

**Town and Country Planning (Appeals)
(Written Representations Procedure)
(England) Regulations 2009**

**Statement of Case on behalf of
Mr T Burns**

Land at Preston Road
Ribchester

March 2026



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1 Introduction

- 1.1 This Statement of Case is prepared on behalf of Mr T Burns ('the Appellant') in support of a Written Representations Appeal against the refusal of Permission in Principle for the erection of up to two dwellings on land at Preston Rd, Ribchester ('the Appeal site').
- 1.2 The application (ref – 3/2026/0050) was determined by Ribble Valley Borough Council ('the Council'), by way of officer delegation, on the 27th February 2026 and contains a single reason for refusal.
- 1.3 The reason, as detailed within the decision notice is as follows:
1. *The proposal is considered to be in direct conflict with Key Statement DMI2 and Policy DMG3 of the Ribble Valley Core Strategy and the overarching objectives of the National Planning Policy Framework (NPPF) insofar that approval would lead to the creation of up to two new residential dwellings in an unsustainable location whereby there would be a reliance on private motor vehicle by occupiers of the dwellings to access key services and facilities.*
- When applying Paragraph 11d)ii of the NPPF, the resultant harm from allowing residential development in this unsustainable location is considered to significantly and demonstrably outweigh the benefits.*
- 1.4 This Statement of Case will fully address the key issues in determining the appeal and demonstrate why Permission in Principle should be granted, particularly in the context of a significant shortfall in housing land supply within the Borough.

2 Site, surroundings and proposed development

- 2.1 The Appeal site comprises an undeveloped parcel of land, broadly rectangular in shape and extending to 0.19 hectares in size, located between existing dwellings which front Preston Road. The topography of the area is such that the land gradually slopes downwards towards the village
- 2.2 The land is currently bound by relatively dense foliage to the frontage and northwestern boundary. The rear and southeastern boundaries are more open, with access currently taken from the latter by way of an existing field gate.
- 2.3 Accounting for these characteristics and the prevailing development pattern in the area, the land represents a natural infill plot, reflective of the linear development which defines this section of Preston Road.

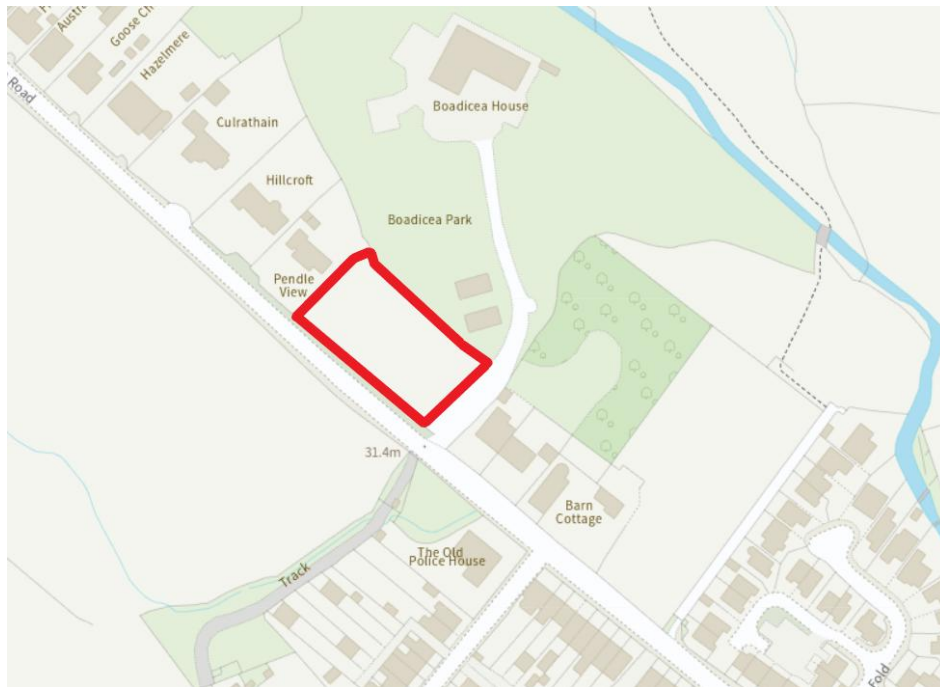


Figure 1 – site location

- 2.4 With regard to known constraints, the site is not within or adjacent to a conservation area, nor are there any other heritage assets in the vicinity. There are no public rights of way within the site which would be affected by the proposals.
- 2.5 The site is within Flood Zone 1 and no subject to any surface water flooding, it is therefore at limited risk in this regard.

3 Planning policy

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole and requires that application be determined in accordance with the plan, unless material considerations indicate otherwise.
- 3.2 For the purposes of this application, the development plan comprises the Ribble Valley Core Strategy (adopted in December 2014) which is now over 10 years old and has not been subject to review or modification since that time. The Council are currently in the early stages of preparing a new Local Plan, however this process is in its infancy with a preferred options draft of the plan not anticipated until later this year.
- 3.3 In addition to the above, the Council accept that they cannot currently demonstrate a 5 year housing land supply ('5YHLS') following an appeal decision earlier this year in Chatburn (PINS ref: 3372635 – 'The Chatburn decision'). The relevance of this decision will be addressed in greater detail below, however the resulting shortfall renders the most important policies for determining an application of this nature out of date. Accordingly the tilted balance as set out in Paragraph 11 d) of the Framework is engaged.

The development plan

- 3.4 The reasons for refusal indicate conflict with Policies DMI2 and DMG3 of the Core Strategy. Whilst analysis will largely be limited to the policies cited by the Council, reference will also be made to those which support the Appellants case:
- **Key Statement DS1** sets out the intended spatial distribution of development across the Borough and identifies a settlement hierarchy.
 - **Key Statement DS2** confirms that the Council will adopt a positive approach that reflects the presumption in favour of sustainable development, as set out in the National Planning Policy Framework.
 - **Key Statement DMI2** states that new development should be located to minimise the need to travel, incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.
 - **Policy DMG3** outlines a number of transport related considerations which will be taken in to account when assessing planning applications, including the availability and adequacy of public transport.

National Planning Policy Framework

- 3.5 In addition to the above, **Paragraph 11** confirms that the presumption in favour of sustainable development lies at the heart of the Framework. For decision making this means approving development where it accords with an up-to-date development plan, or where the policies which are

most important for determining the application are out of date, granting permission unless the adverse impacts would significantly and demonstrably outweigh the benefits, or policies within the Framework indicate that development should be restricted.

- 3.6 **Paragraph 39** states that LPA's should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 3.7 **Paragraph 61** confirms the Government's objective to significantly boost the supply of new homes and **paragraph 73** advises that small and medium sized sites can make an important contribution to meeting the housing needs of an area.
- 3.8 **Paragraph 83** confirms housing in rural areas should be located where it will enhance or maintain the vitality of rural communities, enabling villages to grow and thrive, especially where this will support local services.
- 3.9 **Paragraph 124** states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 125 d) also confirms that planning decisions should promote and support the development of under-utilised land.
- 3.10 Draft changes to the Framework are currently under consultation at the time of writing, with a range of amendments proposed. Where current paragraph 83 confirms that housing in rural areas can support local services and facilitate proportionate growth, draft Policy HO6 would require new local plans to allocate housing sites which support and enhance the vitality of rural communities.

4 Case for the Appellant

- 4.1 The reason for refusal, as laid out in the decision notice, will be considered below and assessed against the aims and objectives of the respective policies.
- 4.2 It is evident that the decision relates to a single, key matter, being the sustainability and accessibility of the site, in regard to the likely reliance on private vehicles.

Matters of common ground

- 4.3 The case officer's delegated report acknowledges the following matters, which are agreed:
- The Council cannot currently demonstrate a 5 year housing land supply;
 - The restrictive approach to housing outside of settlements in the Core Strategy must therefore be considered out of date;
 - That the tilted balance, as set out in paragraph 11d) of the Framework, is engaged in decision making;
 - That the site is not affected by any assets of importance, as defined in footnote 7 of the Framework;
 - That Ribchester contains services within walking distance of the site and public transport opportunities;
 - That the proposed land use is compatible with the surrounding area; and
 - That there are no in principle concerns regarding the visual impact based on the quantum of development proposed in this location.
- 4.4 The reason to refuse the application appears to be primarily predicated on the frequency of the available bus service, which the Council contest would result in future occupants of the development being *"likely to rely on private motor vehicle to access key services and facilities"*.

Accessibility

- 4.5 Key Statement DMI2, which is cited in the refusal, states the following (emphasis added):

"New development should be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car"

- 4.6 Additionally, Policy DMG3 confirms that when assessing proposals the Council will attach weight to the availability and adequacy of public transport and development which maintains and improves the choice for people to walk, cycle or catch public transport, rather than drive

between their homes and facilities.

- 4.7 In support of the planning application subject to this appeal, reference was made to similarities with the Chatburn decision, in which Permission in Principle was allowed for residential development of up to 9 dwellings, located outside of the defined settlement of the village, within the open countryside.
- 4.8 Here, the Inspector found that future occupants would not be *“wholly reliant on the use of a private vehicle”* in meeting their daily needs, due to the availability of good pedestrian and cyclist access to facilities and services in the village. The presence of a bus stop within a *“reasonable walking distance of the site, which...provides frequent bus services to and from the principal settlement of Clitheroe, as well as Skipton and Preston”* was also found to endorse its sustainability credentials.
- 4.9 A comparison was drawn between this decision and the proposals subject to this Appeal, with the developments comprising land in close proximity to their respective settlements, benefitting from good access to the services within them and the availability of bus services.
- 4.10 The Council highlight that in the Council's settlement hierarchy, as set out in Key Statement DS1, that Chatburn is deemed to be a Tier 1 village, whereas Ribchester is Tier 2, meaning it is less sustainable.
- 4.11 They do, however, acknowledge that there are similarities between them but indicate that a wider range of services exist in Chatburn, including a library, butchers, florist, takeaway and beauty salon. Whilst different types of facilities are present, this does not render those in Ribchester unsustainable or incapable of meeting local needs and Chatburn lacks some of those present in Ribchester.
- 4.12 Existing and future residents of Ribchester benefit from:
- Public houses serving food;
 - A restaurant;
 - A retail shop incorporating post office;
 - Cafes;
 - A museum;
 - Places of worship;
 - A village hall
 - A school;
 - A range of outdoor sports and leisure facilities; and
 - A range of local businesses
- 4.13 In light of this, taking into account that Key Statement DMI2 seeks to ‘reduce the need to travel by private car’, the presence of these services would achieve that aim and also result in patronage to these facilities. It is considered that the settlement classification, as set out in the Core Strategy which is now over 10 years old, does not accurately reflect situation on the ground.

- 4.14 The bus service available in Ribchester enables travel to and from the village, 7 days per week, to Clitheroe, Longridge, Preston and Blackburn (amongst others). Whilst it is hourly (and two hourly on Sundays), this does not make use unattractive or undesirable. The Council accept that the service available in Chatburn is only “*slightly more frequent*” but conclude a 7 minute journey between Chatburn and Clitheroe (a principal settlement) to be acceptable, whereas a suggested 12 minute journey between Ribchester and Longridge (another principal settlement) is deemed to present an unrealistic option for non-car travel.
- 4.15 Whilst the unsuitability of such a journey length is contested in any event, the travel time between Ribchester and Longridge quoted in the Council’s report is incorrect. The timetable below in Figures 3 and 4 show the frequency of the no.5 and 5A services to and from Ribchester.
- 4.16 The nearest stops to the site are ‘Ribchester, by Black Bull’ as highlighted in the timetable and are circa 230m from the site entrance, as shown in the Figure 2 below.

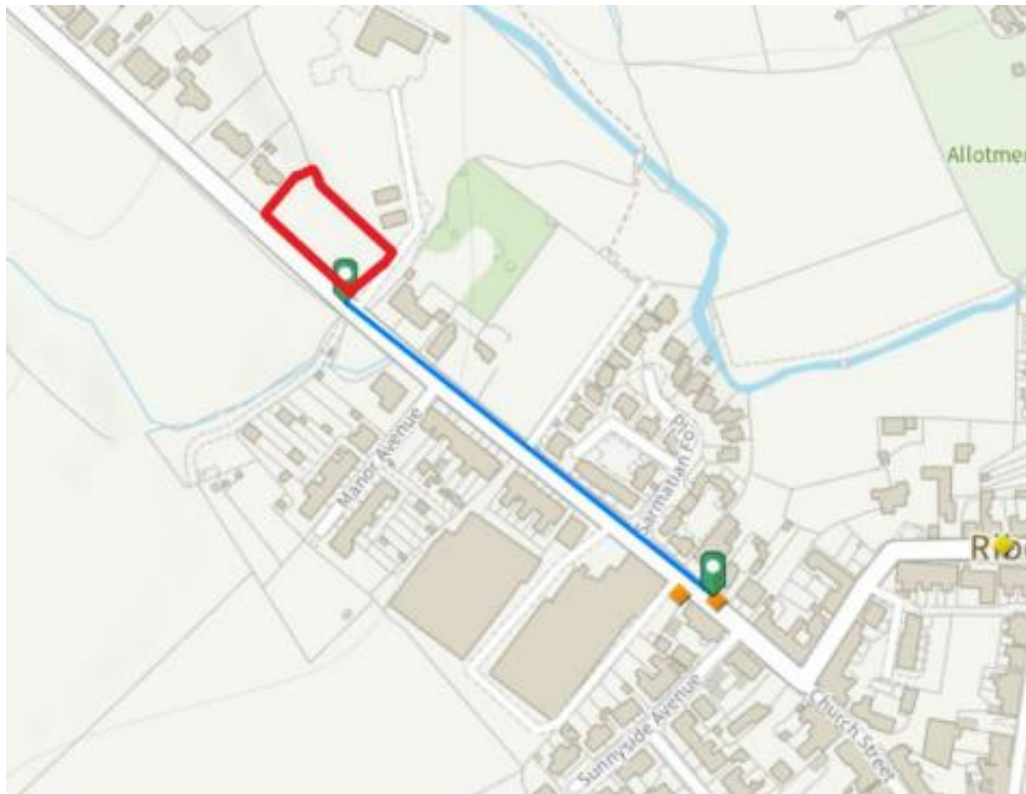


Figure 2 – proximity of bus stops to the site

Friday 6 March 2026 5 5 5A 5A 5C

Clitheroe - Hurst Green - Chipping
Clitheroe - Barrow Brook, Hurst Green - Chipping

Timing points All stops

	5					5A	5						
Clitheroe Interchange (Stand 5)	06:25	07:23	08:28	09:28	10:28	11:43	12:28	13:28	14:28	15:58	17:23	18:18	19:28
Barrow, by Business Village	06:32	07:31	08:36	09:36	10:36		12:36	13:36	14:36	16:06	17:31	18:25	19:35
Whalley Bus Station (Stand A)	06:39	07:38	08:43	09:43	10:43		12:43	13:43	14:43	16:13	17:38	18:32	19:42
Hurst Green, o/s Shireburn Arms	06:51	07:52	08:57	09:57	10:57	11:57	12:57	13:57	14:57	16:27	17:52	18:44	19:54
Ribchester, by Black Bull	07:01	08:03	09:08	10:08	11:08	12:08	13:08	14:08	15:08	16:38	18:03	18:54	20:04
Longridge, opp Post Office	07:08	08:11	09:16	10:16	11:16	12:16	13:16	14:16	15:16	16:46	18:11	19:01	20:11
Chipping, by Kirklands Estate	07:23	08:26	09:31	10:31	11:31	12:31	13:31	14:31	15:31	17:01	18:26	19:16	20:26

Figure 3 – service from Ribchester to Longridge

Chipping - Hurst Green - Clitheroe
Chipping - Barrow Brook, Hurst Green - Clitheroe

Timing points All stops

	5	5A	5			5A	5							
Chipping, by Kirklands Estate	06:23	07:28	08:33	09:33	10:33	11:33	12:33	13:33	14:33	15:33	17:08	18:28	19:18	20:28
Longridge, o/s Post Office	06:37	07:43	08:48	09:48	10:48	11:48	12:48	13:48	14:48	15:48	17:23	18:42	19:32	20:42
Ribchester, opp Black Bull	06:44	07:51	08:56	09:56	10:56	11:56	12:56	13:56	14:56	15:56	17:31	18:49	19:39	
Hurst Green, opp Shireburn Arms	06:53	08:01	09:06	10:06	11:06	12:06	13:06	14:06	15:06	16:06	17:41	18:58	19:48	
Whalley, opp Bus Station	07:05	08:13		10:18	11:18	12:18		14:18	15:18	16:18	17:53	19:10	20:00	
Barrow, by Business Village	07:11	08:20		10:25	11:25	12:25		14:25	15:25	16:25	18:00	19:16	20:06	
Clitheroe Interchange (Stand 5)	07:18	08:28	09:21	10:33	11:33	12:33	13:21	14:33	15:33	16:33	18:08	19:23	20:13	

Operated on behalf of Lancashire County Council

Figure 4 – service from Longridge to Ribchester

- 4.17 The journey in question is timetabled to take between 7 and 8 minutes and would transport users between the village and a principal settlement and vice versa, from early in the morning until well into the evening.
- 4.18 In giving some credence to the availability of local services in Ribchester, the Council’s report indicates that the balance tips against the granting of Permission in Principle, owing to the ability of future users of the development to “access key services and facilities, for example to access medical services, secondary schools and employment” by means other than private motor vehicle.
- 4.19 All of those key services and facilities listed above are available in Longridge and can be reached, during and beyond normal working hours, by public transport with the journey duration not being prohibitive or likely to dissuade users.

4.20 Taking the reasonable standard applied by the Inspector in the Chatburn appeal, the frequency and duration of these services, in tandem with the available walkable services, would mean that occupants of the development would not be wholly reliant on the use of private vehicles to meet their daily needs. Choice exists in this location and residents are able to reach local facilities on foot or by cycle, or access larger settlements by way of a regular bus service.

4.20 Taking aside the issue of the journey length to Longridge, the Council's consideration and weighting regarding the bus service is considered to be disproportionate and fails to consider the matter of accessibility and sustainability holistically.

4.21 For the reasons set out above, the proposals are deemed to be in compliance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

The planning balance

4.22 Whilst the Council's delegated report makes reference to the tilted balance as set out in paragraph 11 of the Framework, it fails to apply it meaningfully or with the intended weight.

4.23 Subsection d) of the paragraph states that in decision making, where relevant policies are rendered to be out of date, the presumption in favour of sustainable means granting planning permission unless:

- The application of policies within the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

4.24 It is agreed that the first limb is not engaged in this case, therefore the test is whether any adverse impacts of granting Permission in Principle, in this instance, would demonstrably outweigh the benefits.

4.25 In allowing the Chatburn appeal, the Inspector made key observations regarding housing in Ribble Valley and more generally. First, that the supply is currently 3.45 years, which is a "*significant shortfall*". Second, that in reaching this figure it was found that past over-supply should not be used to reduce local housing need requirement and that (emphasis added) "*this should not be seen as penalising the Council, as has been suggested, rather, it is part of the solution to the acute housing crisis that exists nationally*". Third, that development in such locations would have economic benefits, insofar as it is reasonable to expect that a considerable amount of occupier expenditure would be in local shops, services and amenities, given that they would be accessible and convenient.

4.26 All of these matters are readily applicable to and have a direct influence on the determination of this appeal.

- 4.27 Both paragraph 83 of the current Framework and policy HO6 both outline an expectation that housing in more rural areas should be located where it will enhance or maintain the vitality of such communities. The spatial distribution of development in Ribble Valley, under the current Core Strategy, largely precludes any such development, meaning that areas like Ribchester have seen little proportionate growth in recent years.
- 4.28 As has been set out in this Statement, it is not agreed that the site lacks the sustainability credentials to support development of this scale. The Council's case appears to centre solely on the matter of the frequency of the bus service and the ability of occupants to travel to 'key services' by means other than private vehicle. However, this has been disproven for all of the reasons above.
- 4.29 The availability of local facilities and the means to reach larger settlements, to access a wider range of services, presents viable options for residents to meet their daily needs. Occupiers would therefore not be wholly reliant on private car travel.
- 4.30 In light of this, there are no adverse impacts which would either significantly or demonstrably outweigh the benefits of providing new, accessible homes in this location, which should be afforded substantial weight alongside the economic benefits which would be derived.

Other matters

- 4.31 Whilst not for consideration until the Technical Details Consent stage, the Appellant notes comments made by statutory consultees, such as Lancashire County Council acting as the Highway Authority, and will incorporate any such requests in to the detailed scheme once prepared.

5 Summary and conclusion

- 5.1 This Statement of Case has been prepared on behalf of Mr T Burns in support of a Written Representations Appeal against the refusal of Permission in Principle for the erection of up to two dwellings on land at Preston Rd, Ribchester.
- 5.2 It has been demonstrated that the concerns outlined within the reasons for refusal are overstated and that the site presents an accessible, sustainable location for new housing development.
- 5.3 In light of this and all of the matters detailed within this Statement, it is respectfully requested that the Appeal is allowed and Permission in Principle is granted.