

DAL ref No: DAL10/12
LPA ref No: 03/2011/0892
PINS ref No: APP/T2350/A/12/2181354

Executive Summary

Proof of Evidence of Jane Dickman

Planning Appeal Against the refusal of consent for residential development

Land off Milton Avenue
Clitheroe
Lancs.

On behalf of
The Huntroyde Estate

Dickman Associates Ltd

**P O Box 97
Bolton
Lancs.
BL1 9PT**

October 2012

CHARTERED TOWN PLANNER

Director: J Dickman BSc (Hons) DipTP MRTPI FRGS FRICS
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EXECUTIVE SUMMARY

- 1.0 The appeal site extends to 1.23ha or thereabouts of open land, shown edged red on the location plan included in this appeal and lies on the western side of Clitheroe town centre. There are existing residential developments to the north and south.
- 2.0 In October 2011 an application for new residential development of 50 dwellings was lodged with RVBC. (LPAno.3/2011/0892/P). This was recommended for approval in the officer's report to committee and after going to 3 committees May, June, July 2012 it was refused on highway safety grounds.
- 3.0 A Statement of Common Ground (SoCG) has been agreed with the LPA. The parties agreed that highway safety was the only matter in dispute and the LPA stand by all other matters in their report to committee.
- 4.0 Relevant planning policy includes the NPPF, the RSS for the NW, the adopted Ribble Valley Districtwide Local Plan (RVDLP) and the emerging Core Strategy. The weight attached to each of these documents ranges from full weight to NPPF, through limited weight to the emerging CS and the soon to be abolished RSS to little or no weight to the RVDLP which dates back to 1998.
- 5.0 Paragraph 14 of NPPF states that development proposals which accord with the development plan should be approved without delay and where the development plan is silent, absent or relevant policies are out of date permission should be granted unless any adverse impact of so doing would significantly or demonstrably outweigh the benefits when assessed against policies in NPPF as a whole or if NPPF indicates development should be restricted.
- 6.0 Paragraph 32 of NPPF states :
Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.0 Paragraph 47 of NPPF refers to boosting housing supply and how LPAs should achieve this. RVBC do not have a 5 year supply of housing as required by NPPF and have consistently failed to deliver sufficient housing.
- 8.0 The RVDLP is the adopted plan, even though very out of date, and the appeal site is shown as an unallocated site within the urban boundary of Clitheroe. Policy G2 supports development of such sites.

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- 9.0 Policy G1 – Development Control. This covers a wide range of development control matters. Given the SoCG that highway safety is the issue in dispute sections b) and d) of Policy G1 are the crux of this appeal.
- 10.0 The Core Strategy (CS) has been out for public consultation but is not as yet an adopted document. It does not deal with individual residential sites apart from a proposed strategic site for housing at Standen. RVBC also have not started their Site Allocations DPD which is 18-24 months from being started.
- 11.0 Policy G1 in the subsections referring to transport matters does not reflect current national policy and does not refer to the fact that there has to be shown to be ‘severe’ residual cumulative impacts of development in order to justify refusal. The proof of Alan Davies of dtpc provides the detailed transport case in support of the appeal.
- 12.0 The proposal complies with the relevant national and local policies.
- 13.0 Emma Kilduff of Bowland Ecology confirms that the loss of the hedge is not considered significant in ecological terms.
- 14.0 Caroline James of Trevor Dawson & Co concludes that the appeal site ranks highly in market demand terms when compared to alternative sites in the Ribble Valley and that the development of this site maximises the opportunities for sustainable economic growth in the Town Centre.
- 15.0 Given the RVDLP dates from 1998 and it has not been updated whilst policies including G1 have been saved they should, in accordance with NPPF be given little weight. NPPF on the other hand should be given full weight.
- 16.0 For these reasons this appeal for residential development should be allowed.

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