternative schemes coming forward which, for example, could propose a higher density scheme and/or could exclude Higher College Farmhouse, of which the conversion to office use is stated to be unviable due to the comparative market value of residential and office floor space.

The views of the commercial property consultant, Trevor Dawson, for the adjacent Blackburn Road site have been submitted to the Council in conjunction with an objection received from the neighbouring landowner. According to the submitted letter, the Blackburn Road site has been marketed since the beginning of the year and it is stated there has been strong interest from both developers and land occupiers with several offers received in excess of the asking price. It is said that sale of the land could have been completed had terms been agreed with both landowners. The letter concludes that the application site is needed to meet evident demand.

Taking account of all of the above, the Local Planning Authority is not satisfied that the information provided by the application robustly demonstrates that the land in question could not be developed for employment purposes. The applicant has failed to provide the appropriate evidence of marketing to demonstrate that the site is not viable for employment purposes and the proposals are considered contrary to Policy DMB1 of the Core Strategy, Policy EAL of the emerging HED DPD and paragraph 15 of the Framework which states that the planning system should be genuinely plan-led.

A significant number of people that live in the Ribble Valley out-commute on a daily basis for employment purposes and there is a need to provide jobs within the Borough that maximise the skills of the resident population to promote more sustainable travel patterns and to benefit the Borough's long-term economy. Development of the site, a proposed employment land allocation in the emerging HED DPD which is at an advanced stage of preparation, would result in harm to the economic and social wellbeing of the area and would lead to a failure to provide an appropriate

quantum of land for economic purposes in order to align employment opportunities relative to housing and to improve physical accessibility to jobs as travel to work statistics indicate that the use of the private car in the Borough is above regional and national levels. Taking into account the number of new homes permitted in the settlement of Longridge prior to and since the adoption of the Core Strategy in December 2014, it is important to ensure that the creation of new employment opportunities keeps pace with residential development and that a suitable area of employment land is safeguarded for the employment needs of Longridge and the Borough as a whole.

Residential amenity of existing and future residents

With the exception of Higher College Farmhouse, which is in the applicant's ownership, there are no residential properties in the immediate vicinity of the development site that would be negatively impacted by the development of the site for residential use. New homes have been built on the north side of Blackburn Road but there would be at a reasonable distance to avoid any undue impact on the light, outlook or privacy of the occupiers of those properties. Moreover, a sufficient gap of separation has been provided between Higher College Farmhouse and the proposed development to ensure that there would be no adverse effect on the amenities of the occupants of this residence.

The illustrative layout of the site is such that it would provide the necessary separation distances between dwellings, private amenity space and habitable room windows to ensure living standards for future occupants were acceptable in terms of light, outlook and privacy.

The potential impact on the proposed residential properties from passing traffic, the existing units and the proposed employment units have raised concerns over the development and thus the applicant has provided an Acoustic Report by M E Solutions. Identified existing sound levels in the area, at the front of the site, by the road, are above recommended sound levels. As such, additional mitigation measures would be required for these properties. To the rear of the site noise levels are below recommended levels with the exception of the night-time maximum sound level. The report recommends that standard double glazing would reduce internal sound levels enough to ensure that guideline internal sound levels are achieved and, in order to keep windows closed, additional ventilation must be made available for specific facades and plots. A 1.8 metre high acoustic fence would be required to the rear garden amenity areas of plots 1-14, 16-18 and 21.

Impact on adjacent land uses

The outline planning consent for industrial development on the Blackburn Road site imposes a conditional requirement that emitted noise levels should not exceed background noise levels when measured at the boundary of the nearest noise sensitive premises. The Acoustic Report by M E Solutions states that the aforementioned planning condition means that noise from the employment development would not exceed existing background sound levels and that any future reserved matters application relating to the Blackburn Road site would need to consider the residential premises proposed by this planning application, should it be granted. The Acoustic Report concludes that no further assessment is required.

However, the permission of 21 dwellings at the application site would result in the introduction of new noise sensitive receptors in close proximity to the Blackburn Road site boundary. The proposed development would therefore be the 'agent of change'. The applicant has failed to demonstrate that the proposals would not be detrimental to the desirability or delivery of the Blackburn Road site. It may, for example, place more stringent noise control requirements on the permitted employment premises resulting in the need for additional noise attenuation measures. Such restrictions could render the employment site unattractive to potential occupiers or the attenuation measures required could be so extensive as to render the site unviable or undeliverable. It is considered that a full assessment of unrestricted noise that would arise from the permitted business uses, and how it would impact upon potential future occupants of residential dwellings for which permission is herein sought, should be carried out so that the relationship between proposed uses can be thoroughly assessed.

Having regard to the above, the applicant has failed to demonstrate whether the proposed development would provide satisfactory living conditions for future occupants, in terms of noise and disturbance. Therefore it would be contrary to Policy DMG1 of the Core Strategy and the

Framework, which seeks at paragraph 128 to create places with a high standard of amenity for existing and future users, to avoid noise giving rise to significant adverse impacts on health and the quality of life at paragraph 180 and to ensure that new development can be integrated effectively with existing businesses and community facilities at paragraph 182.

Impact on ecology and trees

An ecological appraisal of the site has been undertaken. Plant species recorded at the site are all common in the local area and are considered of low ecological value. The habitat at the site is considered to be of low value to bats being predominantly open grassland. The appraisal considers there would be no significant degradation of foraging habitat as a result of the proposal so long as hedgerows and trees are retained or their loss is compensated for in any landscaping scheme. No indications of roosting or highly suitable roost sites were located within the trees. A separate Bat Survey has been completed and concludes the development would not impact adversely on the bat population but it is essential that the tree/hedge boundaries to the west and east of the site are maintained and foraging routes not broken. Birds are likely to utilise scrub on site for nesting between March and September.

The mitigation/recommendations section of the appraisal identifies measures to ensure suitable mitigation and compensation including the requirement that new planting should enhance structural diversity and light spill to the boundary should be minimised and new roosting provision be incorporated into the new buildings or erected on trees. In relation to birds, it is recommended that artificial bird nesting sites be provided.

According to the submitted plans, the proposals would require the removal of only a short length of hedgerow for the opening of the main entrance from Blackburn Road. All other existing trees and hedges would be retained in the development and new tree planting would be provided as part of a landscaping scheme.

Affordable Housing

The application proposes the erection of 21 dwellinghouses and therefore there is a requirement for the development to provide affordable housing in accordance with the Council's affordable housing policies contained the Core Strategy. Key Statement H3 of the Core Strategy requires 30% of dwellings to be affordable units. Providing for older people is a priority for the Council within the Housing Strategy and 15% of units would need to provide for older people in accordance with the Council definition of over 55s accommodation which includes accordance with the specifications and requirements of category 2 housing as defined in M4(2) of Approved Document M (volume 1 2015) of The Building Regulations 2015.

The development scheme proposes to provide the appropriate number of affordable (7 dwellings) and older person units (4 dwellings) to accord with the Council's affordable housing policies. The Local Planning Authority would require that a commitment to provide such provision be enshrined within the S.106 agreement for the site. The mix of rental, shared ownership and other tenure would be agreed through further negotiation and would be enshrined within a legal agreement.

Development Contributions

The proposal would place pressure on existing sports and open space infrastructure in the Borough. Contributions would be necessary to mitigate the impact of the development. Whilst the proposal would provide small areas of informal open space on-site there would remain a requirement for an off-site contribution towards recreational/leisure facilities in the locality which would be calculated based on the occupancy rate of the development.

The application and indicative plan also shows that on-site public open space would be provided in accordance with Core Strategy Policy DMB4 and should consent be granted, a condition would be attached requiring details of this to be included within the reserved matters application.

Lancashire County Council (education) have confirmed that at the time of writing an education contribution is not required in regards to this development. No financial contribution is sought in respect of primary or secondary school places.

Highway Safety

In relation to this planning application, the County Highways Surveyor raises no objections. It must be borne in mind that the site benefits from extant consent for employment use, the traffic generated from which was considered would not result in any harmful effect on highway safety.

The proposals include a new entrance into the site on the south side of Blackburn Road. 2 metre wide pedestrian footways would be provided from the site entrance in both directions along the south side of Blackburn Road (B6243). At the point the footway would terminate to the west a pedestrian refuse would be provided to enable pedestrians to safely cross the carriageway to the existing footway on the north side of Blackburn Road. From here pedestrians would be able to access Longridge.

When turning right out of the site entrance, towards Hothersall, the pedestrian footway would extend to the existing bus stop adjacent to Woodville Cottages from which bus services into Longridge town centre and beyond are available. The B6243 is also part of the Lancashire Cycleway northern loop and would provide cyclists access into Longridge.

The development also proposes off-site works to the Corporation Arms junction which were secured as part of the previous planning consent at the site for employment development. The works would include a kerb buildout, reflective bollards and new road markings to improve safety at the junction.

Other Matters Raised

The application site is located wholly in Flood Zone 1 and therefore the risk of flooding is low. Regarding the disposal of surface water it is proposed that it is discharged in a land drain which flows along the western boundary of the site at existing greenfield runoff rates. Flows would be attenuated through the use of geo-cellular storage tanks and/or a mixture of attenuation and SUDs structures such as oversized pipes, swales and permeable paving. United Utilities and the LLFA have raised no objections.

Conclusion

Having regard to all of the above, the Local Planning Authority is not satisfied that the information provided by the application robustly demonstrates that the land in question could not be developed for employment purposes. The applicant has failed to provide the appropriate evidence of marketing to demonstrate that the site is not viable for employment purposes and the proposals are considered contrary to Policy DMB1 of the Core Strategy. The sites development for residential development would be in direct conflict with the core planning principle of the Framework that planning should genuinely be plan-led (paragraph 15).

Approval of the development would lead to the creation of new dwellings in the defined open countryside without sufficient justification which would cause harm to the development strategy for the borough and would result in a discordant, alien and incongruous pattern of development by virtue of its significant outward encroachment into the defined open countryside and failure to relate positively to the defined settlement boundary. Furthermore, the applicant has failed to demonstrate that the proposed residential development could co-exist alongside the proposed employment development at the Blackburn Road site without future residents being subject to undue adverse noise and disturbance or placing unacceptable and/or prohibitive restrictions on the employment premises permitted on adjacent land.

It is for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal.

RECOMMENDATION: That planning consent be refused for the following reason(s)

- | | |
|----|---|
| 01 | The proposal would lead to a loss of land with employment generating potential, allocated for employment use in Policy EAL of the emerging Housing and Employment Development DPD, without sufficient justification which would be detrimental to the economic and social wellbeing of the area contrary to Policy DMB1 of the Core Strategy which seeks to safeguard employment opportunities and support the local economy and paragraph 15 of the Framework which states |
|----|---|

	that the planning system should be genuinely plan-led.
02	The proposal is considered contrary to Key Statements DS1, DS2 and policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new dwellings in the defined open countryside without sufficient justification which would cause harm to the development strategy for the borough.
03	It is considered that the approval of the application would lead to the creation of an anomalous, discordant and incongruous patterns and form of development that is poorly related to existing built form and the existing settlement boundary by virtue of an unacceptable degree of visual separation. As such, it is considered that the proposals would be of significant detriment to the character, appearance and visual amenities of the area contrary to policies DMG1 and DMG2 of the Ribble Valley Core Strategy.
04	The applicant has failed to demonstrate whether the proposed development would provide satisfactory living conditions for future occupants, in terms of noise and disturbance. Therefore it would be contrary to Policy DMG1 of the Core Strategy and the Framework, which seeks at paragraph 128 to create places with a high standard of amenity for existing and future users, to avoid noise giving rise to significant adverse impacts on health and the quality of life at paragraph 180 and to ensure that new development can be integrated effectively with existing businesses and community facilities at paragraph 182.

