



## Appeal Statement of Case

Residential development of up to 9 dwellings – Land to the south of Old Road, Chatburn

for Mr Townsend

Emery Planning project number: 18-406

LPA ref: 3/2018/0582

Project : 18-406  
Site address : Land to the south of  
Chatburn Old Road,  
Chatburn  
Client : Mr Townsend  
Date : 01 March 2019  
Author : Ben Pycroft

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## 1. Introduction and summary

- 1.1 Emery Planning is instructed by Mr Townsend (the appellant) to submit an appeal against the refusal of Ribble Valley Borough Council to grant permission in principle for up to 9 dwellings at land to the south of Chatburn Old Road, Chatburn (LPA ref: 3/2018/0582).
- 1.2 As the Inspector will be aware, the scope of permission in principle is limited to location, land use and amount of development. If the appeal is successful and permission in principle is granted, other matters would then be considered at the technical details consent stage.
- 1.3 The appeal application was refused because at the time it was determined, the Council considered the proposal was contrary to policies DMG2: "Strategic Considerations" and DMH3: "Dwellings in the Open Countryside and AONB" of the Core Strategy. The one reason for refusal set out in the decision notice is as follows:

*"The proposal is considered contrary to Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new dwellings in the open countryside without sufficient justification. The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals which would have an adverse impact on the implementation of the planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF."*

- 1.4 Before submitting this appeal, we resubmitted the application. The resubmitted application was validated on 22<sup>nd</sup> October 2018 and was due to be determined at a meeting of the Planning and Development Committee on 7<sup>th</sup> January 2019, where it was recommended it be approved by the Council's officers it be approved. A copy of the committee report is appended at **EP1**. As can be seen from section 5.4 of the committee report for the resubmitted application, the officers concluded that the proposed development was in accordance with Key Statement DS1 and also policies DMG2 and DMH3 of the Core Strategy (i.e. the same two policies referred to in the reason for refusal of the appeal application).
- 1.5 There are two reasons why the Council's officers now agree that the proposed development is in accordance with the policies in the Core Strategy as we summarise below.



- 1.6 Firstly, because officers concluded that the proposed development complies with the definition of “expansion” as set out in the Glossary of the Core Strategy, which is allowed in Tier 1 Villages including Chatburn under policy DMG2 of the Core Strategy.
- 1.7 Secondly, because in January 2019, the Council presented a case to the Inspector examining the emerging Housing and Economic Development Development Plan Document (HED DPD) that no further sites for housing need to be allocated in the plan to meet the housing requirement to 2028, because Core Strategy policies DMG2 and DMH3 do not restrict development for open market dwellings in the open countryside on the edge of the principal settlements and Tier 1 Villages (including Chatburn).
- 1.8 At the meeting on 7<sup>th</sup> February 2019 however, members of the Planning and Development Committee were *“minded to refuse on issues relating to inappropriate location for new dwellings and harmful precedent to implementation of planning policies of the Core Strategy.”*
- 1.9 The interpretation of the Core Strategy policies by the Committee members is clearly contrary to the interpretation recommended by its officers in the committee report and which was the interpretation advanced by the Council's officers at the HED DPD examination. Nevertheless, the resubmitted application will be taken back to committee with the same recommendation from officers that it be approved but the report will also include a reason for refusal to allow members to either approve or refuse the application. The earliest this could happen is 14<sup>th</sup> March 2019, which is after the deadline for appealing against the original decision (i.e. 7<sup>th</sup> March 2019).
- 1.10 Our case on behalf of the Appellant is that the proposed development is in accordance with the development plan and therefore it should be approved without delay in accordance with paragraph 11(c) of the NPPF. In the event that the Inspector disagrees and finds that the proposed development would be contrary to the development plan, there are other material considerations, which mean that permission in principle should still be granted. These are that the proposed development would assist in meeting the unmet housing requirements for Chatburn and the Borough as a whole.
- 1.11 This appeal statement therefore sets out the proposition that the principle of residential development on the appeal site is appropriate with regard to the development plan and other material considerations.

## 2. The appeal proposal

2.1 As set out in the introduction, the appeal proposal is for permission in principle for up to 9 no. dwellings. The scope of permission in principle is limited to location, land use and amount of development.

### The appeal application and resubmission

2.2 On 22<sup>nd</sup> June 2018, planning agent Judith Douglas applied on behalf of Mr Townsend to Ribble Valley Borough Council (RVBC) for Permission in Principle (PiP) for the residential development of up to 9 dwellings at the site. The application was submitted along with the following documents, which have also been submitted with the appeal to the Planning Inspectorate:

- Site location plan;
- Application form; and
- Planning statement by Judith Douglas.

2.3 The application was made valid on the same day and given the reference 3/2018/0582. During the course of the application, responses were received from United Utilities and the Highways Authority. Neither objected to the application. Responses were also received from local residents and the Parish Council. However, their comments mainly related to issues which would be considered at the technical details stage, which are not within the scope of the PiP application.

2.4 The application was not determined within 5 weeks. The applicant had not consented to an extension of time for the planning committee to determine the application.

2.5 It was determined at a meeting of the planning committee on 6<sup>th</sup> September 2018, where it was recommended that the application be refused<sup>1</sup>. The case officer's report concluded that at that time there was no overwhelming need for the Council to release additional open countryside for residential development because:

- The residual housing need for the plan period for Chatburn identified in table 4.12 of the Core Strategy has been met;

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<sup>1</sup> Please see the case officer's report at appendix **EP2**.

- The minimum housing requirement for the borough for the plan period has been exceeded; and
- The Council can demonstrate a five year supply of deliverable housing sites<sup>2</sup>.

2.6 Members voted in accordance with the recommendation and the application was refused for the reason set out above and in the decision notice, which was issued on 7<sup>th</sup> September 2018 and is appended at **EP3**.

2.7 We were instructed to resubmit the application, which was made on 16<sup>th</sup> October 2018. The resubmitted application was submitted with the following documents appended at **EP4**:

- Site location plan;
- Application form; and
- Planning statement by Emery Planning.

2.8 It was validated on 22<sup>nd</sup> October 2018 and given the reference: 3/2018/0943. The resubmitted application was due to be determined at a meeting of the Planning and Development Committee on 7<sup>th</sup> January 2019, where it was recommended by the Council's officers it be approved for the reasons set out in the introduction to this appeal statement and in the committee report itself appended at **EP1**.

2.9 At the meeting on 7<sup>th</sup> February 2019, members of the Planning and Development Committee were however "minded to refuse" permission. A copy of the transcript of the debate on the application at the committee meeting is appended at **EP5** (the transcript has been produced from an audio recording made at the committee meeting by the appellant – the audio file can be supplied on request).

2.10 The resubmitted application will be taken back to committee with the same recommendation from officers that it be approved but the report will also include a reason for refusal to allow members to either approve or refuse the application. The earliest this could happen is 14<sup>th</sup> March 2019, which is after the deadline for appealing against the original decision (i.e. 7<sup>th</sup> March 2019).

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<sup>2</sup> Please refer to paragraph 5.2.21 of the case officer's report at appendix **EP2**.

### **3. Site and area description**

- 3.1 The appeal site is 0.99 ha in area. It is located to the south of Old Road, Chatburn and is greenfield. The site slopes down in level towards the east and south and is mainly grassland with bushes and trees along its boundaries.
- 3.2 The site is bounded to the north-west by a residential development of 10 dwellings approved by planning consent 3/2014/0618 (varied by planning consent 3/2016/0748) which is currently under construction by JJ Homes. To the west is a quarry and to the south is a nature reserve.
- 3.3 The site is located immediately adjacent to the settlement boundary of Chatburn. Chatburn is one of 9 “Tier 1 Villages” in the borough. Tier 1 villages are the more sustainable of 32 defined settlements in the borough. There is a post office and convenience store, village hall, 2 public houses, a library, butchers, hairdressers, florist and an ice-cream shop in Chatburn, which are all within walking distance of the appeal site. The nearest bus stops are located approximately 300m away outside the post office and are served by frequent bus services to and from Clitheroe, Skipton, Preston and other villages in the borough.

## 4. Relevant planning history

### Appeal site

- 4.1 Part of the appeal site formed part of a site to the north that was granted outline planning permission at appeal for 10 no. dwellings on 19<sup>th</sup> April 2013 (LPA ref: 3/2011/0025, PINS ref: APP/T2350/A/12/2176828). However, that permission was not implemented. Instead, a full planning application for 10 no. dwellings was approved on a site with a slightly different boundary, which excludes the appeal site on 11<sup>th</sup> June 2015, (LPA ref: 3/2014/0618). It is that permission (as amended by 3/2016/0748), which has been implemented and is currently under construction.
- 4.2 As we have discussed above, the appeal application was resubmitted in October and is pending determination (LPA ref: 3/2018/0943), although members of the Planning and Development Committee are minded to refuse it.

### Adjoining site

- 4.3 The following planning history relates to the adjoining site to the north:
- 19<sup>th</sup> April 2013 - outline planning permission was granted at appeal for 10 no. dwellings on the adjoining site (LPA ref: 3/2011/0025, PINS ref: APP/T2350/A/12/2176828).
  - 11<sup>th</sup> June 2015, full planning permission was then granted for 10 no. dwellings at the same site (LPA ref: 3/2014/0618).
  - 31<sup>st</sup> March 2016, an application to discharge conditions 4 (bat and bird boxes), 5 (landscaping), 6 (foul and surface water), 8 (construction management), 11 (renewable energy) 12 (junction improvement) of planning permission 3/2014/0618 was approved (LPA ref: 31/03/2016).
  - June 2016, an application to vary condition 2 of permission 3/2014/0618 relating to the approved plans) was made, but later withdrawn (LPA ref: 3/2016/0559).
  - 14<sup>th</sup> October 2016, an application to vary condition 02 (substitution of house types/designs for plots 1, 2, 3, 4, 5, 7, 8, 9 & 10, including repositioning of plots 3, 7, 9 & 10, and alteration to internal access road) and Removal of Condition 10 (un-associated condition) of planning permission 3/2014/0618 was approved (LPA ref: 3/2016/0748).
  - 5<sup>th</sup> January 2017, an application to discharge conditions 3 (materials), 4 (bird and bat boxes), 5 (landscaping), 6 (foul and surface water drainage), 8 (construction management plan), 10 (renewable energy), 11 (junction improvements), 12 (off site

highway works) and 14 (boundary treatment) of planning permission 3/2016/0748 was approved (LPA ref: 3/2016/0984).

- 26<sup>th</sup> January 2017, a new house type for plot 6 was approved (LPA ref: 3/2016/1019).
- 5<sup>th</sup> January 2017, an application to discharge condition 3 (materials) of permission 3/2016/0748 was made. The materials were agreed, but the condition was not fully discharged because it requires the development to be carried out with the approved details.
- 12<sup>th</sup> June 2017, a non-material amendment to planning permission 3/2016/0748 to allow the installation of two additional rooflights in the rear/south east facing roof elevation of Plot 3 was approved (LPA ref: 3/2017/0499).
- 12<sup>th</sup> December 2017, a new house type for plot 8 was approved (LPA ref: 3/2017/0830).
- 5<sup>th</sup> July 2018, an application to discharge condition 6 (scheme for the disposal of foul and surface waters for the entire site) from planning permission 3/2016/0748 was approved (LPA ref: 3/2018/0417).

4.4 The site is under construction and 3 no. dwellings had been recorded as complete by 30<sup>th</sup> September 2018 in the latest Housing Land Availability Schedule.

## **5. Planning policy context**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions.

### **National planning policy and guidance**

#### **National Planning Policy Framework (NPPF, 2019)**

5.2 The relevant sections of the NPPF are discussed in the planning considerations section of this appeal statement below. However, the NPPF states that there is a presumption in favour of sustainable development.

5.3 For decision taking, this means approving development proposals that accord with the development plan without delay.

5.4 Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear 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 the NPPF taken as a whole.

#### **Planning Practice Guidance (PPG)**

5.5 The PPG was originally published on 6<sup>th</sup> March 2014 and has been updated since. The relevant sections of the PPG are discussed in the planning considerations section of this statement.

### **Development plan context**

#### **Existing development plan and proposals map**

5.6 The development plan comprises the Ribble Valley Core Strategy 2008-28, which was adopted in December 2014. When the Core Strategy was adopted, the saved policies of the Districtwide Local Plan (adopted 1998) were superseded. However, the proposals map which

accompanied the Districtwide Local Plan is to remain in place until a revised set of plans is produced as part of the Housing and Economic Development DPD (HED DPD).

- 5.7 A copy of the proposals map for Chatburn as set out in the Districtwide Local Plan is appended at **EP6**. On the proposals map for the Districtwide Local Plan, the site is located outside of but adjoining the settlement boundary for Chatburn.
- 5.8 The Council consulted on the Housing and Economic Development Development Plan Document (HED DPD) at regulation 18 stage in autumn 2016. The consultation included a draft proposals map. The map for Chatburn included the site to the north within the draft settlement boundary for Chatburn and identified it as a committed housing site. Part of the appeal site is located within the settlement boundary as proposed. Please refer to appendix **EP7**. On 15<sup>th</sup> December 2016, the Planning and Development Committee resolved to adopt the draft proposals map for development management purposes. Paragraph 3.3 of the report to the committee stated:

*"It is therefore proposed that the Draft Proposals Map be adopted to assist decision making for Development Management purposes. Whilst the plan will have limited statutory weight due to the stage of the plan making process, its adoption as a statement of Council policy will provide clarity to assist the determination of applications. This position is enhanced by the fact that the draft has been subject to public consultation with limited comments made. It can therefore be treated as a material consideration."*

### **Core strategy**

- 5.9 The following two policies are referred to in the reason for refusal and are discussed in the following section of this statement:
- Policy DMG2: "Strategic Considerations"; and
  - Policy DMH3: "Dwellings in the Open Countryside and AONB".
- 5.10 The other relevant policies of the Core Strategy are:
- Key Statement DS1: "Development Strategy";
  - Key Statement DS2: "Presumption in Favour of Sustainable Development";
  - Key Statement H1: "Housing Provision";
  - Key Statement H2: "Housing Balance";



- Policy DMG1: “General Considerations”; and
- Policy DMG3: “Transport and mobility”.

5.11 Copies of these policies are appended at **EP8**.

## Other material considerations

### Emerging Housing and Economic Development Development Plan Document (HED DPD)

5.12 The Council is in the process of preparing a Housing and Economic Development Development Plan Document (HED DPD). The main stages of preparation have been:

- Issues and Options (regulation 18) consultation – 26<sup>th</sup> August to 7<sup>th</sup> October 2016;
- Publication of Preferred Options (regulation 19) consultation – 28<sup>th</sup> April to 9<sup>th</sup> June 2017;
- Submission (regulation 22) – the plan was submitted to the Secretary of State on 28<sup>th</sup> July 2017 consultation took place between 31<sup>st</sup> July and 11<sup>th</sup> September 2017 on the proposed changes to the publication draft.

5.13 The examination hearing sessions took place in November 2018 and January 2019. At the examination hearing sessions, the application of Core Strategy policies was discussed. Essentially, the Council's case was that no further land needed to be allocated in the submission draft HED DPD because the Core Strategy policies allow residential development on the edge of existing settlements. This position is recorded in the report to committee for the resubmitted application (please refer to appendix **EP1**) as follows (our emphasis added):

*“5.4.6 In assessing this planning application, due regard has been given to the discussions held during the EiP into the Housing and Economic Development DPD which, during its siting from Tuesday 22nd January and Wednesday 23rd January 2019, considered the proposed housing allocations and housing matters within the Borough. During the course of the examination, which was attended by representatives of developers and private landowners as well as Council Officers, the Inspector focused on the Council's housing land supply and the appliance of the Core Strategy housing policies in the determination of residential planning applications. There was debate on whether the Core Strategy Policies restricted windfall housing developments and the location of new housing. At the request of the Inspector, Council Officers were required to provide details of planning applications granted for residential development within sustainable locations but outside of the defined settlement boundaries when the Authority could demonstrate a 5 year housing land supply. This was sought to demonstrate how the housing policies in the Core Strategy, i.e. DMG2 and DMH3, are applied within the Borough.”*

5.4.7 Council Officers provided details of a number of sites that have been granted planning consent for residential development in such locations. It was made clear during discussions between the Inspector and those present at the EiP that the Council's housing policies must be applied to enable degree of flexibility to ensure that it meets the aims and objectives of the NPPF which seeks to 'significantly boost the supply of homes'.

5.4.8 As such it must be recognised that following the EiP 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."

### **Housing Land Availability Statement**

5.14 The latest Housing Land Availability Statement (HLAS) sets out the Council's housing land supply position at 30<sup>th</sup> September 2018. It is relevant in relation to the housing supply position in Chatburn.

## 6. Planning considerations

### **Proposition: the principle of residential development on the appeal site is appropriate with regard to the development plan and other material considerations**

- 6.1 As set out above, Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 This is repeated in paragraph 2 of the NPPF, which states:

*“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.”*

### **Presumption in favour of sustainable development**

- 6.3 Paragraph 10 of the NPPF explains that at the heart of the NPPF there is a presumption in favour of sustainable development. Paragraph 11 of the NPPF explains that this means planning permission should be granted for development proposals that accord with the development plan without delay.
- 6.4 Key Statement DS2 of the Core Strategy: “Sustainable Development” states:

*“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area*

*Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise”.*

- 6.5 We now explain why the application proposals comply with the development plan as follows.

## The principle of development

- 6.6 Key Statement DS1 of the Core Strategy: "Development Strategy" was described in the Core Strategy Inspector's report as follows:

*"Key Statement DS1 sets out the development strategy. In effect, it is the policy that lays the foundation for Ribble Valley's spatial direction of growth and lies at the heart of the Plan."*

- 6.7 Key Statement DS1 starts by stating that the majority of new housing development will be concentrated within the Standen Strategic site (to the south of Clitheroe) and the three principal settlements of Clitheroe, Longridge and Whalley. It continues by stating:

*"In addition to the strategic site at Standen and the borough's principal settlements, development will be focused towards the Tier 1 Villages, which are the more sustainable of the 32 defined settlements." (our emphasis)*

- 6.8 Nine settlements are identified as Tier 1 villages, including Chatburn.

- 6.9 The policy then continues by stating that in the 23 remaining Tier 2 Village settlements, which are the least sustainable of the 32 defined settlements, development will need to meet proven local needs or deliver regeneration benefits. The 23 Tier 2 Village settlements are then identified. The policy then states:

*"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."*

- 6.10 It also states:

*"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"*

- 6.11 The proposed development is for residential development in Chatburn, which is a Tier 1 village. It accords with Key Statement DS1 of the Core Strategy. This is recognised in the case officer's

report for the appeal application<sup>3</sup>. It is also recognised in the case officer's report for the resubmitted application<sup>4</sup>

6.12 Policy DMG2: "Strategic Considerations" is referred to in the reason for refusal. It starts by stating that development should be in accordance with the Core Strategy Development Strategy and should support the Spatial Vision. As the proposed development complies with Key Statement DS1, it therefore complies with this part of policy DMG2.

6.13 Policy DMG2 then states:

*"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."* (our emphasis)

6.14 It continues by stating:

*"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 well being 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".*

6.15 The policy then states:

*"Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-*

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<sup>3</sup> Please refer to paragraph 5.2.4 of the case officer's report appended at **EP1**.

<sup>4</sup> Please refer to paragraph 5.4.4 and 5.4.5 of the case officer's report appended at **EP1**

*use of existing buildings, which in most cases is more appropriate than new build”.*

6.16 Policy DMG2 therefore distinguishes between development “in” the principal settlements and Tier 1 Villages from development “within” Tier 2 Villages and “outside” the defined settlement areas. In Tier 1 Villages, such as Chatburn, development proposals should consolidate, expand or round-off development. The glossary of the Core Strategy provides the following definitions:

- **Consolidation** – *“Refers to locating new developments so that it adjoins the main built up area of a settlement and where appropriate both the main urban area and an area of sporadic or isolated development.”*
- **Expansion** – *“This is limited growth of a settlement generally it should be development which is in scale and keeping with the existing urban area.”*
- **Rounding off** – *“Development which is essentially part of rather than an extension to the built up part of the settlement. It can be defined as the development of land within the settlement boundary (which is not covered by any protected designation) where at least two thirds of the perimeter is already built up with consolidated development.”*

6.17 Consequently, the definition of “rounding-off” is different to that of “consolidation” or “expansion” because it specifically refers to development that is part of the built up area, rather than an extension to it. It is also specifically identified as land “within the settlement boundary”.

6.18 In contrast, the definition of consolidation refers to land which “adjoins” the main built up area of a settlement and where appropriate on land which adjoins the main urban area and an area of sporadic or isolated development. It does not state that this must be on land within the settlement boundary.

6.19 Expansion is defined as limited growth of a settlement at a scale and in keeping with the “existing urban area”. Again, it does not state that this must be on land within the settlement boundary.

6.20 It is not surprising that there is no reference to consolidation and / or expansion being within the settlement boundary because as shown on the proposals map of the Districtwide Local Plan, there are few (if any) areas where any of the above could take place within the existing settlement boundary of Chatburn.

6.21 On the proposals map for the Districtwide Local Plan, the application site is located outside of the settlement boundary for Chatburn. However, on the draft proposals map for Chatburn,

which has been adopted for development management purposes, a small part of the application site is located within the draft settlement boundary for Chatburn. Therefore, under the definition above, rounding-off would only be allowed within the part of the site included within the settlement boundary.

- 6.22 The site adjoins the main built up area of Chatburn and the development proposals would provide limited growth at a scale and in keeping with the existing urban area. Therefore, the proposed development accords with policy DMG2 as it would be either the consolidation and / or the expansion of Chatburn, which is in accordance with this part of the policy. It does not have to meet all three of the definitions set out in the glossary.
- 6.23 This is recognised in the committee report for the resubmitted application at paragraph 5.4.10, which states:

*"The application site adjoins an existing residential development site which extends from the main settlement area of Chatburn. This adjacent development site, which is under construction, has been included within the draft settlement boundary for Chatburn in the emerging Proposals Map. The application site is not bounded by consolidated development along more than two thirds of its perimeter and as such it is not considered to be 'rounding-off' as defined in the glossary of the Core Strategy. However, the development is considered to comply with the definition of 'expansion', as expressed in the Core Strategy as 'limited growth of a settlement which is in scale and keeping with the existing urban area'. The development site is particularly well-contained, being bordered by Lanehead Quarry to the west, protected trees which skirt the site to the west and south and existing development to the east. As such, on balance, and taking into account the Inspector's comments at the EiP into the Housing and Economic Development DPD, the proposed development, on the edge of a Tier 1 settlement, is considered to be acceptable in principle. (our emphasis)*

- 6.24 Policy DMG2 continues to refer to sites "outside of the defined settlement areas". This clearly refers to land that is not in the principal settlements or Tier 1 or Tier 2 Villages i.e. land that is not in Clitheroe, Longridge and Whalley or one of the 32 defined settlements in the Core Strategy. Footnote 28 of the Core Strategy (page 173) states:

*"Whilst there are 40 villages in the Ribble Valley, only 32 of these are categorised as 'defined settlements' – these are the settlements where development is to be allocated. Whilst some development has taken place outside of these settlements (in the remaining 8 villages), the Core Strategy development Strategy, once adopted, should prevent further development taking place in these locations"*

6.25 Reference to areas outside of the defined settlements therefore means in the remaining 8 villages that have not been identified as a defined settlement and elsewhere. It does not mean on land in Tier 1 Villages such as Chatburn where consolidation and / or expansion is clearly allowed elsewhere in the policy.

6.26 "Defined Settlement" is defined in the glossary to the Core Strategy as:

- **Defined Settlement** – *"A defined settlement is one which contains at least 20 dwellings and a shop or public house or place of worship or school or village hall, i.e. they are of a size and form that justifies treatment as a settlement. 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."*

6.27 Chatburn is clearly a defined settlement as it meets this definition.

6.28 The definition then states that settlement boundaries will:

- *Include all properties physically linked to the main (built) part of the settlement;*
- *Include all undeveloped areas of existing planning consents relating to the settlement;*
- *Include residential curtilages;*
- *Boundaries do not include properties separated from the main body of the settlement by areas of open land not forming a residential curtilage; and*
- *In most cases single depth development (ribbon development) along roads leading out of settlements will be excluded unless they are physically well related to the settlement."*

6.29 However, the settlement boundaries have still not been identified. They will be identified through the HED DPD process, which is currently under examination.

6.30 In summary, the proposed development is in accordance with policy DMG2 of the Core Strategy as it allows for expansion and consolidation in Tier 1 Villages such as Chatburn and this is recognised in the committee report for the resubmitted application. As set out in section 5 of this appeal statement, this accords with the Council's position which it presented to the HED DPD Inspector at the examination hearing sessions in January 2019.

6.31 As set out in section 4 of this statement, the majority of the site is located in the open countryside. However, policy DMH3 of the Core Strategy: "Dwellings in the Open Countryside



and AONB" states that residential development which meets an identified local need will be allowed. This is consistent with policy DMG2 because expansion and consolidation is allowed in Chatburn. We now discuss how the proposed development would assist in meeting Chatburn's housing requirement and therefore meet an identified local need.

### Chatburn's housing requirement

6.32 The table below paragraph 4.12 of the Core Strategy (page 42) confirms that the total number of homes required for Chatburn over the plan period is 27. It states that at 31<sup>st</sup> March 2014, there were commitments for 9 no. dwellings and the residual number of houses required for Chatburn at 31<sup>st</sup> March 2014 was 18 (i.e. 27 minus 9)

6.33 We have reviewed the completions data and the Housing Land Availability Supply (base date 31<sup>st</sup> March 2014) and note that the 9 no. dwellings which were commitments at 31<sup>st</sup> March 2014 were as follows:

Application ref:	Address:	No. of dwellings	Status at 31 <sup>st</sup> March 2014
3/2009/0053	24b Bridge Road	1	Completed in 2010/11
3/2008/0830	13A and 13B Downham Road	2	Completed in 2012/13
3/2011/1052	Land off Clough Bank	1	Full planning permission
3/2011/0458	Land adj to Whitecroft, Pendle Avenue	1	Outline planning permission
3/2012/0241	1-4 The Croft, Sawley Road	4	Under construction
	<b>Total</b>	<b>9</b>	

6.34 Notably, this does not include the commitments at the following sites, which were commitments at 31<sup>st</sup> March 2014 but are not included within the figure for Chatburn:

Application ref:	Address:	No. of dwellings	Status at 31 <sup>st</sup> March 2014
3/2011/0025	Land off Chatburn Old Road	10	Outline planning permission
3/2012/0317	Pendle Hotel, Clitheroe Road	3	Conversion under construction
	<b>Total</b>	<b>13</b>	

6.35 The reason why the above sites were not included within the commitments for Chatburn was because they are located outside of the settlement boundary of Chatburn. They are included

within the 432 figure which was the number of dwellings not within the 32 defined settlements or the principal settlements at 31<sup>st</sup> March 2014 included within the table under paragraph 4.12 of the Core Strategy. Therefore these sites do not contribute to the 27 dwelling requirement for Chatburn. The Core Strategy Inspector accepted that this was the case.

6.36 The latest Housing Land Availability Schedule confirms that at 30<sup>th</sup> September 2018 there had been 10 no. dwellings completed in Chatburn. We have reviewed the completion data and note that in fact 11 dwellings have been completed in Chatburn as shown in the following table:

<b>Application ref:</b>	<b>Address:</b>	<b>No. of dwellings</b>	<b>Status at 30<sup>th</sup> September 2018</b>
3/2009/0053	24b Bridge Road	1	Completed in 2010/11
3/2008/0830	13A and 13B Downham Road	2	Completed in 2012/13
3/2012/0241	1 and 2 The Croft, Sawley Road	2	Completed in 2014/15
3/2012/0241	3 and 4 The Croft, Sawley Road	2	Completed in 2015/16
3/2014/0196	The Willows, Kayeley Lane	1	Completed in 2016/17
3/2011/0025	Land off Chatburn Old Road	3	Under construction
	<b>Total</b>	<b>11</b>	

6.37 As can be seen from the above, the HLAS now attempts to include the highlighted site which had permission at the time table 4.12 of the Core Strategy was prepared but was not included within the commitments for Chatburn. As this site was already included in the 432 dwellings committed on sites “not within the 32 defined settlements or the principal settlements”, it should not be counted towards meeting the 27 dwelling requirement figure. Therefore only 8 dwellings have been completed in Chatburn that would contribute towards the 27 dwelling figure.

6.38 The HLAS claims that there are commitments for a further 16 no. dwellings. We have reviewed the HLAS and note that the following sites are included within the 16 dwelling figure:

Application ref:	Address:	No. of dwellings	Status at 30 <sup>th</sup> September 2018
3/2014/1089	Land off Clough Bank Lane	2	Full planning permission
3/2016/0711	9 Downham Road	2	Full planning permission
3/2017/0355	Former Filling Station 10 & 12 Sawley Road	1	Full planning permission
3/2015/1019	Pendle Lodge, Clitheroe Road	1	Conversion under construction
3/2011/0025	Land off Chatburn Old Road	7	Under construction (1 no. dwelling completed between 01/4/18 and 30/06/18)
3/2012/0317	Pendle Hotel, Clitheroe Road	3	Conversion under construction
	<b>Total</b>	<b>16</b>	

6.39 As can be seen from the above, the HLAS attempts to include the two sites highlighted which had permission at the time table 4.12 of the Core Strategy was prepared but were not included within the commitments for Chatburn. As these were already included already included in the 432 dwellings committed on sites "not within the 32 defined settlements or the principal settlements", they should not now be included as contributing towards the 27 dwelling figure. Therefore there are only commitments for 6 dwellings in Chatburn.

6.40 In summary, the housing requirement for Chatburn is 27 dwellings. By 30<sup>th</sup> September 2018, 8 no. dwellings had been completed. There are commitments for a further 6 no. dwellings. This means that 14 no. dwellings have either been completed or are committed, which contribute towards the 27 dwelling figure and 13 no. dwellings remain. The application proposals would therefore assist the Council in meeting Chatburn's housing needs.

6.41 It would also assist in meeting the overall housing requirement for the Borough as we now discuss.

#### **Housing supply over the plan period**

6.42 The Core Strategy sets out a minimum housing requirement of 5,600 dwellings to be delivered between 2008 and 2028. In the first 10.5 years of the plan period however, only 2,362 dwellings were delivered against a requirement over the same period of 2,938 dwellings. This leaves a minimum of 3,238 dwellings to be delivered in the remaining 9.5 years of the plan period (i.e. an annual average of 341 dwellings in each and every one of the monitoring years to 2028).

- 6.43 At the HED DPD examination, the Council prepared a Housing Position Paper (HPP), which explained that 3,289 dwellings would be delivered on the sites listed in the trajectory over the remaining plan period to 2028. This means just 51 dwellings over the residual 3,238 dwelling requirement would be achieved, providing a flexibility of just 0.9%. Even if they are found sound and allocated, the two proposed allocations in the HED DPD at Mellor and Wilpshire would only provide 50 dwellings and would not significantly increase the flexibility. The Council is also proposing five potential additional sites, but these need to be consulted on at the main modifications stage. Even if the five potential additional sites are found sound and allocated, they would only provide 210 dwellings in total and therefore sufficient flexibility will still not be achieved.
- 6.44 Notwithstanding this, we do not consider that the residual Core Strategy housing requirement of 3,238 will be achieved by existing commitments and the proposed allocations in the HED DPD because the Council has applied unrealistic build rates of up to 85 dwellings per year at two of the very large sites (Standen and Chipping Lane). The build rate experienced on other large sites is 30 dwellings per year. Once realistic build rates are applied to these sites, the Core Strategy requirement will not be met.
- 6.45 As a result, the case made by some of the objectors at the HED DPD examination was that further sites were required to ensure that the Core Strategy requirement would be met in the plan period. The Council's case was however that no further sites were required because the Core Strategy policies provided this flexibility, as we have discussed.
- 6.46 Therefore, the proposed development would assist in meeting the minimum housing requirement set out in the Core Strategy in the way the Council's evidence to the HED DPD examination foretold.

## **Other matters**

- 6.47 As we have set out above, the scope of permission in principle is limited to location, land use and amount of development. If the appeal is successful and permission in principle is granted, other matters would then be considered at the technical details consent stage. Whilst we are aware that local residents and the Parish Council has objected to the appeal application, the issues they raise are not relevant to the determination of the permission in principle application and will be considered at the technical details stage, should PiP be granted.

## 7. Summary and conclusions

- 7.1 Emery Planning is instructed by Mr Townsend (the appellant) to submit an appeal against the refusal of Ribbles Valley Borough Council to grant permission in principle for up to 9 dwellings at land to the south of Chatburn Old Road, Chatburn (LPA ref: 3/2018/0582).
- 7.2 As the Inspector will be aware, the scope of permission in principle is limited to location, land use and amount of development. If the appeal is successful and permission in principle is granted, other matters would then be considered at the technical details consent stage.
- 7.3 Our case on behalf of the Appellant is that the proposed development is in accordance with the development plan and in particular policies DMG2 and DMH3 of the Core Strategy, which are referred to in the reason for refusal. As set out in the committee report for the resubmitted application, the Council's officers agree that the proposed development is in accordance with these policies. Therefore, we conclude that permission in principle should be approved without delay in accordance with paragraph 11(c) of the NPPF and Key Statement DS2 of the Core Strategy: "Presumption in Favour of Sustainable Development". In the event that the Inspector disagrees and finds that the proposed development would be contrary to the development plan, there are other material considerations, which mean that permission in principle should still be granted. These are that the proposed development would assist in meeting the unmet housing requirements for Chatburn and the Borough as a whole.

## 8. Appendices

- EP1. Committee report for the resubmitted application (ref: 3/2018/0943)
- EP2. Committee report for the appeal application (ref: 3/2018/0582)
- EP3. Decision notice for the appeal application (ref: 3/2018/0582)
- EP4. Submitted documents for the resubmitted application (ref: 3/2018/0943)
- EP5. Transcript of the debate at committee for the resubmitted application
- EP6. Proposals map for Chatburn from the Districtwide Local Plan
- EP7. Proposals map for Chatburn adopted for development management purposes
- EP8. Copies of the relevant Core Strategy policies

EP1

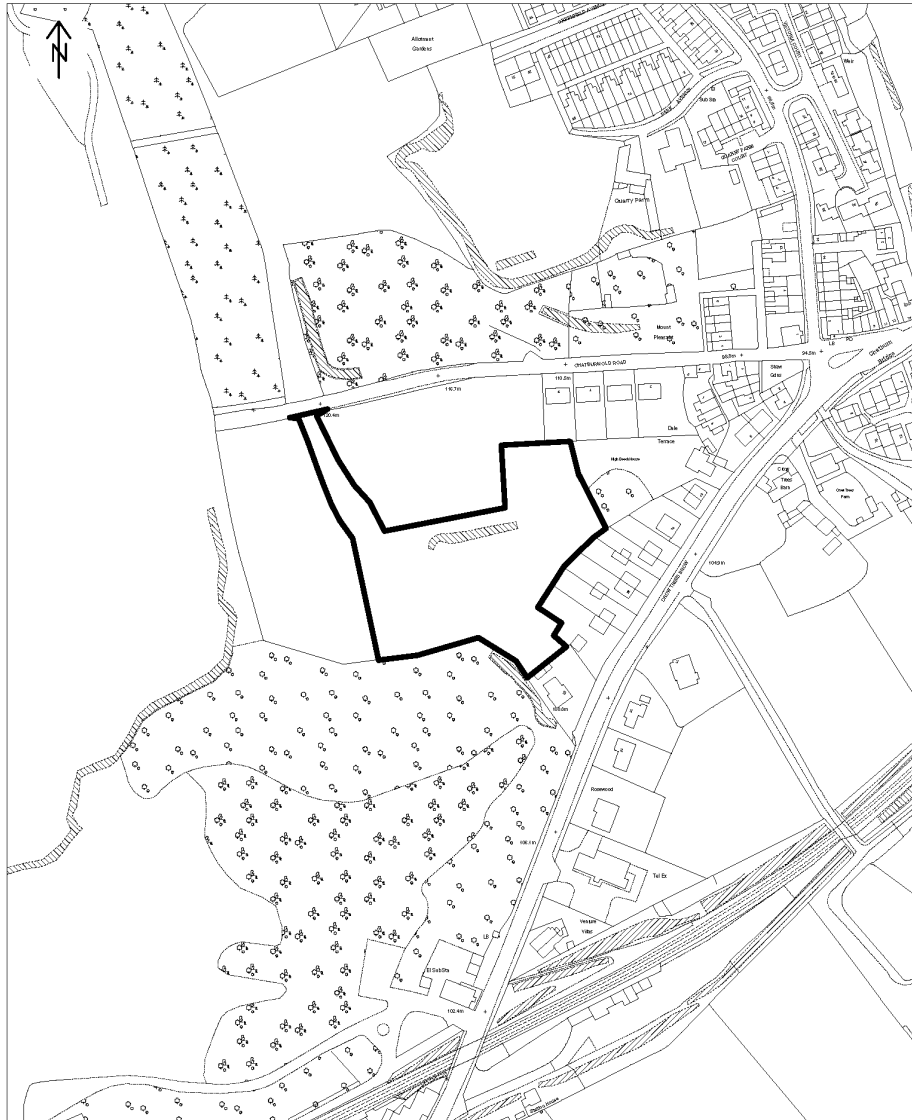
**APPLICATION - PERMISSION IN PRINCIPLE**

**APPLICATION REF: 3/2018/0943**

**GRID REF: SD 376631 443898**

**DEVELOPMENT DESCRIPTION:**

**RESIDENTIAL DEVELOPMENT OF UP TO NINE UNITS (RESUBMISSION OF APPLICATION 3/2018/0582) AT LAND TO THE SOUTH OF CHATBURN OLD ROAD, CHATBURN**



3/2018/0943 Land to the south of Chatburn Old Road Chatburn

Scale 1:2500

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

Chatburn Parish Council has the following observations to make:

- The village infrastructure is already at crisis point and, as the target for building new houses in Chatburn (as identified in the Planning Authorities Core Strategy) has already been reached; the proposed development would have a detrimental impact.
- The proposed site is outside the village settlement boundary in open countryside and is a natural barrier between the village and the large industrial quarry. Filling in the land will be harmful to the character of the village resulting in environmental damage. In a previous appeal following the initial refusal of planning permission for a development on Old Road, the Inspector wrote "A lung of undulating grass land with rocky outcrops with some large trees...which in my view makes a significant visual and physical contribution to the character of the settlement."
- The site is in close proximity to a working quarry where blasting continues to be carried three times per week resulting in serious problems overdevelopment with the site.
- There are 16 terraced properties with no off road parking. The properties are accessed from Old Road and around 20 vehicles regularly park there. The width of the road is only 4.5 metres at its narrowest point. Four properties have direct access onto the road and there is no footpath outside two of these. Traffic generated by the present development results in additional pressure on the narrow exit junction to the congested Ribble Lane. Further development will cause severe problems for residents at the Old Road/Ribble Lane junctions and make it almost impossible for refuse lorries who now have to reverse up the lane. There is also concern for emergency services being able to access properties on Old Road.
- The proposed development will put more pressure on the drainage which has been a problem for the present development and will be exacerbated by any further building. Excess water on the present site does not soak into the limestone and additional water resulting in flooding down Old Road causing damage to businesses in the centre of the village. Due to the nature of the high ground levels there will be possible problems both with surface water and sewage disposal. The Environment Agency and United Utilities must consider this.

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

No objection. Further consideration will need to be given at the technical details stage.

### **LCC MINERALS AND WASTE:**

None received.

### **ADDITIONAL REPRESENTATIONS:**

14 letters of objection have been received and raise the following concerns:-

- The development would spoil the character of the village.
- Road safety concerns.



- The application was refused unanimously several weeks ago.
- Previous appeal said no more housing on the old road.
- Dust, noise and disruption from the development.
- Several houses already for sale in Chatburn.
- Local school is oversubscribed.
- Impact on local wildlife.
- The proposal is contrary to Policies DMG2 and DMH3 of the RVBC Core Strategy.
- LCC Highway Officer does have concerns about highway safety at the junction with Old Road and Ribble Lane.
- Ecological issues at the site including enforcement action by LCC regarding the failure to restore calcareous grassland. The developer has not carried out an ecological survey.
- No pedestrian footway on the Old Road.
- Chatburn has reached its housing target.
- Over development of a small site.
- The possibility of between 1 and 9 dwellings is too wide a range to comment upon.
- Adjacent development is no closer to being completed.
- Issues associated with the current site including noise and vehicle movements.
- Site is not a sustainable location.
- Drainage (foul and surface water) issues with existing development.
- Housing on dominant and elevated site is an eyesore.
- Owls roosting on or near to the site and habitat to great crested newt.
- Development would overshadow existing properties.
- Parking restrictions at the Old Road and Ribble Lane junction would restrict parking for existing residents.
- Electricity cable crosses the site.
- Public footpath crosses the site.

## 1. **Site Description and Surrounding Area**

- 1.1 The proposed development site is located to the south of Chatburn Old Road, Chatburn. This greenfield site slopes down in level towards the east and south and is mainly grassland with bushes and trees along its boundaries, some of which are protected by Tree Preservation Orders. To the west of the site is Lanehead Quarry.
- 1.2 The majority of the site is in the Open Countryside as defined on the emerging Proposals Map although a small section of the site is within the settlement boundary of Chatburn. The site is bound to the north-west by a residential development of 10 dwellings approved by planning consent 3/2011/0025 and then 3/2014/0618 (varied by planning consent 3/2016/0748) which is currently under construction.

## 2. **Proposed Development for which consent is sought**

- 2.1 This application seeks permission in principle for the erection of up to nine dwellings at land to the south of Chatburn Old Road, Chatburn. Members will note that a similar permission in principle application (ref: 3/2018/0582) at this site was refused in September 2018 for the following reason:

*The proposal is considered contrary Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new dwellings in the open countryside without sufficient justification. The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals which would have an adverse impact on the implementation of the planning policies*

*of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF.*

- 2.2 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.
- 2.3 The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission. It is not possible for conditions to be attached to a grant of permission in principle nor can planning obligations be secured and its terms may only include the site location, the type of development and amount of development.
- 2.4 The technical detail stage will provide the opportunity to assess the detailed design of the scheme to ensure that any impacts are appropriately mitigated and that the contributions to essential infrastructure, for example, are secured. If the technical details are not acceptable, the local authority can refuse the application.

### 3. **Relevant Planning History**

3/2011/0025 - Outline planning application for residential development (ten dwellings). Allowed on appeal.

3/2014/0618 - Erection of 10 dwellings. Approved.

3/2016/0748 - Variation of Condition 02 (substitution of house types/designs for plots 1, 2, 3, 4, 5, 7, 8, 9 & 10, including repositioning of plots 3, 7, 9 & 10, and alteration to internal access road) and Removal of Condition 10 (un-associated condition) of planning permission 3/2014/0618 for the erection of ten dwellings. Approved.

3/2018/0582 - Residential development of up to nine units. Refused.

### 4. **Relevant Policies**

#### **Ribble Valley Core Strategy:**

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement H1 – Housing Provision  
Key Statement H2 – Housing Balance  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility

#### **National Planning Policy Framework**

## 5. Assessment of Proposed Development

- 5.1 The application proposes a residential development of between 1 and 9 dwellings. As stated above, the scope of permission in principle is limited to location, land use and amount of development; the detailed design of the scheme will be considered at technical detail stage. Whilst the objections raised by residents are noted these relate predominantly to matters that would be given full consideration at the technical detail stage.
- 5.2 As noted above, this is a re-submission of an earlier planning application which was refused by Planning and Development Committee on 6 September 2018 in accordance with officer recommendation. The application was refused on the basis that approval would lead to the creation of new dwellings in the open countryside without sufficient justification.
- 5.3 This application is supported by a Statement of Common Ground which sets out that the 'technical details' application(s) would be submitted within 6 months of a favourable decision. Furthermore, it states that the properties would be marketed to Ribble Valley residents only for the first 6 months and that the housing mix submitted at technical details stage would comprise 20% bungalows suitable for over 55s.
- 5.4 Principle of Development
- 5.4.1 The development plan for the Borough is the Ribble Valley Core Strategy which was formally adopted in December 2014. The Inspector for the Core Strategy, Simon Berkeley, concluded in his final report dated 25 November 2014 that the Ribble Valley Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.
- 5.4.2 The emerging Proposals Map for the Borough has yet to be formally adopted by the Local Planning Authority. Whilst the Examination in Public (EiP) into the Housing and Economic Development DPD (including Proposals Map) concluded week ending 25 January 2019 it may still be subject to change and therefore can only attract limited weight in the decision making process.
- 5.4.3 The Planning Statement submitted in support of the application challenges the Council's housing land supply position and considers that the Council cannot demonstrate a 5 year supply. Having regard to the October Housing Land Availability Survey (HLAS) (published 19 November 2018) it is considered that the Council can demonstrate a 6.1 year supply of housing land with a 5% buffer. The use of a 5% buffer is supported by the recently published revised NPPF. 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.
- 5.4.4 Key Statement DS1 identifies Chatburn as a Tier 1 Village and therefore some development will be directed towards the settlement. Key Statement DS1 confirms that, *'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.'*

- 5.4.5 It is not disputed that in terms of proximity to services, the site could be deemed to be a sustainable location. The provision of up to 9 dwellings on the edge of the settlement of Chatburn would reflect the existing population size 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 some new housing development towards the Tier 1 settlements. Therefore, it is confirmed that the proposal would not harm the settlement strategy.
- 5.4.6 In assessing this planning application, due regard has been given to the discussions held during the EiP into the Housing and Economic Development DPD which, during its siting from Tuesday 22<sup>nd</sup> January and Wednesday 23<sup>rd</sup> January 2019, considered the proposed housing allocations and housing matters within the Borough. During the course of the examination, which was attended by representatives of developers and private landowners as well as Council Officers, the Inspector focussed on the Council's housing land supply and the appliance of the Core Strategy housing policies in the determination of residential planning applications. There was debate on whether the Core Strategy Policies restricted windfall housing developments and the location of new housing. At the request of the Inspector, Council Officers were required to provide details of planning applications granted for residential development within sustainable locations but outside of the defined settlement boundaries when the Authority could demonstrate a 5 year housing land supply. This was sought to demonstrate how the housing policies in the Core Strategy, i.e. DMG2 and DMH3, are applied within the Borough.
- 5.4.7 Council Officers provided details of a number of sites that have been granted planning consent for residential development in such locations. It was made clear during discussions between the Inspector and those present at the EiP that the Council's housing policies must be applied to enable degree of flexibility to ensure that it meets the aims and objectives of the NPPF which seeks to '*significantly boost the supply of homes*'.
- 5.4.8 As such it must be recognised that following the EiP 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.
- 5.4.9 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*". In view of the Inspector's comments at the EiP, it is considered that this policy makes provision for development proposals in Principal and Tier 1 settlements that consolidate, expand or round-off development so that it is closely related to the main built up areas.
- 5.4.10 The application site adjoins an existing residential development site which extends from the main settlement area of Chatburn. This adjacent development site, which is under construction, has been included within the draft settlement boundary for Chatburn in the emerging Proposals Map. The application site is not bounded by consolidated development along more than two thirds of its perimeter and as such it is not considered to be 'rounding-off' as defined in the

glossary of the Core Strategy. However, the development is considered to comply with the definition of 'expansion', as expressed in the Core Strategy as *'limited growth of a settlement which is in scale and keeping with the existing urban area'*. The development site is particularly well-contained, being bordered by Lanehead Quarry to the west, protected trees which skirt the site to the west and south and existing development to the east. As such, on balance, and taking into account the Inspector's comments at the EiP into the Housing and Economic Development DPD, the proposed development, on the edge of a Tier 1 settlement, is considered to be acceptable in principle.

5.4.11 In addition the applicant has submitted a Statement of Common Ground which sets out an agreement that the 'technical details' application would be submitted within 6 months of a favourable decision and states that the properties would be marketed to Ribble Valley residents only for the first 6 months and the housing mix submitted at technical details stage would comprise 20% bungalows suitable for over 55s. It is anticipated that there would be a general need for bungalow accommodation in Chatburn (confirmation from the Council's Housing Officer to be presented verbally) and this would be considered a considerable benefit of the development.

5.4.12 Notwithstanding the above, there is no means for planning obligations to be secured against permission in principle. Should consent be granted, Council Officers would work with the applicant at technical details stage in an attempt to ensure that the mix of housing proposed is acceptable to the LPA and to seek to secure any affordable/over 55s housing or local occupancy requirements by legal agreement at that stage.

## 5.5 Other Considerations

5.5.1 In relation to the amount of development proposed, as stated above the provision of up to 9 dwellings on the edge of the settlement of Chatburn would not result in any quantifiable or measurable harm to the Development Strategy. The site is approximately 1 hectare in size and whilst there are constraints within and surrounding the site including its topography, protected trees, a public right of way and its proximity to the Lanehead Quarry, it is not considered that an upper threshold of 9 residential units is unreasonable. There would remain the requirement for a detailed site layout to be provided at technical details stage with this providing the appropriate interface distances between dwellings to ensure acceptable standards of privacy and a suitable internal road layout.

5.5.2 Concerns raised in relation to the capacity of Chatburn Old Road to absorb additional traffic that would be generated by the proposals are noted. Consideration was given to highway capacity and safety issues in the Inspectors report for the development of 10 dwellings at the adjacent site that was allowed on appeal. As a requirement of that consent, ref. 3/2011/0025, improvements were secured at the junction between Chatburn Old Road and Ribble Lane. In regard to that appeal scheme, the Highway Authority had no concerns in principle regarding on-street parking activity and the capacity of the highway to accommodate the additional traffic associated with the dwellings proposed.

5.5.3 It is acknowledged that more detailed consideration would need to be given to the impact of this proposed development on the local highway network at the technical details stage and the highways officer has indicated this may include

the provision of waiting restrictions close to the junction with Ribble Lane. The Highways Authority raises no objection in principle to the proposals. Whilst the County Surveyor recommends the imposition of conditions should consent be granted, as noted above there are no means of imposing planning conditions at the PiP stage.

5.5.4 In relation to the site's proximity to Lanehead Quarry, a thorough assessment of the potential implications of residential development in this location were undertaken as part of the determination of the planning application for housing on the adjacent site. The Inspector for application 3/2011/0025 noted at paragraph 43 of his report *'it is evident that if the appeal scheme were to be developed, with careful management it should be possible to commercially extract mineral on the eastern face of the quarry, while both meeting the relevant planning conditions regarding blasting vibration, and successfully addressing the potential for complaints to be made. As such, there would be no 'permanent in-direct sterilisation' of reserves in the quarry.'* Furthermore, it was considered that noise attenuation measures could be installed to ensure future occupants would enjoy an acceptable level of residential amenity. No comments have been received from the Minerals and Waste section at Lancashire County Council and taking the above into account there is no in-principle reasons for refusal of this application on highway safety or residential amenity grounds.

5.5.5 Concerns raised relating to the impact of the development on trees, ecology, foul and surface water drainage, noise and disturbance, highway safety, residential amenity and the amenity of the area would be considered at the technical details stage.

## 6. **Conclusion**

6.1 Having considered all of the above, in light of the recent discussions held at the EiP into the Housing and Economic Development DPD, the principle of development in this location is considered acceptable. Accordingly, it is recommended that Permission in Principle is granted.

**RECOMMENDATION:** That Permission in Principle be GRANTED subject to the following information notes:

1. This permission shall be read in accordance with the Statement of Common Ground dated 28th January 2019.
2. In addition to national information requirements as required by article 7(1)(c)(ii) of the Town and Country Planning (Development Management Procedure (England) (Order) 2015, applications for the approval of technical details should be accompanied by an Arboricultural Impact Assessment, Ecology Survey, Drainage Strategy, Noise and Vibration Survey and draft Heads of Terms.

This aforementioned required information is not exhaustive and additional information may be required during the determination process.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0943](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0943)

EP2

GRID REF: SD 376631 443898

RESIDENTIAL DEVELOPMENT OF UP TO NINE UNITS AT LAND TO THE SOUTH OF  
CHATBURN OLD ROAD, CHATBURN



18 0582 Land to the south of Chatburn Old Road Chatburn

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Chatburn Parish Council has the following observations:

- Not enough time to respond to the application
- Chatburn has reached its residential requirement set out in the Core Strategy
- Site is outside the village settlement boundary in the open countryside.
- Development would be harmful to the character of the village
- Site is in close proximity to a working quarry
- Additional pressure on the narrow exit junction to the congested Ribble Lane
- Concerns about soak away and drainage of the site
- Five-year requirement has already been achieved

No objection. Further consideration will need to be given at the technical details stage.

None received.

20 letters of objection have been received and raise the following concerns:

- More cars and more noise – junction at end of Old Lane would not be safe
- More houses that are not needed
- Old Road is only a country lane and is heavily congested
- Bats and other wildlife present at the site
- Problems with site drainage
- More school places would be needed
- Noise and dust from existing development
- Request assurance of foul and surface water drainage proposals
- Too much development in Chatburn
- Notice of application not circulated widely enough
- Insufficient information to make considered response
- No site notices displayed
- Loss of sunlight/daylight and privacy in gardens and adjacent houses
- Impact on trees and wildlife
- No pavement for pedestrians to access the site
- Overdevelopment and unacceptable visual impact
- Noise during construction

1.

- 
- 1.1 The application site is located to the south of Chatburn Old Road, Chatburn. The greenfield site slopes down in level towards the east and south and is mainly grassland with bushes and trees along its boundaries. The site is located on the edge of the settlement of Chatburn and is in the open countryside as defined on the draft Proposals

Map adopted for Development Management Purposes (as of Dec 2016). The site is bounded to the north-west by a residential development of 10 dwellings approved by planning consent 3/2011/0025 and then 3/2014/0618 (varied by planning consent 3/2016/0748) which is currently under construction.

2. \_\_\_\_\_
- 2.1 This application seeks permission in principle for the erection of up to nine dwellings at land to the south of Chatburn Old Road, Chatburn.
- 2.2 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.
- 2.3 The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission. It is not possible for conditions to be attached to a grant of permission in principle nor can planning obligations be secured and its terms may only include the site location, the type of development and amount of development.
- 2.4 The technical detail stage will provide the opportunity to assess the detailed design of the scheme to ensure that any impacts are appropriately mitigated and that the contributions to essential infrastructure, for example, are secured. If the technical details are not acceptable, the local authority can refuse the application.

3. \_\_\_\_\_  
No relevant planning history.

4. \_\_\_\_\_

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement H1 – Housing Provision  
Key Statement H2 – Housing Balance  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility

5. \_\_\_\_\_

- 5.1 The application proposes a residential development of between 1 and 9 dwellings at the application site. As stated above, the scope of permission in principle is limited to location, land use and amount of development; the detailed design of the scheme will be

considered at technical detail stage. Whilst I note objections raised by residents these relate predominantly to matters that would be given full consideration at the technical detail stage.

## 5.2 Principle of Development

5.2.1 The development plan for the Borough is the Ribble Valley Core Strategy which was formally adopted in December 2014. The Inspector for the Core Strategy, Simon Berkeley, concluded in his final report dated 25 November 2014 that the Ribble Valley Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

5.2.2 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.'*

5.2.3 In addition to the strategic site at Standen and the borough's principal settlements, development will be focused towards Tier 1 Villages, which are the more sustainable of the 32 defined settlements. Key Statement DS1 identifies Chatburn as a Tier 1 Village and therefore some development will be directed towards the settlement. Key Statement DS1 confirms that:-

*'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.'*

5.2.4 The proposal site lies immediately adjacent to the settlement boundary of the village of Chatburn. The local planning authority does not dispute that in terms of proximity to services, the site could be deemed to be a sustainable location. The provision of up to 9 dwellings on the edge of the settlement of Chatburn would reflect the existing population size 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 some new housing development towards the Tier 1 settlements. Therefore, it is confirmed that proposals would not harm the settlement strategy.

5.2.5 The application site lies outside the Chatburn settlement boundary 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.*

- 5.2.6 This part of Policy DMG2 does not apply to the proposal as the development site is not within a Tier 1 Village, but is in the open countryside. Development in the open countryside is dealt with by the following part of the policy:-

*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.*

- 5.2.7 As the application site lies outside a defined settlement area it must meet at least one of the considerations listed in Policy DMG2. Core Strategy Policy DMH3 relates specifically to dwellings in the open countryside and AONB. Policy DMH3 reads:-

*Within areas defined as Open Countryside or AONB on the proposals map, residential development will be limited to:*

- 1. Development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers dwellings a functional and financial test will be applied.*
- 2. The appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction.*
- 3. The rebuilding or replacement of existing dwellings subject to the following criteria:*
  - the residential use of the property should not have been abandoned.*
  - there being no adverse impact on the landscape in relation to the new dwelling.*
  - the need to extend an existing curtilage.*

- 5.2.8 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, none of which would apply in this case.

- 5.2.9 It is relevant at this stage to note that 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 Housing and Economic Development (HED) DPD, to the Secretary of State on 28 July 2017. 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.

- 5.2.10 The HED DPD will include relevant allocations, including housing and employment land and policies for the town centres of Clitheroe, Longridge and Whalley, as well as existing open spaces and revised settlement boundaries all of which will be reflected on a new Proposals Map. As part of the plan preparation for the HED DPD the settlement boundary for Chatburn has been reviewed in accordance with the Interim Settlement Boundary Definition Topic Paper (March 2016) which formed part of the HED DPD evidence base.
- 5.2.11 Unforeseen and lengthy delays have led to the postponement of the HED DPD Examination in Public (EiP) and during this time the Council's housing requirement position has changed. A report titled 'Proposed Additional Housing Allocations' was presented to Planning and Development Committee on the 17 July 2018 and notes that sites have not been completed as expected, fewer permissions have come forward and the recent appeal decision at Higher Road, Longridge raised the issue of housing land supply.
- 5.2.12 The Planning Statement submitted in support of the application challenges the Council's housing land supply position making reference to the recent appeal decision at Higher Road, Longridge (report dated 22 May 2018) where the Inspector states at paragraph 30 of his report:

*"When having regard to my above findings with respect to the disputed sites, the Council's housing land supply is reduced by a further 136 dwellings in total during the five year period. As a consequence, I find that on the basis of the evidence before me the deliverable housing land supply demonstrated is approximately 4.5 years, including the application of a 20% buffer, the existing shortfall of delivery, 10% slippage applied to sites with planning permission not started and a windfall allowance, in accordance with the Framework. In that respect, even if the Council's predictions relating to some of the sites prove to be more accurate, it would not significantly alter the housing land supply position and would only marginally reduce the shortfall within the range of 4.5 years and a maximum of 4.7 years of deliverable housing land supply."*

- 5.2.13 In the absence of a five year supply of deliverable sites the relevant policies for the supply of housing would not be considered up to date and therefore the presumption in favour of sustainable development, laid out in the NPPF (and below), would apply.

*"For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. 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."*

5.2.14 The failure to demonstrate a five year supply would reduce the weight that could be attributed to Core Strategy Policy DMH3 in the decision-making process and would tilt the balance towards the grant of permission.

5.2.15 However, since the appeal decision at Higher Road, Longridge, there has been a fundamental change in planning policy at a national level. The revised National Planning Policy Framework was published on 24 July 2018 and introduces changes to how local planning authorities calculate housing land supply. Paragraph 73 of the revised NPPF states that *“local planning authorities should identify and update annually a supply of specific deliverable site sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies...”*

*The supply of specific deliverable site should in addition include a buffer (moved forward from later in the plan period) of:*

*a) 5% to ensure choice and competition in the market for land*

*b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*

*c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply*

5.2.16 The Inspector at the Higher Road appeal considered a 20% buffer should be applied due to *‘a persistent record of under-delivery of housing in Ribble Valley’*. The previous Framework did not define the term *‘persistent record of under-delivery’* and there were uncertainties in relation to the time period over which it was thought historic housing completions should be measured against housing requirements. The revised NPPF provides clarity, specifying a delivery period of three years. Over the past four years housing completions in the Ribble Valley have exceeded housing requirement targets and as such there is no record of *‘significant’* under delivery to warrant the imposition of a 20% buffer. The Council’s latest position is contained in the Housing Land Availability Schedule April 2018 which states that on 31<sup>st</sup> March 2018 the Council was able to demonstrate a 5.3 year supply of housing land with a 5% buffer.

5.2.17 Thought must also be given to additional changes introduced by the Housing Delivery Test which provides a standardised method for calculating housing delivery for plan-making authorities, to start in November 2018. The standardised method will use national household growth projections adjusted based on the affordability of an area. The most recent household growth and affordability ratio statistics for Ribble Valley would result in a reduced minimum annual local housing need figure when compared with the current figure of 280 dwelling per annum in the Core Strategy.

5.2.18 Another significant matter on which the revised NPPF is silent is the consideration of any backlog within the calculation. This was included in previous methodology and arises where completions lag behind overall requirements in the plan period to date. Whether or not a factor to reflect any backlog should be

included in the calculation is not made explicit but, if not, it would result in the removal of 630 dwellings from the Council's housing requirement figures over the next five years as part of the housing land supply calculation.

5.2.19 The five year supply calculation published in the Housing Land Availability Schedule April 2018 based on the current annual housing requirement of 280 dwellings and including backlog is therefore considered to be a 'worst case scenario'. Based on this calculation the Council can demonstrate a 5.3 year supply of housing land. However, the direction of travel indicated by the Housing Delivery Test is towards a reduced annual requirement for the Ribble Valley and possible removal of backlog from the calculation. The result of this would be a significantly higher housing land supply figure.

5.2.20 Having regard to the above, it is considered that the Council can demonstrate a five year supply of housing land with a 5% buffer. The use of a 5% buffer is supported by the recently published revised NPPF and therefore, even in the 'worst case scenario' (including backlog and ignoring direction of travel towards a reduced annual housing need figure using the standard method set out in the Housing Delivery Test, to start in November 2018) the Council can demonstrate a five year supply. 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.

5.2.21 Taking into account all of the above, there is no overwhelming need at this time for the Council to release additional open countryside land for residential development. The residual housing need for the plan period (2008-2028) for Chatburn, identified in Core Strategy table 4.12, has been met. Taking account of completions and permissions, the minimum housing requirement for the borough for the plan period (5,600 dwellings) has been exceeded and the Council can also demonstrate a five year supply of deliverable sites. Given that the proposed scheme is for the erection of up to 9 open market dwellings, the development would fail to comply with policies DMG2 and DMH3 of the Core Strategy. The benefit of the provision of open market dwellings would not, in this case, overcome the harm that would arise from the conflict with Policy DMG2 which underpins the settlement hierarchy for the purposes of delivering sustainable development and Policy DMH3 which seeks to protect the open countryside and designated landscape areas from sporadic or visually harmful development and is necessary to deliver both sustainable patterns of development and the overarching Core Strategy vision.

### 5.3 Other Considerations

5.3.1 I note concerns raised in relation to the capacity of Chatburn Old Road to absorb additional traffic that would be generated by the proposals and am mindful of the consideration given to highway capacity and safety issues in the Inspectors report for the development of 10 dwellings at the adjacent site that was allowed on appeal. As a requirement of that consent 3/2011/0025 improvements were secured at the junction between Chatburn Old Road and Ribble Lane. In regard to that appeal scheme, the Highway Authority had no concerns in principle regarding on-street parking activity and the capacity of highways to accommodate the additional traffic associated with the dwellings proposed. It is acknowledged that more detailed consideration would need to be given to the impact of development on the local highway network at the technical details

stage and the highways officer has indicated this may include the provision of waiting restrictions close to the junction with Ribble Lane.

- 5.3.2 In relation to the sites proximity to Lanehead Quarry, a thorough assessment of the potential implications of residential development in this location were undertaken as part of the determination of the planning application for housing on the adjacent site. The Inspector for application 3/2011/0025 noted at paragraph 43 of his report *'it is evident that if the appeal scheme were to be developed, with careful management it should be possible to commercially extract mineral on the eastern face of the quarry, while both meeting the relevant planning conditions regarding blasting vibration, and successfully addressing the potential for complaints to be made. As such, there would be no 'permanent in-direct sterilisation' of reserves in the quarry.'* Furthermore, it was considered that noise attenuation measures could be installed to ensure future occupants would enjoy an acceptable level of residential amenity. No comments have been received from the Minerals and Waste section at Lancashire County Council and taking the above into account there is no in-principle reasons for refusal of this application on highway safety or residential amenity grounds.

6. \_\_\_\_\_

- 6.1 Having considered all of the above, in principle a development of up to 9 dwellings in the open countryside is considered to be contrary to Core Strategy policies DMG2 and DMH3 which seek to limit development within Tier 2 villages and outside the defined settlement areas unless a specified exception is met. The limited social and economic benefits arising from the development would fail to outweigh the conflict with the development plan.
- 6.2 If approved, the proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals without sufficient justification which would have an adverse impact on the implementation of the planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF.

That the application be REFUSED for the following reasons:

1. The proposal is considered contrary Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new dwellings in the open countryside without sufficient justification. The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals which would have an adverse impact on the implementation of the planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF.

## BACKGROUND PAPERS

[https://www.ribbonvalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0582](https://www.ribbonvalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0582)



EP3

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

Town and Country Planning (Permission in Principle) (Amendment) Order 2017

REFUSAL OF APPLICATION IN PRINCIPLE

**APPLICATION NO:** 3/2018/0582

**DECISION DATE:** 07 September 2018

**DATE RECEIVED:** 22/06/2018

**APPLICANT:**

Mr Rod Townsend  
Nest Housing  
C/o Agent

**AGENT:**

Mrs Judith Douglas  
Judith Douglas Town Planning Ltd  
90 Pimlico Road  
Clitheroe  
BB7 2AH

---

**DEVELOPMENT PROPOSED:** Residential development of up to nine units.

**AT:** Land to the south of Chatburn Old Road Chatburn

Ribble Valley Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 Town and Country Planning (Permission in Principle) (Amendment) Order 2017 that permission **has been refused** for the carrying out of the above development for the following reason(s):

- 1 The proposal is considered contrary Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new dwellings in the open countryside without sufficient justification. The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals which would have an adverse impact on the implementation of the planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF.

**JOHN HEAP**

**DIRECTOR OF COMMUNITY SERVICES**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission in principle for the proposed development, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this decision notice

P.T.O.

**RIBBLE VALLEY BOROUGH COUNCIL  
REFUSAL OF PLANNING PERMISSION CONTINUED**

**APPLICATION NO: 3/2018/0582**

**DECISION DATE: 7 September 2018**

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- Appeals must be made using a form which you can obtain online from [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate) or from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN
- The Secretary of State can allow a longer period for making an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in making an appeal
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission in principle for the proposed development having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order
- In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State

EP4

Adam Birkett  
Planning Services  
Ribble Valley Borough Council  
Council Offices  
Church Walk  
Clitheroe  
Lancashire  
BB7 2RA

1 – 4 South Park Court  
Hobson Street  
Macclesfield  
Cheshire  
SK11 8BS

T: 01625 433881  
F: 01625 511457

info@emeryplanning.com  
www.emeryplanning.com

15 October 2018

EP ref: 18-406

Ben Pycroft  
T: 01625 442 799  
benpycroft@emeryplanning.com

Dear Mr Birkett

Re: Land to the south of Old Road, Chatburn

Further to our correspondence last week, Emery Planning has been instructed by Mr Townsend to resubmit an application for permission in principle for the residential development of up to 9 no. dwellings at land south of Old Road, Chatburn. Please find enclosed the following documents:

- Site location plan; and
- Application form.

As agreed by e-mail correspondence last week, because this application is the re-submission of application 3/2018/0582, which was refused on 7<sup>th</sup> September 2018, no application fee is required.

We look forward to hearing from you once the application has been validated. In the meantime, should you require any further information, please do not hesitate to contact me.

Yours sincerely  
Emery Planning

*Ben Pycroft*

**Ben Pycroft BA (Hons), DIP TP, MRTPI**  
**Associate Director**

Emery Planning is proud to support the Keaton Emery Memorial Foundation. To find out more about the charity, please visit [www.keatonemeryfoundation.com](http://www.keatonemeryfoundation.com)



## Application for Permission in Principle Town and Country Planning Act 1990

### Town and Country Planning (Permission in Principle) (Amendment) Order 2017

Permission in principle may be granted for minor housing-led development only. Article 5B of the Permission in Principle (Amendment) Order 2017 sets out development that is specifically excluded from a grant of permission in principle and this includes habitats and EIA development.

#### Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to a Local Planning Authority in accordance with the legislation detailed on this form and 'The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)'.

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to a Local Planning Authority in agreement with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

#### Publication on Local Planning Authority websites

**Information provided on this form and in supporting documents may be published on the authority's planning register and website.**

Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information. If you require any further clarification, please contact the Local Planning Authority directly.

Find contact details for Local Planning Authorities: <https://www.planningportal.co.uk/lpasearch>

If printed, please complete using block capitals and black ink.

#### 1. Applicant Name and Address

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

#### Contact information:

Country Code:  National number:  Extension:

Country Code:  Mobile number (optional):  Extension:

Email address (optional):

#### 2. Agent Name and Address

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

#### Contact information:

Country Code:  National number:  Extension:

Country Code:  Mobile number (optional):  Extension:

Email address (optional):

### 3. Description of the proposed development including any non-residential development

RESIDENTIAL DEVELOPMENT FOR UP TO 9 UNITS

Net number of dwellings: Min:  Max:  Amount of non-residential use(s) (e.g. floorspace or area):

(Can be expressed as a range, a maximum or a fixed amount)

### 4. Site information

Description and amount of existing use(s) of site:

AGRICULTURAL LAND

Site Area (hectares):

If you propose to attach any supporting information relating to known or likely constraints on the site please briefly describe what information you intend to provide.

REFER TO APPLICATION SUPPORTING LETTER

### 5. Site Address Details

Please provide the full postal address of the application site.

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (optional):

Description of location or a grid reference - must be completed if postcode is not known:

Easting:  Northing:

Description:

### 6. Authority Employee / Member

It is an important principle of decision-making that the process is open and transparent. For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the local planning authority.

Do any of the following statements apply to you and/or agent?  Yes  No With respect to the authority, I am:  
(a) a member of staff  
(b) an elected member  
(c) related to a member of staff  
(d) related to an elected member

If Yes, please provide details of their name, role and how you are related to them

## 7. Declaration

I/We hereby apply for permission in principle as described in this form. I/We confirm that to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant

Or signed - Agent

BEN PYCROFT

Date (DD/MM/YYYY):

(date cannot be pre-application)

12/10/2018

## 8. Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

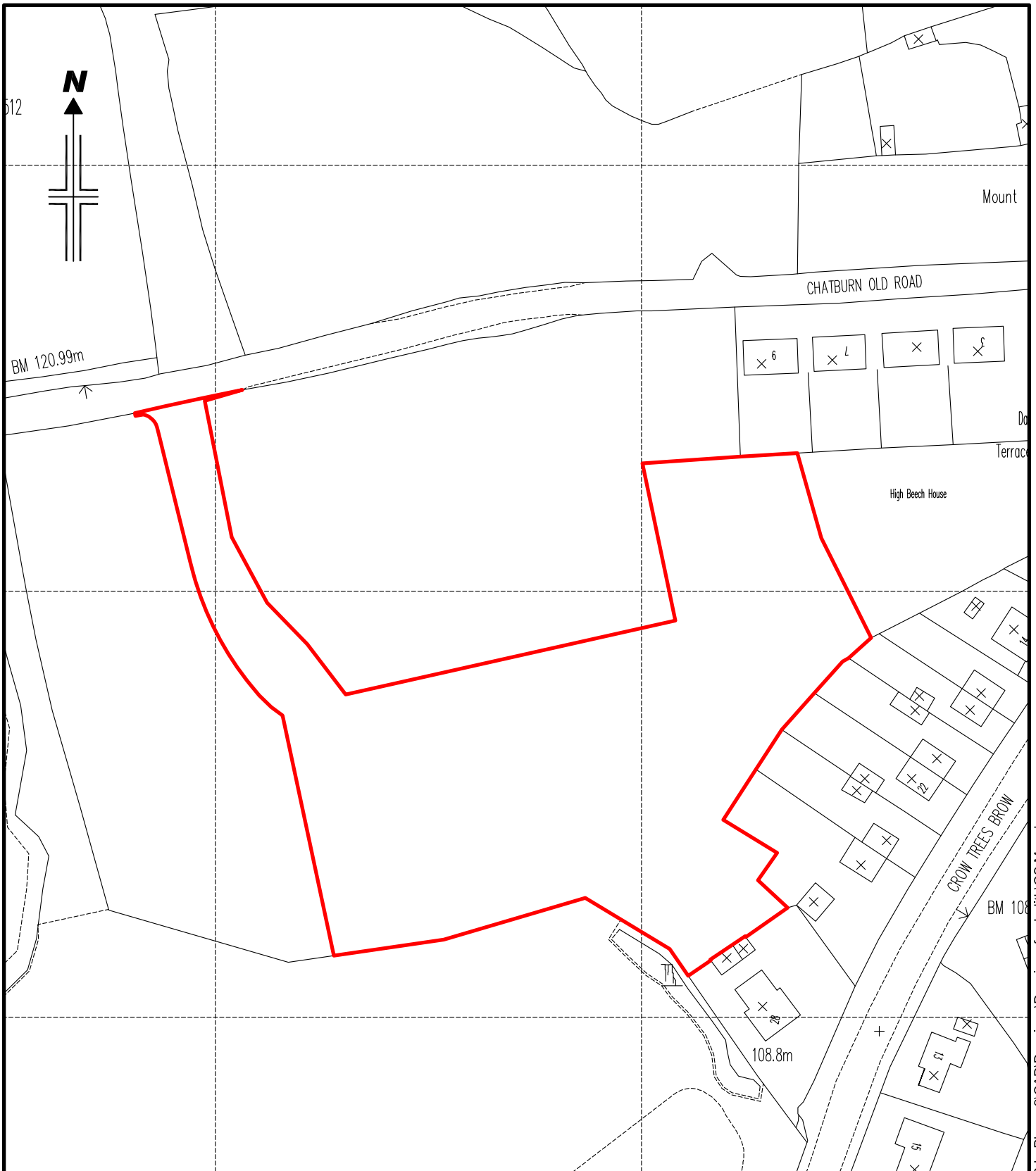
The original and 3 copies of a completed and dated application form:

The original and 3 copies of the plan which identifies the land to which the application relates:

The correct fee:

Any supporting information:





1:1250 Scale

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www.psadesign.co.uk  
mail@psadesign.co.uk



PSA Design  
The Old Bank House  
6 Berry Lane, Longridge  
Preston, PR3 3JA  
Tel. 01772 786066  
Fax. 01772 786265

Client	Nest Housing
Job	Chatburn Old Road
Title	Site Location Plan

Scale 1:1250 @ A4		
Drawn GS	Check GS	Appr DW

Drwg No.	T2359/P/01
Date	19 June 2018
Rev.	



# Planning Statement

Residential development of up to 9 dwellings –  
Land to the south of Old Road, Chatburn

for Mr Townsend

Emery Planning project number: 18-406

LPA ref: 3/2018/0943

Project : 18-406  
Site address : Land to the south of Old  
Road, Chatburn  
Client : Mr Townsend  
  
Date : 30 October 2018  
Author : Ben Pycroft  
  
Approved by : Stephen Harris

This report has been prepared for the client by Emery Planning with all reasonable skill, care and diligence.

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Emery Planning Partnership Limited  
trading as Emery Planning.

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## 1. Introduction and summary

1.1 This planning statement is submitted in support of an application for permission in principle for the residential development of up to 9 dwellings at land to the south of Old Road, Chatburn (LPA ref: 3/2018/0943). The application is the resubmission of a previous application which was refused earlier this year (LPA ref: 3/2018/0582).

### Background

1.2 On 22<sup>nd</sup> June 2018, planning agent Judith Douglas applied on behalf of Mr Townsend to Ribble Valley Borough Council (RVBC) for Permission in Principle (PiP) for the residential development of up to 9 dwellings at the site.

1.3 The application was made valid on the same day and given the reference 3/2018/0582. It was determined at a meeting of the planning committee on 6<sup>th</sup> September 2018, where it was recommended that the application be refused. The case officer's report concluded that at that time there was no overwhelming need for the Council to release additional open countryside for residential development because:

- The residual housing need for the plan period for Chatburn identified in table 4.12 of the Core Strategy has been met;
- The minimum housing requirement for the borough for the plan period has been exceeded; and
- The Council can demonstrate a five year supply of deliverable housing sites<sup>1</sup>.

1.4 Members voted in accordance with the recommendation and the application was refused for the following reason:

*"The proposal is considered contrary Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new dwellings in the open countryside without sufficient justification. The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals which would have an adverse impact on the implementation of the planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF."*

1.5 The decision notice was issued on 7<sup>th</sup> September 2018.

---

<sup>1</sup> Please refer to paragraph 5.2.21 of the case officer's report.

## Summary of case

- 1.6 Since the previous application was determined, the Council's position in relation to its five year supply has changed. On 9<sup>th</sup> October 2018 at a public hearing in relation to an appeal made by the Trustees of Hammond Ground against the decision of Ribble Valley Borough Council to refuse to grant outline planning permission for up to 50 dwellings at Hammond Ground, Read<sup>2</sup>, the Council confirmed that it could not demonstrate a deliverable five year supply of housing land and therefore the tilted balance set out in paragraph 11(d) of the NPPF applies. Emery Planning submitted the housing land supply evidence on behalf of the Appellant.
- 1.7 Notwithstanding this, our primary case on behalf of the applicant is that the proposed development is in accordance with the development plan and therefore it should be approved without delay in accordance with paragraph 11(c) of the NPPF for the following reasons:
- The proposed development is for 9 dwellings in Chatburn, which as a Tier 1 Village is a focus for development as set out in Key Statement DS1 of the Core Strategy;
  - Policy DMG2 of the Core Strategy allows for the expansion and consolidation of Tier 1 Villages;
  - The proposed development would assist in meeting Chatburn's housing requirements as set out in the table below 4.12 of the Core Strategy; and
  - The proposed development would also assist in meeting the Borough's housing need of 5,600 dwellings between 2008 and 2028.
- 1.8 In the event that the Council disagrees and finds that the proposed development would be contrary to the development plan, there are other material considerations, which mean that permission should be granted. These are firstly that the proposed development would assist in meeting the unmet housing requirements for Chatburn and the Borough as a whole and secondly, by virtue of the absence of a five year supply of housing land, the tilted balance set out in paragraph 11(d) of the NPPF applies and there are no site specific or other adverse impacts which significantly or demonstrably outweigh the benefits the proposed development would deliver.

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<sup>2</sup> LPA ref: 3/2016/1192, PINS ref: APP/T2350/W/17/3185445

## 2. The application

2.1 As set out in the introduction, the proposal is for permission in principle for up to 9 no. dwellings. The documents submitted with this application are as follows:

- Site location plan;
- Application form; and
- Statement on delivery by Nest Homes.

## 3. Site and area description

3.1 The appeal site is 0.99 ha in area. It is located to the south of Old Road, Chatburn and is greenfield. The site slopes down in level towards the east and south and is mainly grassland with bushes and trees along its boundaries.

3.2 The site is bounded to the north-west by a residential development of 10 dwellings approved by planning consent 3/2011/0025 and then 3/2014/0618 (varied by planning consent 3/2016/0748) which is currently under construction by JJ Construction NW Ltd. To the west is a quarry and to the south is a nature reserve.

3.3 The site is located immediately adjacent to the settlement boundary of Chatburn. Chatburn is one of 9 "Tier 1 Villages" in the borough. Tier 1 villages are the more sustainable of 32 defined settlements in the borough. There is a post office and convenience store, village hall, 2 public houses, a library, butchers, hairdressers, florist and an ice-cream shop in Chatburn, which are all within walking distance of the appeal site. The nearest bus stops are located approximately 300m away outside the post office and are served by frequent bus services to and from Clitheroe, Skipton, Preston and other villages in the borough. There is also a telephone exchange providing superfast internet.

## 4. Relevant planning history

### Application site

- 4.1 The only previous application submitted at the application site was the application for the permission in principle of the residential development of up to 9 no. dwellings (LPA ref: 3/2018/0582), which we have discussed above.

### Adjoining site

- 4.2 The following planning history relates to the adjoining site to the north:
- 19<sup>th</sup> April 2013 - outline planning permission was granted at appeal for 10 no. dwellings on the adjoining site (LPA ref: 3/2011/0025, PINS ref: APP/T2350/A/12/2176828).
  - 11<sup>th</sup> June 2015, full planning permission was then granted for 10 no. dwellings at the same site (LPA ref: 3/2014/0618).
  - 31<sup>st</sup> March 2016, an application to discharge conditions 4 (bat and bird boxes), 5 (landscaping), 6 (foul and surface water), 8 (construction management), 11 (renewable energy) 12 (junction improvement) of planning permission 3/2014/0618 was approved (LPA ref: 31/03/2016).
  - June 2016, an application to vary condition 2 of permission 3/2014/0618 relating to the approved plans) was made, but later withdrawn (LPA ref: 3/2016/0559).
  - 14<sup>th</sup> October 2016, an application to vary condition 02 (substitution of house types/designs for plots 1, 2, 3, 4, 5, 7, 8, 9 & 10, including repositioning of plots 3, 7, 9 & 10, and alteration to internal access road) and Removal of Condition 10 (un-associated condition) of planning permission 3/2014/0618 was approved (LPA ref: 3/2016/0748).
  - 5<sup>th</sup> January 2017, an application to discharge conditions 3 (materials), 4 (bird and bat boxes), 5 (landscaping), 6 (foul and surface water drainage, 8 (construction management plan), 10 (renewable energy), 11 (junction improvements), 12 (off site highway works) and 14 (boundary treatment) of planning permission 3/2016/0748 was approved (LPA ref: 3/2016/0984).
  - 26<sup>th</sup> January 2017, a new house type for plot 6 was approved (LPA ref: 3/2016/1019).
  - 5<sup>th</sup> January 2017, an application to discharge condition 3 (materials) of permission 3/2016/0748 was made. The materials were agreed, but the condition was not fully discharged because it requires the development to be carried out with the approved details (LPA ref: 3/2017/0010).



- 12<sup>th</sup> June 2017, a non-material amendment to planning permission 3/2016/0748 to allow the installation of two additional rooflights in the rear/south east facing roof elevation of Plot 3 was approved (LPA ref: 3/2017/0499).
- 12<sup>th</sup> December 2017, a new house type for plot 8 was approved (LPA ref: 3/2017/0830).
- 5<sup>th</sup> July 2018, an application to discharge condition 6 (scheme for the disposal of foul and surface waters for the entire site) from planning permission 3/2016/0748 was approved (LPA ref: 3/2018/0417).

4.3 The site is under construction and as of 25<sup>th</sup> September 2018, 3 no. dwellings have been completed. A further 7 no. dwellings are under construction and it is anticipated that all plots will be occupied by spring 2019.

## **5. Planning policy context**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions.

### **National planning policy and guidance**

#### **National Planning Policy Framework (NPPF, 2018)**

5.2 The relevant sections of the NPPF are discussed in the planning considerations section of this planning statement below. However, the NPPF states that there is a presumption in favour of sustainable development.

5.3 For decision taking, this means approving development proposals that accord with the development plan without delay.

5.4 Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear 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 the NPPF taken as a whole.

#### **Planning Practice Guidance (PPG)**

5.5 The PPG was originally published on 6<sup>th</sup> March 2014 and has been updated since. The relevant sections of the PPG are discussed in the planning considerations section of this statement.

### **Development plan context**

#### **Existing development plan and proposals map**

5.6 The development plan comprises the Ribble Valley Core Strategy 2008-28, which was adopted in December 2014. When the Core Strategy was adopted, the saved policies of the Districtwide Local Plan (adopted 1998) were superseded. However, the proposals map which

accompanied the Districtwide Local Plan is to remain in place until a revised set of plans is produced as part of the Housing and Economic Development DPD (HED DPD).

- 5.7 On the proposals map for the Districtwide Local Plan, the site is located outside of the settlement boundary for Chatburn.
- 5.8 The Council consulted on the Housing and Economic Development Development Plan Document (HED DPD) at regulation 18 stage in autumn 2016. The consultation included a draft proposals map. The map for Chatburn included the site to the north within the draft settlement boundary for Chatburn and identified it as a committed housing site. Part of the application site is located within the settlement boundary. Please refer to appendix **EP1**. On 15<sup>th</sup> December 2016, the Planning and Development Committee resolved to adopt the draft proposals map for development management purposes. Paragraph 3.3 of the report to the committee stated:

*"It is therefore proposed that the Draft Proposals Map be adopted to assist decision making for Development Management purposes. Whilst the plan will have limited statutory weight due to the stage of the plan making process, its adoption as a statement of Council policy will provide clarity to assist the determination of applications. This position is enhanced by the fact that the draft has been subject to public consultation with limited comments made. It can therefore be treated as a material consideration."*

### **Core strategy**

- 5.9 The following two policies are referred to in the reason for refusal of the previous application and are discussed in the following section of this statement:
- Policy DMG2: "Strategic Considerations"; and
  - Policy DMH3: "Dwellings in the Open Countryside and AONB".
- 5.10 The other relevant policies of the Core Strategy are:
- Key Statement DS1: "Development Strategy";
  - Key Statement DS2: "Presumption in Favour of Sustainable Development";
  - Key Statement H1: "Housing Provision";
  - Key Statement H2: "Housing Balance";
  - Policy DMG1: "General Considerations"; and
  - Policy DMG3: "Transport and mobility".

## Other material considerations

### Emerging Housing and Economic Development Development Plan Document (HED DPD)

- 5.11 The Council is in the process of preparing a Housing and Economic Development Development Plan Document (HED DPD). The main stages of preparation have been:
- Issues and Options (regulation 18) consultation – 26<sup>th</sup> August to 7<sup>th</sup> October 2016;
  - Publication of Preferred Options (regulation 19) consultation – 28<sup>th</sup> April to 9<sup>th</sup> June 2017;
  - Submission (regulation 22) – the plan was submitted to the Secretary of State on 28<sup>th</sup> July 2017 consultation took place between 31<sup>st</sup> July and 11<sup>th</sup> September 2017 on the proposed changes to the publication draft.
- 5.12 The examination hearing sessions were originally due to take place in January 2018. However, due to illness, the Inspector postponed the hearing sessions.
- 5.13 The examination hearing sessions were then due to take place in July 2018. However, on 12<sup>th</sup> June 2018, the Council wrote to the Inspector to explain the following:
- It was in the process of updating its Housing Land Availability Statement (HLAS) and participants of the examination may wish to have the opportunity to comment on it;
  - The recent appeal decision in relation to Higher Road, Longridge stated that the Council could not demonstrate a five year supply of housing land;
  - In the event the Council's updated HLAS concludes a five year supply cannot be demonstrated the Council will need to give consideration as to how it will address this including possibly making additional allocations;
  - If further allocations are proposed as main modifications then the Council will need to undertake further appraisal and consultation on these sites.
- 5.14 On 15<sup>th</sup> June 2018 the Council's website was then updated to state that the Council had asked the Inspector for a postponement to the hearings. On 19<sup>th</sup> June 2018, the Council's website then stated that the examination hearing sessions had been postponed until the week commencing 19<sup>th</sup> November 2018. This has subsequently been moved to the week commencing 26<sup>th</sup> November 2018.
- 5.15 On 17<sup>th</sup> July 2018 a special meeting of the Planning and Development Committee meeting took place. At the meeting, members resolved to endorse the HLAS (base date 31<sup>st</sup> March 2018) and consult on the proposed addition of five allocations for housing development in the HED DPD.

5.16 On 27<sup>th</sup> July 2018, the Council commenced consulting on the following five additional allocations:

- MM1 - Site 15 – Chatburn Road, Clitheroe (40 dwellings);
- MM2 - Site Devpr3 – Land off Hawthorne Place (40 dwellings);
- MM3 - Site 13 – Highmoor Farm (100 dwellings);
- MM4 - Langho Site 1 – South of Laycocks Farm, Langho (10 dwellings); and
- MM5 - Haugh Head, Whins Lane, Read and Simonstone (30 dwellings).

5.17 The consultation closed on 7<sup>th</sup> September 2018.

5.18 It is of note that the Council's justification for proposing additional housing allocations long after the HED DPD was submitted for examination in August 2017 is due to the Council's conclusion that it cannot demonstrate a five year housing land supply and its view that 165 additional dwellings would need to be allocated in order for it to do so. The consultation document itself states that:

*“at least 165 units are needed for the Authority to be able to clearly demonstrate a 5 year supply and provide a stable and robust position against which planning decisions can be made”.*

5.19 The Chief Executive's report to the Planning and Development Committee in advance of the Special Meeting on 17<sup>th</sup> July 2018 stated the following:

*“Whilst the Council can demonstrate a five year supply with a 5% buffer, it cannot do so when a 20% buffer is applied. Therefore to address this urgent issue further housing land allocations will need to be considered”.*

5.20 The report to the Planning and Development Committee also explains that sites were only selected based on whether or not the Council considered that they could deliver within five years of planning permission / allocation. It states:

*“Sites that were too large to deliver within five years were discounted (based on a calculation of approx. 30 dwellings per hectare) as the need for additional allocations follows directly from a current inability to satisfy the five year requirement. This pragmatically selects sites that could reasonably be considered to deliver units within five years of planning permission/allocation and also aligns with recent proposed draft government national planning policy changes to deliberately favour smaller development sites. Pragmatically it is considered that the maximum site size that would pass the*

above test is one that would deliver 100 units. Therefore sites that were above this level were also discounted." (our emphasis)

5.21 The crucial point to note, however is that the Council is now actively promoting urgent changes to its HED DPD on the basis that there is an immediate need to add to its housing land supply.

### **Housing Land Availability Statement**

5.22 The latest Housing Land Availability Statement (HLAS) sets out the Council's five year housing land supply position for the five year period from 1<sup>st</sup> July 2018 to 30<sup>th</sup> June 2023.

5.23 The Council's position is set out on pages 2 and 3 of the HLAS. Despite the recent VH Land appeal decision confirming that the Council cannot demonstrate a five year housing land supply, the change in the definition of what constitutes a "deliverable" site and the Council's proposals to allocate additional land in the HED DPD due to a shortfall in the five year housing land supply, the latest HLAS again claims that the Council considers it can demonstrate a supply in excess of 5 years (5.35 years), based on:

- A base date of 1<sup>st</sup> July 2018;
- A five year period of 1<sup>st</sup> July 2018 to 30<sup>th</sup> June 2023 ;
- A housing requirement of 1,400 dwellings over a five year period, which in turn is based on an annual requirement of 280 dwellings p.a.;
- A substantial backlog of 592 dwellings which has accumulated between 1<sup>st</sup> April 2008 and 30<sup>th</sup> June 2018. This comprises a deficit of over two years worth of the Council's housing requirement. This is to be addressed in full in the 5 year period (i.e. the 'Sedgefield method');
- The application of the 5% buffer to both the backlog and the base requirement; and
- A deliverable five year supply of 2,235 dwellings.

5.24 This position is summarised in the following table, which also shows the Council's position if a 20% buffer applies:

**Ribble Valley's Claimed Five Year Supply at 1<sup>st</sup> July 2018 with a 5% and a 20% Buffer**

	<b>Requirement</b>	<b>5% Buffer</b>	<b>20% Buffer</b>
A	Local Plan housing requirement (1 <sup>st</sup> April 2008 to 31 <sup>st</sup> March 2028)	5,600	5,600
B	Annualised net Local Plan housing requirement (5,600 / 20 years)	280	280
C	Five year net Local Plan housing requirement	1,400	1,400
D	Net housing shortfall 1 <sup>st</sup> April 2008 to 30 <sup>th</sup> June 2018 (2,869 requirement – 2,277 completions)	592	592
E	Five year requirement including backlog (C + D)	1,992	1,992
F	Buffer	100	398
G	Total supply to be demonstrated (E + F)	2,092	2,390
H	Annual average (G / 5)	418	478
<b>Supply</b>			
I	Claimed five year supply from 1 <sup>st</sup> July 2018	2,235	2,235
J	Claimed five year supply (I / J)	<b>5.35</b>	<b>4.68</b>

5.25 As discussed in the introduction to this planning statement, whilst the HLAS was only published at the beginning of September and claimed that a five year supply of housing land could be demonstrated, the Council's position has since changed. The Council now accepts that it cannot demonstrate a deliverable five year supply of housing land. If the Council's position changes again during the course of this application, the applicant would like the opportunity to comment on the revised position.

## 6. Planning considerations

### The principle of development

6.1 As set out above, Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Key Statement DS1 of the Core Strategy: "Development Strategy" was described in the Core Strategy Inspector's report as follows:

*"Key Statement DS1 sets out the development strategy. In effect, it is the policy that lays the foundation for Ribble Valley's spatial direction of growth and lies at the heart of the Plan."*

6.3 Key Statement DS1 starts by stating that the majority of new housing development will be concentrated within the Standen Strategic site (to the south of Clitheroe) and the three principal settlements of Clitheroe, Longridge and Whalley. It continues by stating:

*"In addition to the strategic site at Standen and the borough's principal settlements, development will be focused towards the Tier 1 Villages, which are the more sustainable of the 32 defined settlements." (our emphasis)*

6.4 Nine settlements are identified as Tier 1 villages, including Chatburn.

6.5 The policy then continues by stating that in the 23 remaining Tier 2 Village settlements, which are the least sustainable of the 32 defined settlements, development will need to meet proven local needs or deliver regeneration benefits. The 23 Tier 2 Village settlements are then identified. The policy then states:

*"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."*

6.6 It also states:

*"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"*



6.7 The proposed development is for residential development in Chatburn, which is a Tier 1 village. It accords with Key Statement DS1 of the Core Strategy. This is recognised in the case officer's report for the previous application<sup>3</sup>.

6.8 Policy DMG2: "Strategic Considerations" is referred to in the reason for refusal. It starts by stating that development should be in accordance with the Core Strategy Development Strategy and should support the Spatial Vision. As the proposed development complies with Key Statement DS1, it therefore complies with this part of policy DMG2.

6.9 Policy DMG2 then states:

*"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."* (our emphasis)

6.10 It continues by stating:

*"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 well being 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".*

6.11 The policy then states:

*"Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-*

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<sup>3</sup> Please refer to paragraph 5.2.4 of the case officer's report.

*use of existing buildings, which in most cases is more appropriate than new build”.*

6.12 Policy DMG2 therefore distinguishes between development “in” the principal settlements and Tier 1 Villages from development “within” Tier 2 Villages and “outside” the defined settlement areas. In Tier 1 Villages, such as Chatburn, development proposals should consolidate, expand or round-off development. The glossary of the Core Strategy provides the following definitions:

- **Consolidation** – *“Refers to locating new developments so that it adjoins the main built up area of a settlement and where appropriate both the main urban area and an area of sporadic or isolated development.”*
- **Expansion** – *“This is limited growth of a settlement generally it should be development which is in scale and keeping with the existing urban area.”*
- **Rounding off** – *“Development which is essentially part of rather than an extension to the built up part of the settlement. It can be defined as the development of land within the settlement boundary (which is not covered by any protected designation) where at least two thirds of the perimeter is already built up with consolidated development.”*

6.13 Consequently, the definition of “rounding-off” is different to that of “consolidation” or “expansion” because it specifically refers to development that is part of the built up area, rather than an extension to it. It is also specifically identified as land “within the settlement boundary”.

6.14 In contrast, the definition of consolidation refers to land which “adjoins” the main built up area of a settlement and where appropriate on land which adjoins the main urban area and an area of sporadic or isolated development. It does not state that this must be on land within the settlement boundary.

6.15 Expansion is defined as limited growth of a settlement at a scale and in keeping with the “existing urban area”. Again, it does not state that this must be on land within the settlement boundary.

6.16 It is not surprising that there is no reference to consolidation and / or expansion being within the settlement boundary because as shown on the proposals map of the Districtwide Local Plan, there are few (if any) areas where any of the above could take place within the existing settlement boundary of Chatburn.

6.17 On the proposals map for the Districtwide Local Plan, the application site is located outside of the settlement boundary for Chatburn. However, on the draft proposals map for Chatburn,

which has been adopted for development management purposes, a small part of the application site is located within the draft settlement boundary for Chatburn. Therefore, under the definition above, rounding-off would only be allowed within the part of the site included within the settlement boundary.

6.18 The site adjoins the main built up area of Chatburn and the development proposals would provide limited growth at a scale and in keeping with the existing urban area. Therefore, the proposed development accords with policy DMG2 as it would be either the consolidation and / or the expansion of Chatburn, which is in accordance with this part of the policy. It does not have to meet all three of the definitions set out in the glossary.

6.19 Policy DMG2 continues to refer to sites "outside of the defined settlement areas". This clearly refers to land that is not in the principal settlements or Tier 1 or Tier 2 Villages i.e. land that is not in Clitheroe, Longridge and Whalley or one of the 32 defined settlements in the Core Strategy. Footnote 28 of the Core Strategy (page 173) states:

*"Whilst there are 40 villages in the Ribble Valley, only 32 of these are categorised as 'defined settlements' – these are the settlements where development is to be allocated. Whilst some development has taken place outside of these settlements (in the remaining 8 villages), the Core Strategy development Strategy, once adopted, should prevent further development taking place in these locations"*

6.20 Reference to areas outside of the defined settlements therefore means in the remaining 8 villages that have not been identified as a defined settlement and elsewhere. It does not mean on land in Tier 1 Villages such as Chatburn where consolidation and / or expansion is clearly allowed elsewhere in the policy.

6.21 "Defined Settlement" is defined in the glossary to the Core Strategy as:

- **Defined Settlement** – "A defined settlement is one which contains at least 20 dwellings and a shop or public house or place of worship or school or village hall, i.e. they are of a size and form that justifies treatment as a settlement. 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.

6.22 Chatburn is clearly a defined settlement as it meets this definition.

6.23 The definition then states that settlement boundaries will:

- *Include all properties physically linked to the main (built) part of the settlement;*
- *Include all undeveloped areas of existing planning consents relating to the settlement;*
- *Include residential curtilages;*
- *Boundaries do not include properties separated from the main body of the settlement by areas of open land not forming a residential curtilage; and*
- *In most cases single depth development (ribbon development) along roads leading out of settlements will be excluded unless they are physically well related to the settlement."*

6.24 However, the settlement boundaries have still not been identified. They will be identified through the HED DPD process, which has not been tested at examination.

6.25 In summary, the proposed development is in accordance with policy DMG2 of the Core Strategy as it allows for expansion and consolidation in Tier 1 Villages such as Chatburn.

6.26 As set out in section 4 of this statement, the majority of the site is located in the open countryside. However, policy DMH3 of the Core Strategy: "Dwellings in the Open Countryside and AONB" states that residential development which meets an identified local need will be allowed. This is consistent with policy DMG2 because expansion and consolidation is allowed in Chatburn. We now discuss how the proposed development would assist in meeting Chatburn's housing requirement.

### **Chatburn's housing requirement**

6.27 The table below paragraph 4.12 of the Core Strategy (page 42) confirms that the total number of homes required for Chatburn over the plan period is 27. It states that at 31<sup>st</sup> March 2014, there were commitments for 9 no. dwellings and the residual number of houses required for Chatburn at 31<sup>st</sup> March 2014 was 18 (i.e. 27 minus 9)

6.28 We have reviewed the completions data and the Housing Land Availability Supply (base date 31<sup>st</sup> March 2014) and note that the 9 no. dwellings which were commitments at 31<sup>st</sup> March 2014 were as follows:

Application ref:	Address:	No. of dwellings	Status at 31 <sup>st</sup> March 2014
3/2009/0053	24b Bridge Road	1	Completed in 2010/11
3/2008/0830	13A and 13B Downham Road	2	Completed in 2012/13
3/2011/1052	Land off Clough Bank	1	Full planning permission
3/2011/0458	Land adj to Whitecroft, Pendle Avenue	1	Outline planning permission
3/2012/0241	1-4 The Croft, Sawley Road	4	Under construction
	<b>Total</b>	<b>9</b>	

6.29 Notably, this does not include the commitments at the following sites, which were commitments at 31<sup>st</sup> March 2014 but are not included within the figure for Chatburn:

Application ref:	Address:	No. of dwellings	Status at 31 <sup>st</sup> March 2014
3/2011/0025	Land off Chatburn Old Road	10	Outline planning permission
3/2012/0317	Pendle Hotel, Clitheroe Road	3	Conversion under construction
	<b>Total</b>	<b>13</b>	

6.30 The reason why the above sites were not included within the commitments for Chatburn was because they are located outside of the settlement boundary of Chatburn. They are included within the 432 figure which was the number of dwellings not within the 32 defined settlements or the principal settlements at 31<sup>st</sup> March 2014 included within the table under paragraph 4.12 of the Core Strategy. Therefore these sites do not contribute to the 27 dwelling requirement for Chatburn. The Core Strategy Inspector accepted that this was the case.

6.31 The latest Housing Land Availability Schedule confirms that at 30<sup>th</sup> June 2018 there had been 8 no. dwellings completed in Chatburn. We have reviewed the completion data and note that these are on the following sites:

Application ref:	Address:	No. of dwellings	Status at 30 <sup>th</sup> June 2018
3/2009/0053	24b Bridge Road	1	Completed in 2010/11
3/2008/0830	13A and 13B Downham Road	2	Completed in 2012/13
3/2012/0241	1 and 2 The Croft, Sawley Road	2	Completed in 2014/15
3/2012/0241	3 and 4 The Croft, Sawley Road	2	Completed in 2015/16
3/2014/0196	The Willows, Kayeley Lane	1	Completed in 2016/17
	<b>Total</b>	<b>8</b>	

6.32 The HLAS claims that there are commitments for a further 18 no. dwellings. We have reviewed the HLAS and note that the following sites are included within the 18 dwelling figure:

Application ref:	Address:	No. of dwellings	Status at 30 <sup>th</sup> June 2018
3/2014/1089	Land off Clough Bank Lane	2	Full planning permission
3/2016/0711	9 Downham Road	2	Full planning permission
3/2017/0355	Former Filling Station 10 & 12 Sawley Road	1	Full planning permission
3/2015/1019	Pendle Lodge, Clitheroe Road	1	Conversion under construction
3/2011/0025	Land off Chatburn Old Road	9	Under construction (1 no. dwelling completed between 01/4/18 and 30/06/18)
3/2012/0317	Pendle Hotel, Clitheroe Road	3	Conversion under construction
	<b>Total</b>	<b>18</b>	

6.33 As can be seen from the above, the HLAS now attempts to include the two sites highlighted which had permission at the time table 4.12 of the Core Strategy was prepared but were not included within the commitments for Chatburn. As these were already included in the commitments figures for elsewhere, they should not now be included within the figures for Chatburn. Therefore there are only commitments for 6 dwellings in Chatburn.

6.34 In summary, the housing requirement for Chatburn is 27 dwellings. By 30<sup>th</sup> June 2018, 8 no. dwellings have been completed. There are commitments for a further 6 no. dwellings. This means that 14 no. dwellings have either been completed or are committed, which contribute towards the 27 dwelling figure and 13 no. dwellings remain. The application proposals would therefore assist the Council in meeting the Chatburn's housing needs. It would also assist in meeting the overall housing requirement for the Borough as we now discuss:

### **Housing supply over the plan period**

6.35 Our view is that the Core Strategy requirement will not be achieved unless further sites are granted permission or allocated through the HED DPD.

- 6.36 The Core Strategy sets out a minimum housing requirement of 5,600 dwellings to be delivered between 2008 and 2028. In the first 10.25 years of the plan period however, only 2,277 dwellings were delivered against a requirement over the same period of 2,869 dwellings. This leaves a minimum of 3,323 dwellings to be delivered in the remaining 9.75 years of the plan period (i.e. an annual average of 341 dwellings in each and every one of the monitoring years to 2028).
- 6.37 The table on page 12 of the HLAS show that at 30<sup>th</sup> June 2018 there were planning permissions for 3,970 dwellings. This would mean a flexibility of around 19% above the residual minimum requirement of 3,323 dwellings. However, not all of these 3,970 dwellings will be delivered in the plan period for the following reasons.
- 6.38 Firstly, not all of the sites with planning permission where construction has not started will be delivered in the plan period. Indeed, the HLAS applies a 10% slippage rate to these sites; and
- 6.39 Secondly, the Standen strategic site will plainly not deliver in full in the plan period. The Standen strategic site is allocated for 1,040 dwellings in the plan period 2008 to 2028. According to the Core Strategy (pages 178 and 179), it was due to start delivering dwellings in 2016/17 at a rate of 100 dwellings per year. That did not happen. At 31<sup>st</sup> March 2018, it had still not delivered any dwellings but was reported as being “under construction”. At 30<sup>th</sup> June 2018, only 9 no. dwellings had been recorded as completed. Taylor Wimpey is in the process of constructing the first phase of the development called “Half Penny Meadows”.
- 6.40 Each time the HLAS has been published since April 2014, the Council has claimed between 165 and 300 dwellings would be delivered in the respective five year period. That position is pushed back in every HLAS as the site has only delivered 9 dwellings to date.
- 6.41 The current HLAS considers that this site will deliver 190 dwellings in the five year period from 1<sup>st</sup> July 2018 to 30<sup>th</sup> July 2023. Our assessment is that 150 dwellings should be considered to be deliverable over the same period. However, even if the Council were correct, it would leave the remaining 841 dwellings to be delivered over the remaining 4.75 years of the plan period. This would mean a completely unrealistic build rate of 177 dwellings per annum, far in excess of even the 100 dwellings per annum suggested in the Core Strategy. There is no firm evidence that there would be more than one developer at the site.
- 6.42 Furthermore, there is no evidence at all that the site will deliver 100 dwellings per annum. In particular, we have seen no market evidence at all to substantiate this unevidenced and

implausible delivery rate. Applying the Council's build rate of 40 dwellings per year, the site would take 26 years to complete and would only deliver 400 dwellings in the plan period. This would leave 640 dwellings to be completed beyond the plan period. This in our view ought to be picked up in the emerging HED DPD but does not appear to be and comprises another reason to warrant the release of other deliverable sites now.

### **Five year housing land supply**

- 6.43 As set out above, our primary case is that the application proposals are in accordance with the development plan because it represents expansion and / or consolidation of Chatburn, which is allowed under policy DMG2 of the Core Strategy. It would also assist in meeting the unmet requirement for Chatburn and the Borough as a whole, which is consistent with policies DS1, DMG2 and DMH3. Therefore, in accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) and paragraph 11(c) of the NPPF, planning permission should be granted without delay.
- 6.44 In the event the Council considers there is conflict with the development plan, because the Council cannot demonstrate a deliverable five year housing land as it is required to do under paragraph 73 of the NPPF, in accordance with footnote 7 of the NPPF, the tilted balance set out in paragraph 11(d) of the NPPF applies and therefore permission should be granted because there are no policies listed in footnote 6 of the NPPF which apply and there are no adverse impacts which would be capable of significantly and demonstrably outweighing the benefits.
- 6.45 A statement of common ground is being prepared between the applicant and the Council to provide the clear evidence that the application site will deliver all 9 dwellings in the next five years to assist the Council in addressing the shortfall in its five year supply.



## 7. Summary and conclusions

- 7.1 This planning statement is submitted in support of an application for permission in principle for the residential development of up to 9 dwellings at land to the south of Old Road, Chatburn (LPA ref: 3/2018/0943). The application is the resubmission of a previous application which was refused earlier this year (LPA ref: 3/2018/0582). There have been significant material changes which have resulted in the resubmission as well as clarification on conformity with the development plan.
- 7.2 Our primary case is that the proposed development is in accordance with the development plan and in particular policies KS1 and DMG2, which allow for development in the Tier 1 Village of Chatburn as long as it falls within the definition of expansion and / or consolidation, which in this case the development does. The proposed development also accords with policy DMH3 of the Core Strategy because it would meet Chatburn's housing need as well as assist the Council in meeting the overall housing requirement for the Borough. Therefore, we respectfully ask that the application be approved without delay in accordance with paragraph 11(c) of the NPPF.
- 7.3 In the event that the Council disagrees and finds that the proposed development would be contrary to the development plan, there are other material considerations, which mean that permission should be granted. These are firstly that the proposed development would assist in meeting the unmet housing requirements for Chatburn and the Borough as a whole and secondly, by virtue of the absence of a five year supply of housing land, the tilted balance set out in paragraph 11(d) of the NPPF applies and there are no site specific or other adverse impacts which significantly or demonstrably outweigh the benefits the proposed development would deliver.

## 8. Appendices

- EP1. Application site within the context of the proposals map used for development management purposes

EP1

Inset Maps

SHEET 5

- 17 Brockhall Village
- 28 Chatburn
- 29 Downham
- 15 Langho
- 9 Mellor Brook
- 10 Osbaldeston
- 21 Pendleton
- 19 Read/Simonstone
- 30 Sawley
- 24 Waddington
- 14 Wilpshire




















SHEET 6 (reverse)

- 26 Grindleton
- 31 Rimington
- 20 Sabden
- 18 Whalley and Surrounding Area (includes Barrow, Billington, Calderstones and Wiswell)

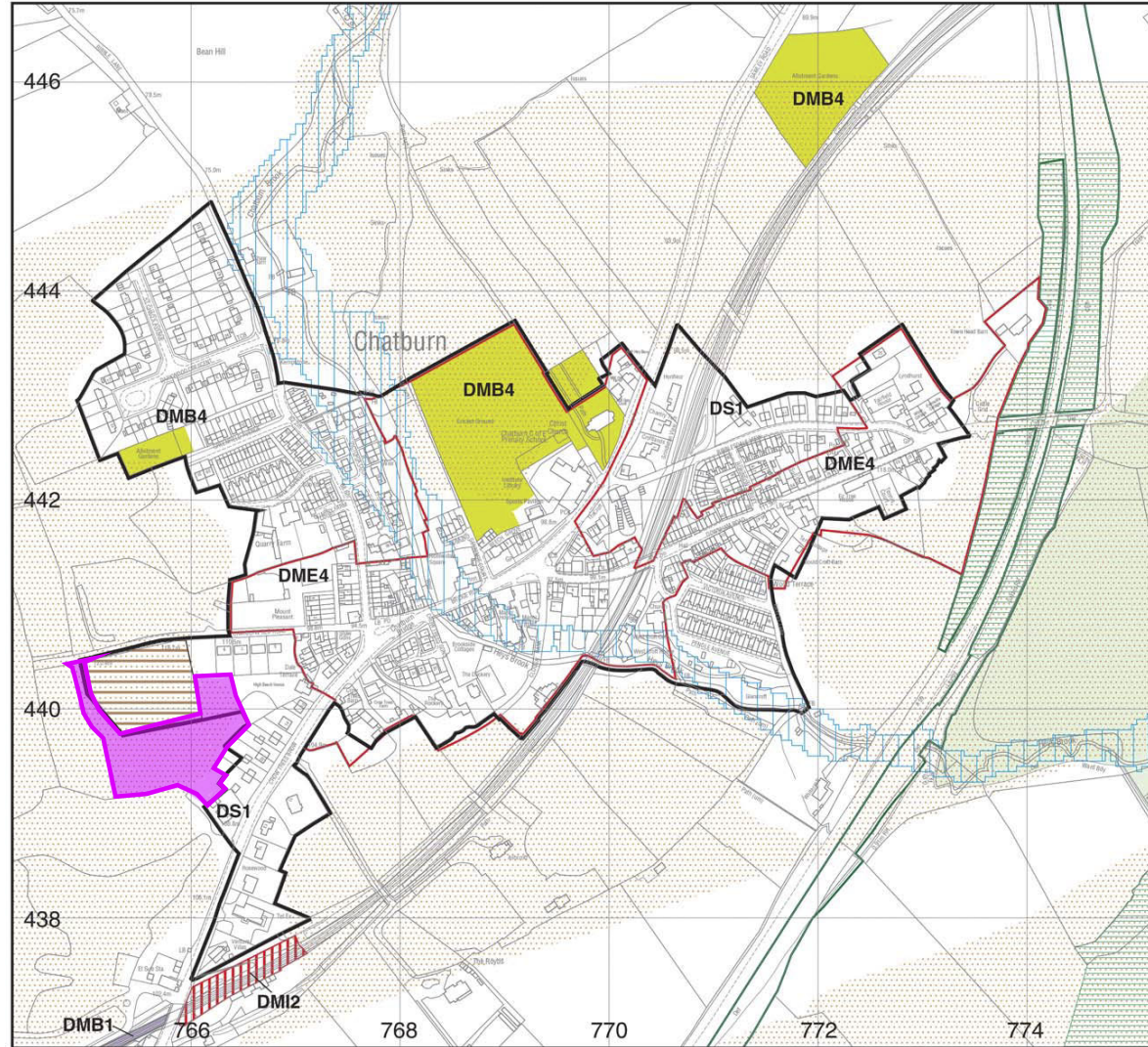
Colin Hirst BA(Hons), Dip Plg,  
DMS,MCIM,MRTPI,  
Head of Regeneration and Housing  
Chief Executive Services  
Council Offices  
Church Walk  
CLITHEROE, BB7 2RA

SHEET 5

Key

-  Borough Boundary
-  Inset Map Boundary
-  Draft Settlement Boundary DS1
-  Committed Housing Site DS1
-  Committed Employment Sites DMB1
-  Existing Employment Area DMB1
-  Ancient Woodland DME1
-  Area of Outstanding Natural Beauty (AONB) EN2
-  County Biological Heritage Site DME3
-  Existing Open Space DMB4
-  Green Belt EN1
-  Local Geodiversity Heritage Site EN4
-  Site of Special Scientific Interest DME3
-  Conservation Area DME4
-  Scheduled Ancient Monument DME4
-  Flood Risk Area (Flood Zone 2) DME6
-  Minerals Safeguarding Area EN3
-  EN2 Open Countryside EN2
-  Protected Railway Station Site DMI2

Inset 28 - Chatburn



All maps are at **Scale 1 : 5,000**

0 100 200 metres

EP5

Transcription of Application – Permission in Principle 7.1.19

Application ref: 3/2018/0943

Those present include:

Chairperson (CP)

Nicola Hopkins (NH) – Director of Economic Development and Planning at Ribble Valley Borough Council

John Macholc (JM) – Head of Planning Services, Ribble Valley Borough Council

Ben Pycroft (BP) – Emery Planning

Paul Whitaker (BP) – Chairman of Chatburn Parish Council

Councillor Gary Scott (GS) – Ribble Valley Borough Council

Councillor Stella Brunskill (SB)- Ribble Valley Borough Council

Councillor Richard Bennett (RB) - Ribble Valley Borough Council

Councillor Pamela Dowson (PD) - Ribble Valley Borough Council

Councillor Ian Brown (IB) - Ribble Valley Borough Council

Councillor Richard Sherras (RS) - Ribble Valley Borough Council

Councillor Sue Hind (SH) - Ribble Valley Borough Council

Councillor Susan Knox (SK) - Ribble Valley Borough Council

Councilor Mark French (MF) - Ribble Valley Borough Council

Councilor Ian Brown (IB) - Ribble Valley Borough Council

Transcription

**CP:** This application is for permission in principle. Mr Macholc, would you like to say a few words about them before we progress to the speakers?

**JM:** Yeah, really to say that this is probably the first application that you've had whereby it is a permission in principle and obviously what you're looking at now is what it says on the plan is the principle of the development. You're not really looking at the technical details, you're not looking at the sort of layouts or anything like that. I think the report is quite clear that although you will recall an application was previously refused, I think if you scroll down in the report it will explain the differences between then and now, it is important that you look at this application and if you are minded to query it, again we will have the opportunity to look at the layout and the details at a later stage.

**CP:** Thank you. So, just for clarity, this is for the residential development of up to 9 units and is a resubmission of application 3/2018/0582 at lands to the south of Chatburn Old Road, Chatburn. We have speakers on this item, first of all, Mr Ben Pycroft. You have three minutes. Would you like a warning at 30 seconds?

**BP:** Oh, yes please. Thank you.

**CP:** Thank you.

**BP:** Good evening, I'm Ben Pycroft from Emery Planning. I'm the agent for the application. Thank you for allowing me the opportunity to speak on behalf of the applicant in support of their application for permission in principle for the residential development of up to 9 dwellings at land to the south of Old Road, Chatburn. We welcome the recommendation of your professional offices that the application be approved. As Mr Macholc explained, the application is for permission in principle which is limited to considering only whether the site is a suitable location for the development of up to 9 dwellings. A separate application would then be made for all technical details such as design and drainage, highways, etc, will be considered at that stage. There are no objections to application from Highways, Education or Planning officers. Indeed, the report to the committee confirms that your officers agree that the site is a suitable location for a residential development. A small part of the application site is located within the settlement boundary of Chatburn as showed on the proposals map, and the remainder of the site adjoins the main built up area of Chatburn and the development proposals would provide limited growth at a scale in keeping with the existing urban area. Therefore, the proposed development accords with core strategy policies KS1, DMG2 and DMH3 as confirmed by your offices in the report committee. It is not surprising that the wording of the committee report given that that is consistent with the position of the council's offices were making to the local planning inspector just over 2 weeks ago in this room, I.e. that sites such as this on the edge of the built-up area will be approved under core strategy policies rather than allocating further sites to the housing and economic development plan. There are no environmental reasons to refuse this application and the proposed development would deliver the following benefits:

The developer is a local company who employs local tradespeople and uses local suppliers which benefits the local economy in terms of employment, local trade and council tax when the houses are occupied.

The site will be delivered quickly if permission in principle is granted; the technical details application will be submitted within 6 months.

20% of the proposed dwellings will be bungalows suitable for the over 55s, and therefore if 9 dwellings are delivered, 2 would be bungalows. The proposed dwellings will initially be marketed only to existing residents of the Ribble Valley for a 6 month period. We have identified a shortfall in Chatburn's minimum housing requirement of 13 dwellings which this proposal would assist in addressing. The proposed development would not be prominent. It would be a low-density scheme in a location surrounded by an existing residential development on three sides. Members are respectfully requested to approve this application and just to reiterate, it is only the matters of principle that are to be considered at this stage and whilst there is a speaker against the application, I would just like to remind members that any specific details raised by them, will be considered at the technical details stage. Thank you very much.

**CP:** Thank you very much. The second speaker on this . . . .Paul Whitaker. Again, Mr Whitaker you have got 3 minutes. Would you like a warning at 30 seconds?

**PW:** Hey ..., if you wish. My name is Paul Whitaker, Chairman of Chatburn Parish Council. I would like to thank the Chairman, the planning committee and councillors for allowing me to speak tonight. Chatburn Parish Council is dismayed that this previously rejected planning application has been presented at this time while we are still waiting for a written recommendation from a planning inspector. This will surely come forward for public consultation before any strategy can evolve. Nothing has changed. My understanding was Chatburn has already reached its residual requirement for planning development set out in the approved core strategy. This site is outside the village settlement boundaries. The site will be accessed via old road, a narrow road with no foot paths which also provides parking for residents of Mount Pleasant, Chaw Gardens and Delft Terrace. As indicated by the County Council, this necessary parking would disappear and be replaced by double yellow lines on Old Road. It would also add more traffic to the junction on Ribble Lane. A meeting was held in the village this week because although previously rejected, this matter has bizarrely come back to the surface again, along with an additional application for



yellow lines. The attendees, in a vote, unanimously rejected this application. Yellow lines on Old Road that meet no real criteria, a site outside the village boundary, one landowner benefits at the cost of many residents in the community. We have no yellow lines in Chatburn because we are a village that works together. The Parish council have major concerns over all the development in Chatburn. Parking throughout our small village is already a severe problem during the day and at night. We are worried that our local businesses are already having problems retaining their customers due to this. I trust the council will stand by its original decision and refuse this application. Thank you.

**CP:** Thank you very much. Councillor Scott, will you speak on this if you're so minded? Thank you.

**GS:** Thank you Chairman and committee for allowing me to speak on this resubmitted application. In September last year I spoke to committee in support of the officer's recommendation of refusing this application for up to 9 units on land south of Chatburn Old Road, Chatburn. Quite rightly, the planning committee unanimously voted to refuse the application. The reasons for refusal were that the proposal's considered contrary to policies DMG2 and DMH3 of the Ribble Valley core strategy and that approval would lead to the creation of new dwellings in the open countryside and will create a harmful precedent. I totally agree with those reasons for refusal and it is my opinion that those reasons are still valid today. As you are aware, the planning officer's recommendation to committee tonight is to grant permission. So, what has changed the officer's view? It seems that discussions held during the EIP into the housing and economic development DPD at the end of January, the planning inspector made comments about the core strategy being too restrictive to development in the open countryside and that policies DMG2 and DMH3 should not be applied in isolation. What I would like to stress to committee is that they were comments and the inspector's final report into the DPD has still to be published. Before the final report, there will be 6 weeks of public consultation and it could well be that the inspector could change his views. That is what consultation is about. I do not know how other members feel about the whole planning situation within

the Ribble Valley but I am becoming more and more disillusioned. The council were told to put a policy in place to guide planning in the borough from 2008 – 28. After many years of hard work by officers and members, a core strategy was implemented. Within the core strategy each settlement was allocated a residual housing number and in Chatburn's case, this was 27. When that number was achieved, we were then told that it was not the final figure and that it could be exceeded. 5600 new homes would be required in the borough over the 20 year period. Since 2012, 2200 homes have been built, another 3500 planning permissions granted which means that half way through the core strategy plan, we have already reached the plan's target. As a planning authority we must have a proven 5 year land supply. We have currently a 6.1 supply. But all these planning control measures seem to mean nothing. To residents we look like a planning authority who can do nothing to stop this onward march towards filling the beautiful Ribble Valley countryside with more and more concrete. These views, I am sure, will be expressed to members of the government before and during the DPD report consultation and where the word 'infrastructure' will, I am sure, be mentioned on many occasions. Can I now turn briefly to another issue which is on page 72 of the agenda at 5.53? It states that more detailed consideration would need to be given to the impact of the proposed development on the local highway. I can report to members that the decision to double yellow line parts of Chatburn Old Road has moved on. The Lancashire County Council Highways proposals have been out to consultation and ends tomorrow. I attended an emergency meeting of Chatburn Parish Council on Monday night. Over 40 residents in attendance were horrified to hear of the yellow lines which will lead to serious parking issues throughout the village and the financial loss for village businesses. Mount Pleasant, Shore Gardens and Dale Terrace are all properties off Old Road and parking restrictions will badly affect these households. The loss of the large car park in the centre of Chatburn has made street parking very, very difficult. In summing up, I would say that until the public get a change to respond to the consultation and the planning inspector publishes his report into the housing development HPD, this

application before the committee tonight should be refused. Thank you for letting me address the committee tonight.

**CP:** Thank you, Councillor Scott. The action is now open for debate. Councillor Brunskill?

**SB:** Thank you, Madam Chairman. I totally would like to support all the residents in Chatburn and make it clear that we do listen to residents and we do care and quite honestly, I am behind them 100% on this particular application.

**CP:** Thank you. Councillor Bennett?

**RB:** Yes, I agree wholeheartedly . . . .

...: Sorry we can't hear you.

**RB:** That's a first [laughter]. I wholeheartedly agree with Councillor Bruntsfield's opinion. We have the same problem in Read and the same considerations ...[inaudible]... why I think ...

**CP:** Thank you. Councillor Dowson?

**PD:** I drive ....We'll get there eventually. Oh well, you'll all be able to hear me anyway. I drive down that road frequently at least three times a week and parking is horrendous, traffic's horrendous, there's white vans, wagons, all over the place. I agree with the residents of Chatburn.

**CP:** Thank you. Mr Macholc?

**JM:** Thank you Chair. I think it's important to revisit the report and look at what you're actually asked to make a decision on. Going against the application just because the residents object to it is not what your job is. Your job is to look at the merits of the case and balance them all out. I fully understand that the

residents are objecting to the proposal but what you've got here is a recommendation of approval having considered the merits of the case in detail. It is relevant to have regard to the discussion at the EIP. I understand Councillor Cox's reluctance to accept the thought process of an EIP until there's a final decision, but when we were up for examination in public the question was asked about how flexible do you apply your housing policy? I was quite surprised when I did the research because I thought that maybe we weren't as flexible as I thought but we have allowed many situations in the past, difficult decisions by yourselves as members, on similar sites on the edge of settlements where we have exceeded a 5 year supply and you still recommended approval. We have a similar situation here. Yes, we have in excess of 6 years supply. This is on the edge of a settlement. Ultimately, you have got to assess whether there is harm. And what you're looking at, we have obviously consulted with our policy section. They do not identify a reason to resist the development. In relation to the potential benefits, whereas I acknowledge the inference in the statement of common ground, you will note in the officer's report that this would have to be agreed in the technical stage so there is no given that, you know, the bungalows are coming forward, but also this application is *up* to 9 dwellings so in theory it could be one or two, and you've got to look at the technical details. I still consider the officer's recommendation correct. I understand the concerns of all people, but I must urge you to recommend the approval.

**CP:** Councillor Bennet?

**RB:** Just for clarification, is Mr Macholc suggesting that the views of residents doesn't affect the merits of the case?

**JM:** I think you know the answer to that, Councillor. What I am saying, if you care to remind yourself, ...

**RB:** I know the answer, that's why I'm asking you

**JM:** Ultimately, planning policies . . . You, yourself, will have had the application at Holme's Mill . . .you will have had applications where there's been numerous objections and you've balanced in favour. Just because you get five objections, does not mean the applications is inappropriate. It is my job, and Nicola's job, and all the planners' jobs, to look at the application on its merits. I would be horrified if I only refused applications because there was an objection, and I think you would be as well. You know, yourselves, that just because there is a volume of object does not necessarily mean it should be refused. Equally, if there's no objection, it should not necessarily be approved.

**RB:** I'm asking you, does it affect the *merits* of the case, not to give you a decision? Does it affect the *merits* of the case, that's the question.

**JM:** I can't answer that as I don't know what you're driving at, Councillor. The merits of the case are in the report. The merits of the case are things like Highways, but here we have a technical one. This is a planning in principle. It's different from a normal planning application.

**CP:** Councillor Brown?

**IB:** Thank you, Madam Chairman. I hear what John Macholc says but unlike with the Johnson/Matthie issue, I don't agree with him. I understand Councillor Scott's point and what I don't understand is how we can refuse something in September and then here it's up for approval in principle. I don't ever remember an application in principle, or approval in principle, coming to this committee for over 37 year I've been on this council. But I think this should be refused on the same grounds as Councillor Scott mentioned that they did last time. As I've said before, and he's probably listened to me, you know, we can't go on doing this, with 275 homes approved earlier, it's crazy. I keep saying we've got to stand up and fight. We've got a 6.1 year land supply, we've got a core strategy and they mean diddley squat, they mean nothing . . . I mean there's no protection. And I understand John Macholc's . . ., I feel sorry for him sitting up there

because Planning is a regulator, I understand that, and he does a difficult job very well . . . You can pay me later, John [laughter], but this should be refused. It's a clear-cut one, so it should be refused on the grounds that Councillor Scott mentioned earlier on.

**CP:** Thank you. For clarity, it is the first time that we have had this kind of application which is why you haven't recognised it in the past which ...[inaudible] ...

**NH:** Yeah, it's a brand new . . . It's a very new process, permission in principle. There's very few of them.

**CP:** Councillor Sherras?

**RS:** Can we just be absolutely clear . . . I think I am, but I'd like some visual . . . professional clarification. This, in effect, if we approve this, in effect it would be the same as an outline application in that we would be establishing, as it says, the principle that development could take place on this site so, you know, the arguments about numbers and everything else are really . . . haven't really changed. Also that, erm, oh, I've forgotten the point I was going to make . . . the main one was, if it is the same we are establishing, so, any further applications with technical details, we would be virtually bound to accept it . . . We would have to accept an application that was, er, ... I can see a bit of agitation over that because I'm not explaining myself very well. We are establishing this principle that this could be, that residential can be developed on this site.

**CP:** But the detailed application would be a separate application which ...

**RS:** Yes, but we wouldn't be considering about the principle of development

**CP:** No

**RS:** We would just be considering . . .

**CP:** The details

**RS:** Whether what was being proposed was within the policies.

**CP:** That is my understanding, Councillor Sherras, yes. Councillor Hind?

**RS:** I think everybody needs to be clear on that

**AH:** Thank you. Thank you, Chairman. I know Councillor Dowson uses this road a lot and I've been up it to have a look. I'm just wondering whether it would be wise to defer a decision, to have a site visit, or ..., just so we can get a feel of what's being said. I can see that's not met with... [inaudible]

**NH:** To go back to an application for permission in principle, what Councillor Sherras was saying, it isn't as detailed as an outline application. Whereas an outline application, you've all the technical reports to support it, such as Highway, transport assessments, and ecology assessments, it's purely that the land use is acceptable. At technical detail stage we will look at all other matters, including the Highways, and I've done some research and I can't actually find an application for technical details concern at any local authorities that I searched on today. It's . . . permissions in principle are very few and far between, but, as I understand it, at technical detail stage, there is no guarantee that they will get consent. Um, it's a little bit stronger on an outline application because outline application, you've assessed all the technical matters at outline stage so you get to ? matters, it's an ? particular situation ??.

**CP:** Thank you. Councillor Knox?

**SK:** Thank you Madam Chairman. Um, remind me what the name of the document is that, where we identify which land is available for development ... [inaudible] . . . I've got it, the SHLAA. Right, okay, so is this like a way of adding to the SHLAA?

**JM:** No, no in some ways, no, you're given a permission in principle. It's not dissimilar, I can understand the analogy, but I would not say it's the same.

**SK:** Okay, right thank you. And so the other bit I wanted to ask was, so, if it was refused, does it go through the same process of an appeal inspector and all that kind of thing that it would be if it was a traditional style of application, like . . . .

**CP:** Councillor Sherras?

**RS:** Yeah . . . the point of my earlier question was, that if we approve this, we have established that this site can be used for a residential development, and I think that it is very important that members, when they vote for whatever proposition put forward, that they do understand that. So, we are saying, 'okay, we want to know how . . . what you are actually going to do on there, but we haven't told you yet that you can actually build residences on there and I think, you know, that needs stressing very ...[inaudible]...

**CP:** Thank you. Councillor French?

**MF:** I remember this from last year and we looked at this site and last year we decided that it was inappropriate, an inappropriate site to develop for houses. I personally still think that it's an inappropriate site for development of houses. I know this is looking for development in principle/planning in principle. I am concerned that this is a slippery slope and I think that we need to refuse this. We need to kick it into the long grass once and for all so that our original decision last year that it was an inappropriate site is adhered to and that is what I would like to recommend and refuse . . .

**CP:** Thank you. So, is that a formal proposition, 'minded to refuse'?

**MF:** It is



**CP:** Thank you. Councillor Brown?

**IB:** That was kind of what I did earlier but I'll second it, Chair.

**CP:** Thank you. Any further comments or questions? Councillor Sherras?

**RS:** Could I propose an amendment that we do what Councillor Hind suggested which was defer for a site visit. I know . . . I understand that we . . . I think . . . I don't know whether members have visited the site at all, but it is, you know, a strange site and there's all sorts . . . there are some highways issues which we can't consider for this one. Erm , that's what I would suggest anyhow and I would propose that as an amendment.

**CP:** Councillor Brunskill?

**SB:** I do not agree in principle or in any other way. It's a simple one for me and the answer is no.

**CP:** Thank you.

**JM:** Can I just advise if there was a second proposition to defer for a site visit, 1) I think you should've been to the site. I'm not criticising you who haven't, but I think you are aware of the site from the previous application, and . . . the site hasn't changed. You know, realistically I don't see much benefit in that but if you felt . . . I would say that the reason why you would defer for a site visit is to look at the locational requirements, not to look at the highways or any other issues.

**??:** Right, so there is a proposal that has been seconded and we have an amendment that hasn't been seconded . . .

**SH:** I . . .

**CP:** Councillor Hind? You'll second it? Right...[inaudible]... Right, we vote on the amendment first and then on the proposition. So, the amendment, councillor Sherras, if I'm right, is that you would like to defer this application and need a site visit for further information and clarity and that's...[inaudible]...So all those in favour of deferring for a site visit . . . Thank you. Anyone against? . . . Thank you. So, we now go to the proposition from Councillor Knox, sorry, Councillor French, which is 'minded to refuse' . . . And that has been seconded.

**JM:** Just for clarification, obviously we do need the reason, I know you've said it, but for clarification, it is exactly the same as the previous reason for refusal? [affirmative] But for the procedure people is the reason that we need to know, so if I just briefly go over, it's policies DMG2, DMH3, Precedent, and just by location, so, exactly the same.

**CP:** Councillor Sherras?

**RS:** Could I just make one point, that if we do refuse this application, could all the members who, . . . because this would be 'minded to approve', so it could come back and, . . .

**CP:** Minded to refuse . . .

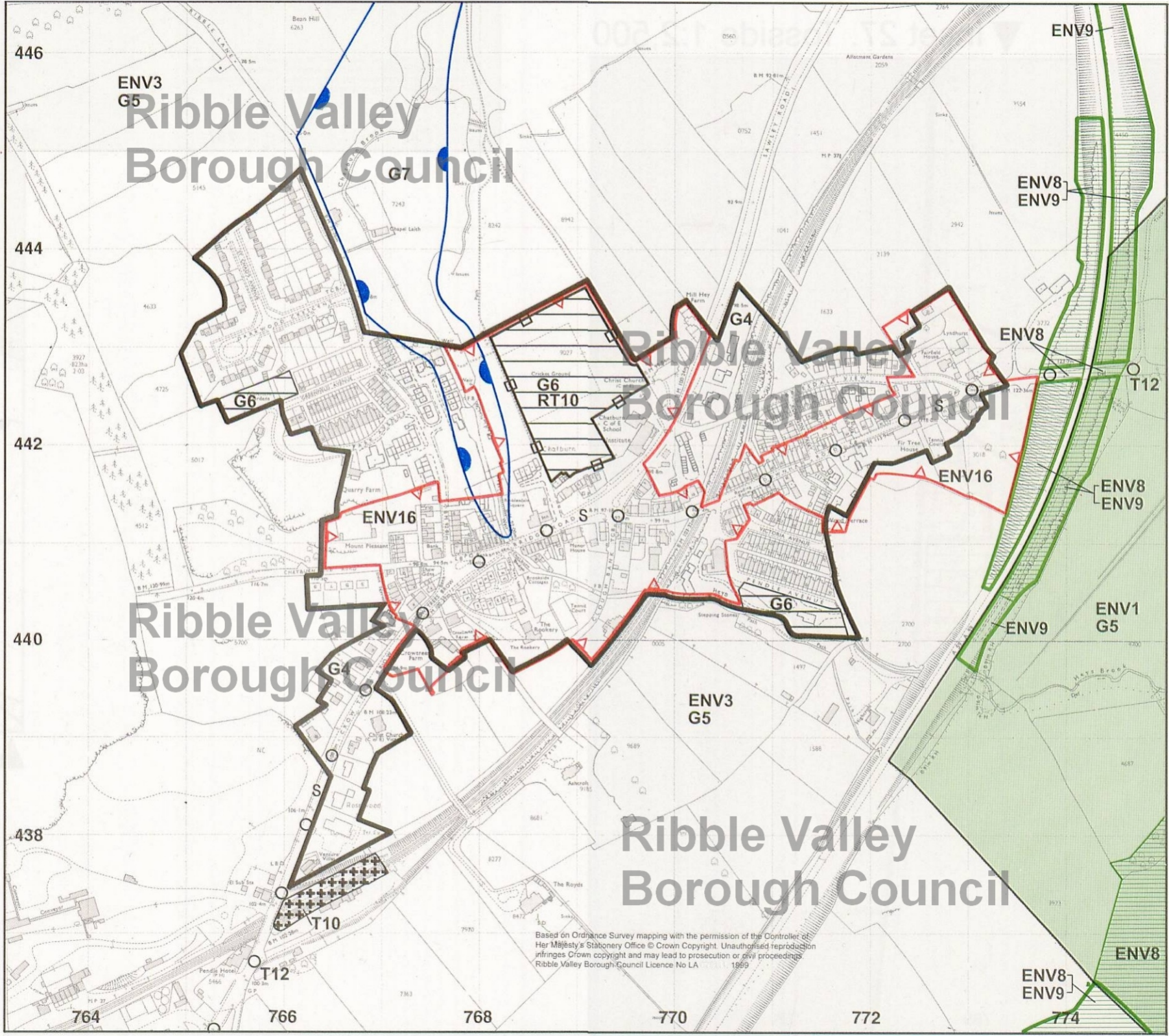
**RS:** Er, sorry, minded to refuse. Could I implore all members, if they haven't already, to go and have a look at the site because I know that not everybody goes and has a look at the site . . .

**CP:** Thank you. So, 'minded to refuse'. All those in favour of 'minded to refuse'? Thank you. All those against? Thank you. So, it is 'minded to refuse'

EP6

# Inset 7. Chatburn 1:5,000

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EP7



**Inset Maps**

**SHEET 5**

- 17 Brockhall Village
- 28 Chatburn
- 29 Downham
- 15 Langho
- 9 Mellor Brook
- 10 Osbaldeston
- 21 Pendleton
- 19 Read/Simonstone
- 30 Sawley
- 24 Waddington
- 14 Wilpshire

**SHEET 6 (reverse)**

- 26 Grindleton
- 31 Rimington
- 20 Sabden
- 18 Whalley and Surrounding Area (includes Barrow, Billington, Calderstones and Wiswell)

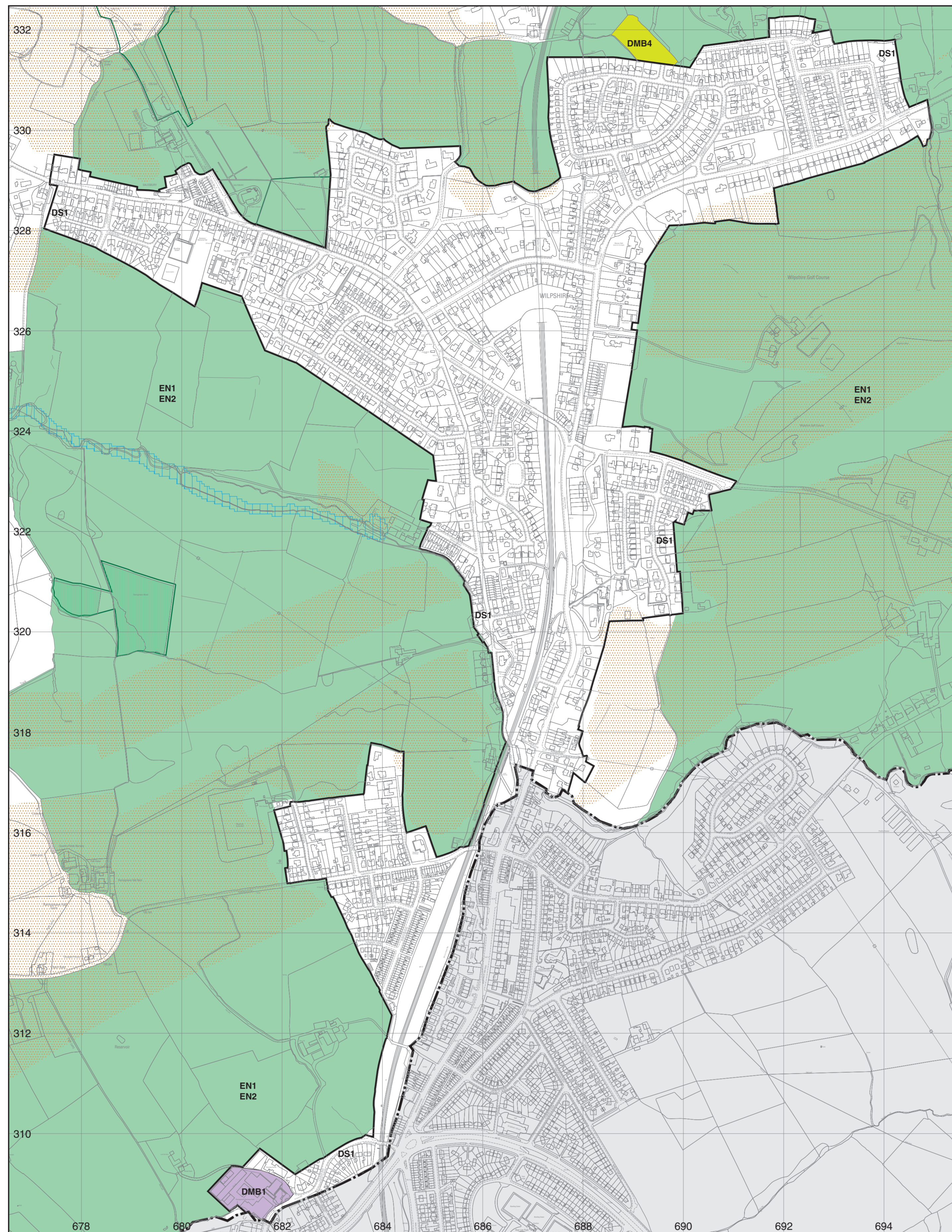


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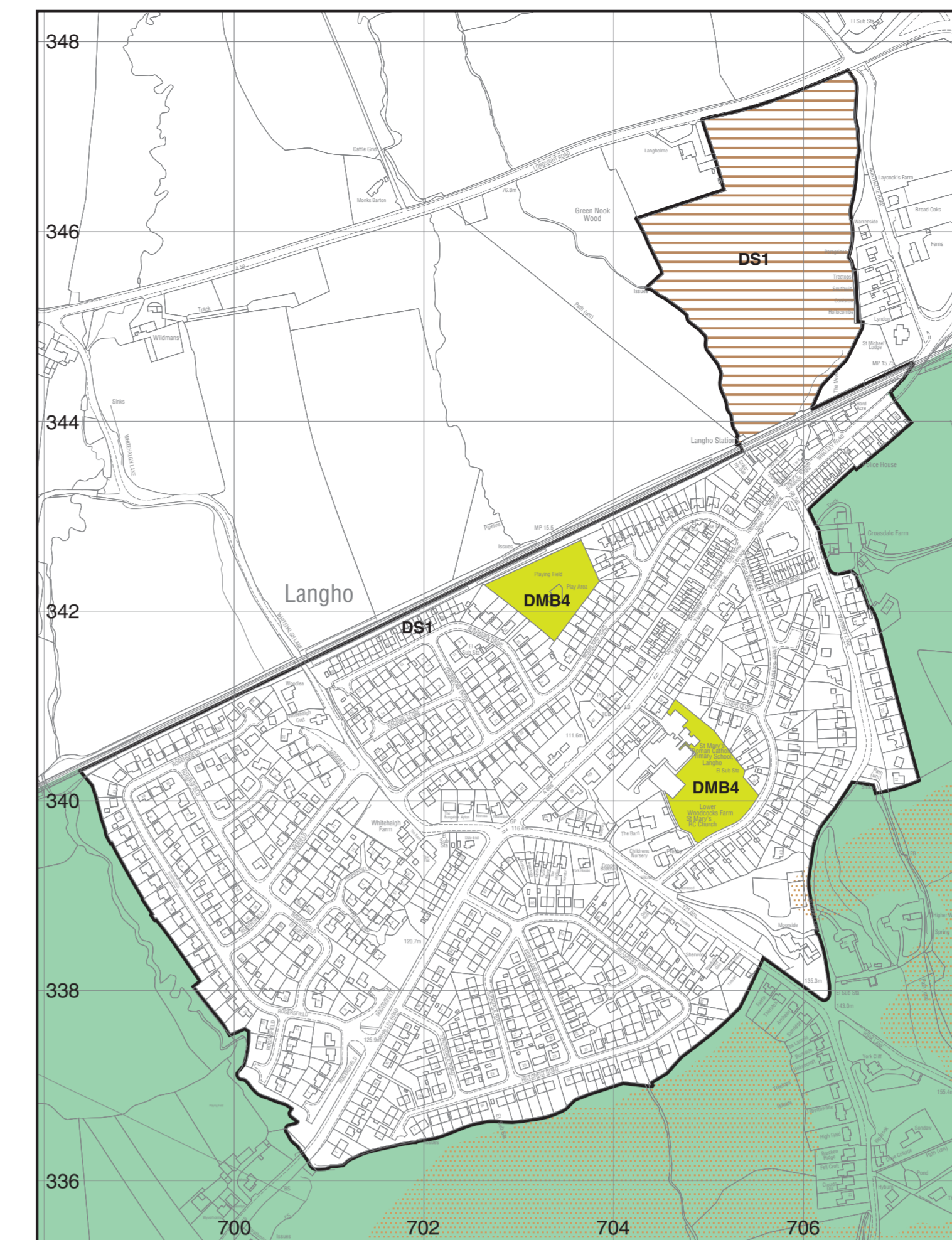
Colin Hirst BA(Hons), Dip Plg.  
DMS, MCIM, MRTPI,  
Head of Regeneration and Housing  
Chief Executive Services  
Council Offices  
Church Walk  
CLITHEROE, BB7 2RA

**SHEET 5**

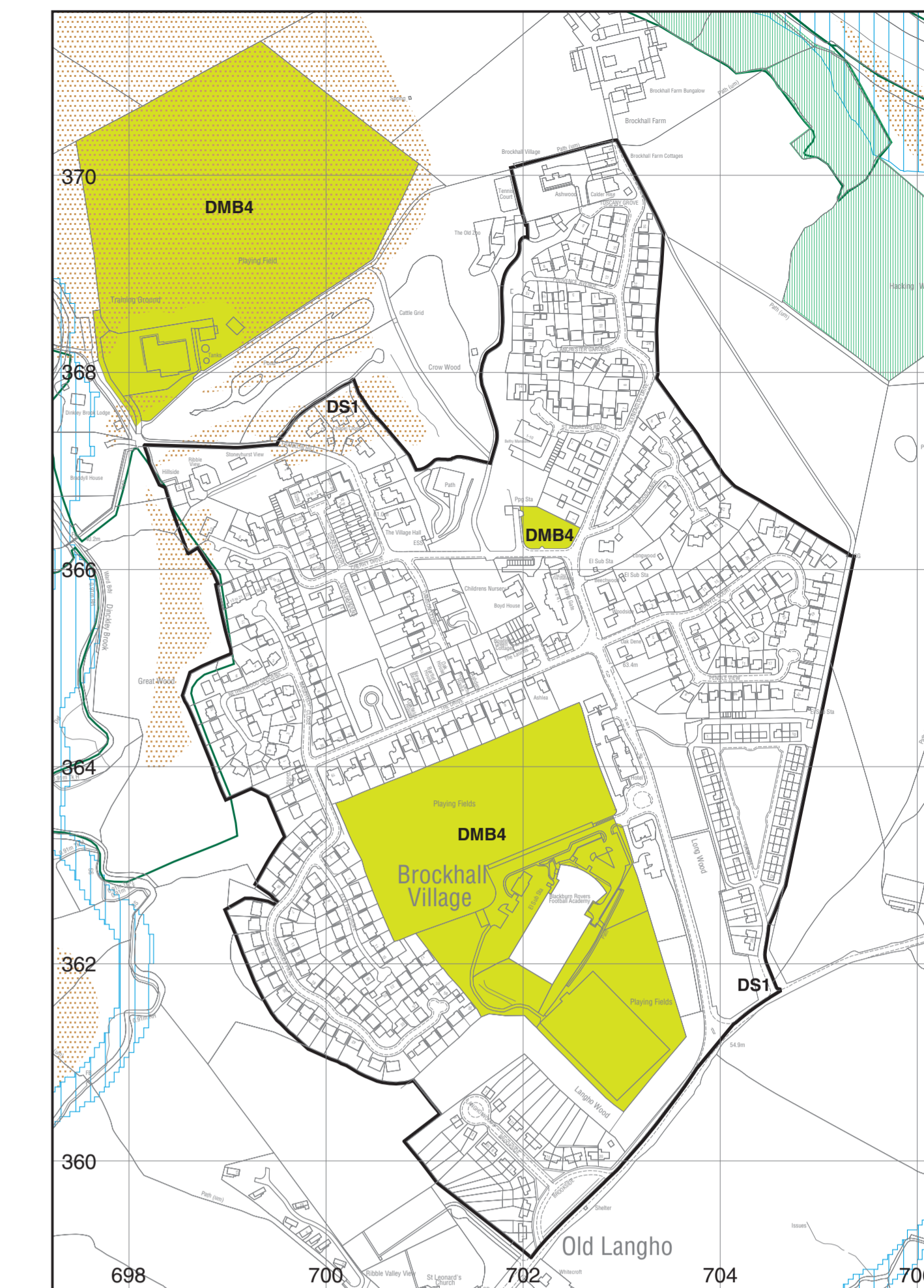
- Key**
- Borough Boundary
  - Inset Map Boundary
  - Draft Settlement Boundary DS1
  - Committed Housing Site DS1
  - Committed Employment Sites DMB1
  - Existing Employment Area DMB1
  - Ancient Woodland DME1
  - Area of Outstanding Natural Beauty (AONB) EN2
  - County Biological Heritage Site DME3
  - Existing Open Space DMB4
  - Green Belt EN1
  - Local Geodiversity Heritage Site EN4
  - Site of Special Scientific Interest DME3
  - Conservation Area DME4
  - Scheduled Ancient Monument DME4
  - Flood Risk Area (Flood Zone 2) DME6
  - Minerals Safeguarding Area EN3
  - Open Countryside EN2
  - Protected Railway Station Site DMI2



**Inset 14 - Wilpshire**

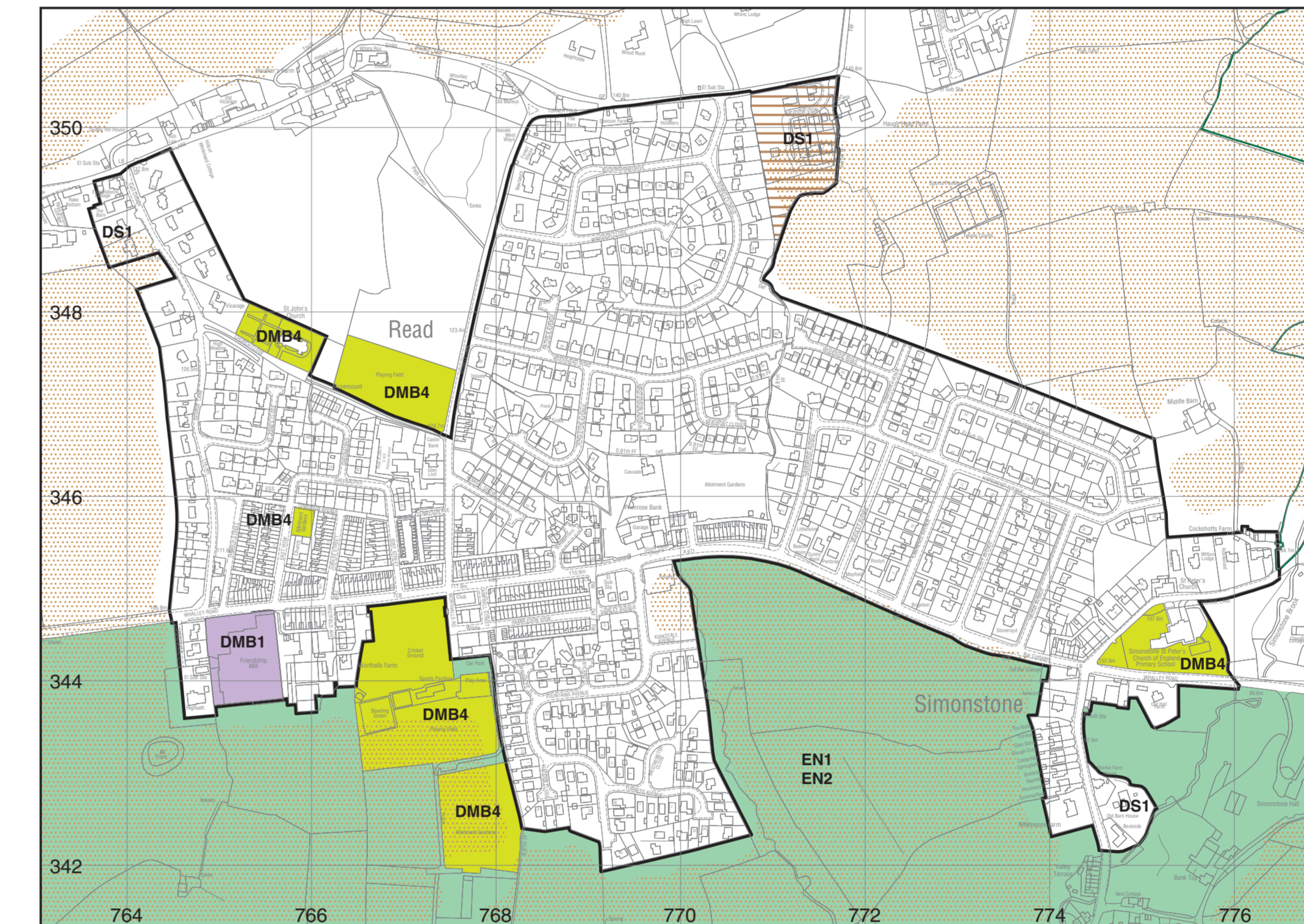


**Inset 15 - Langho**

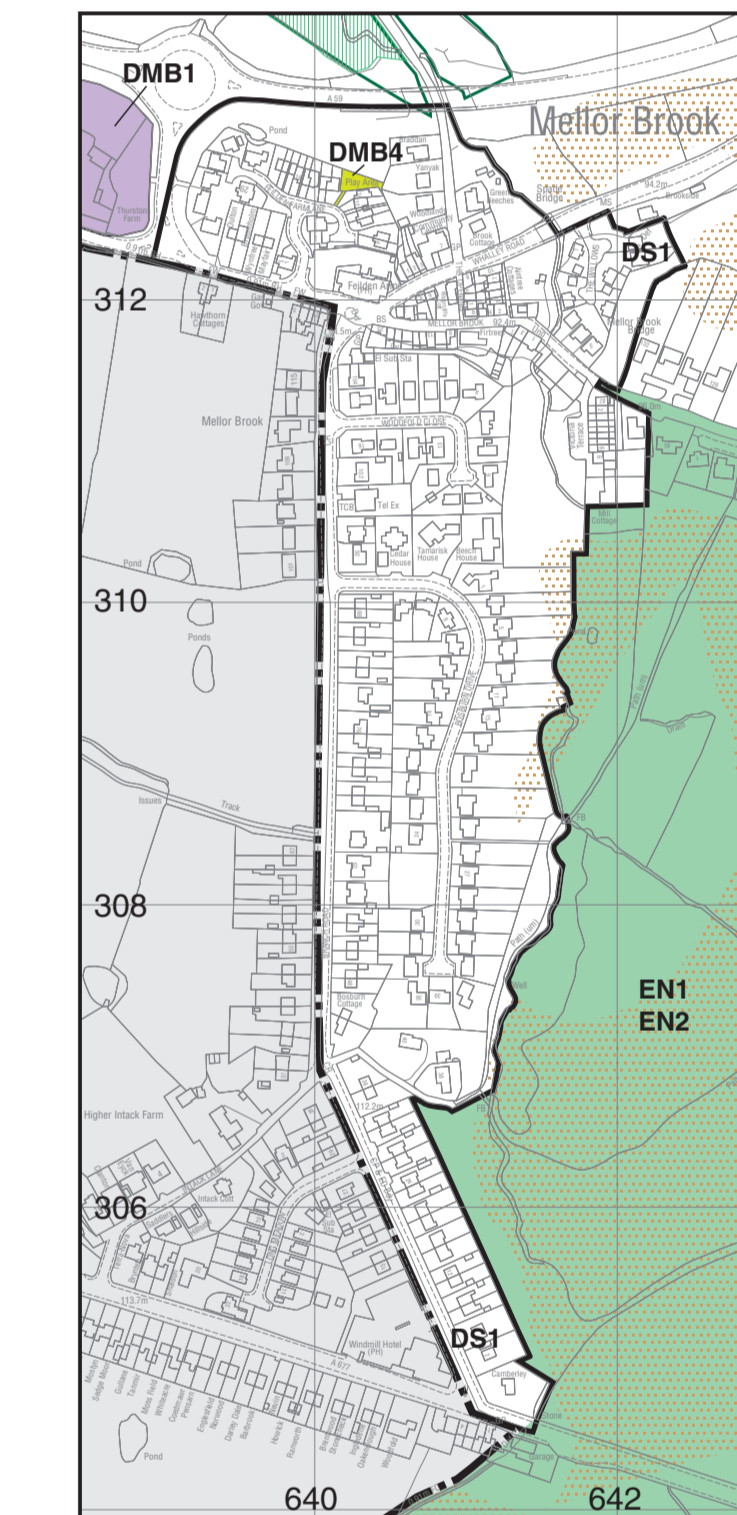


**Inset 17 - Brockhall Village**

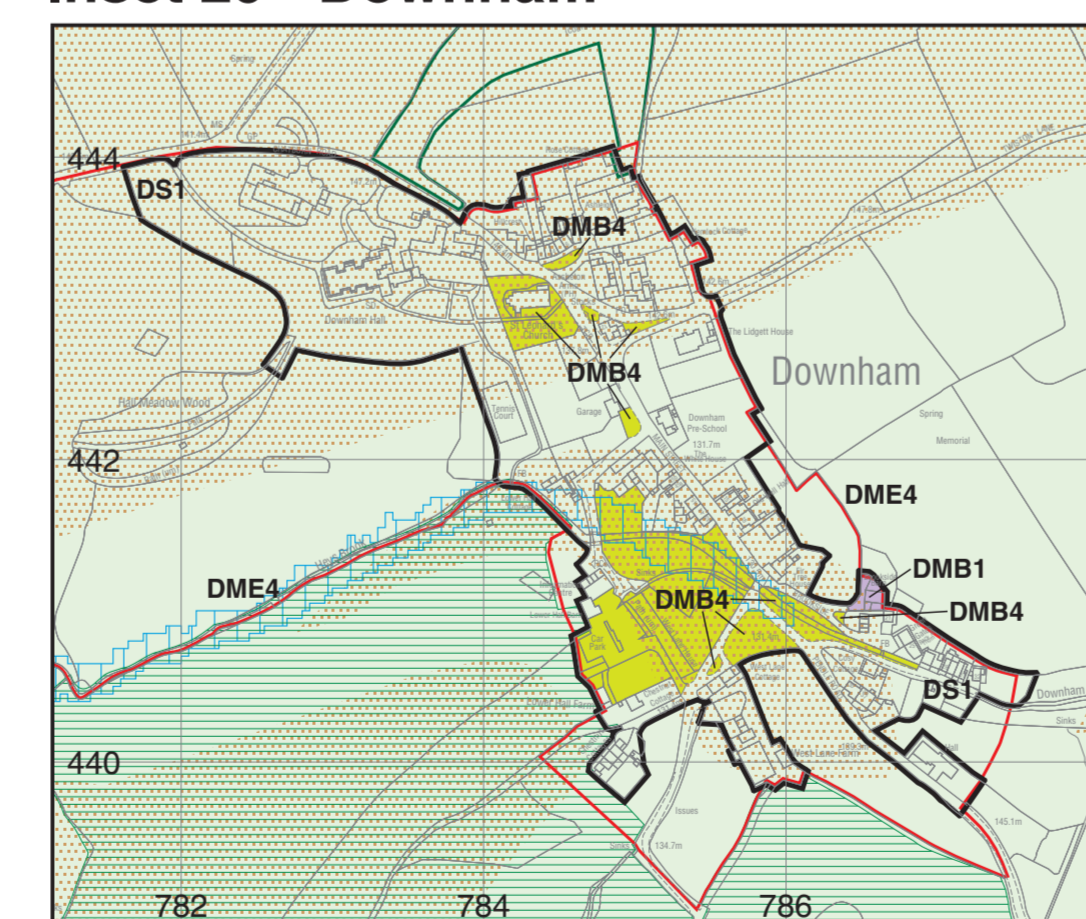
**Inset 19 - Read and Simonstone**



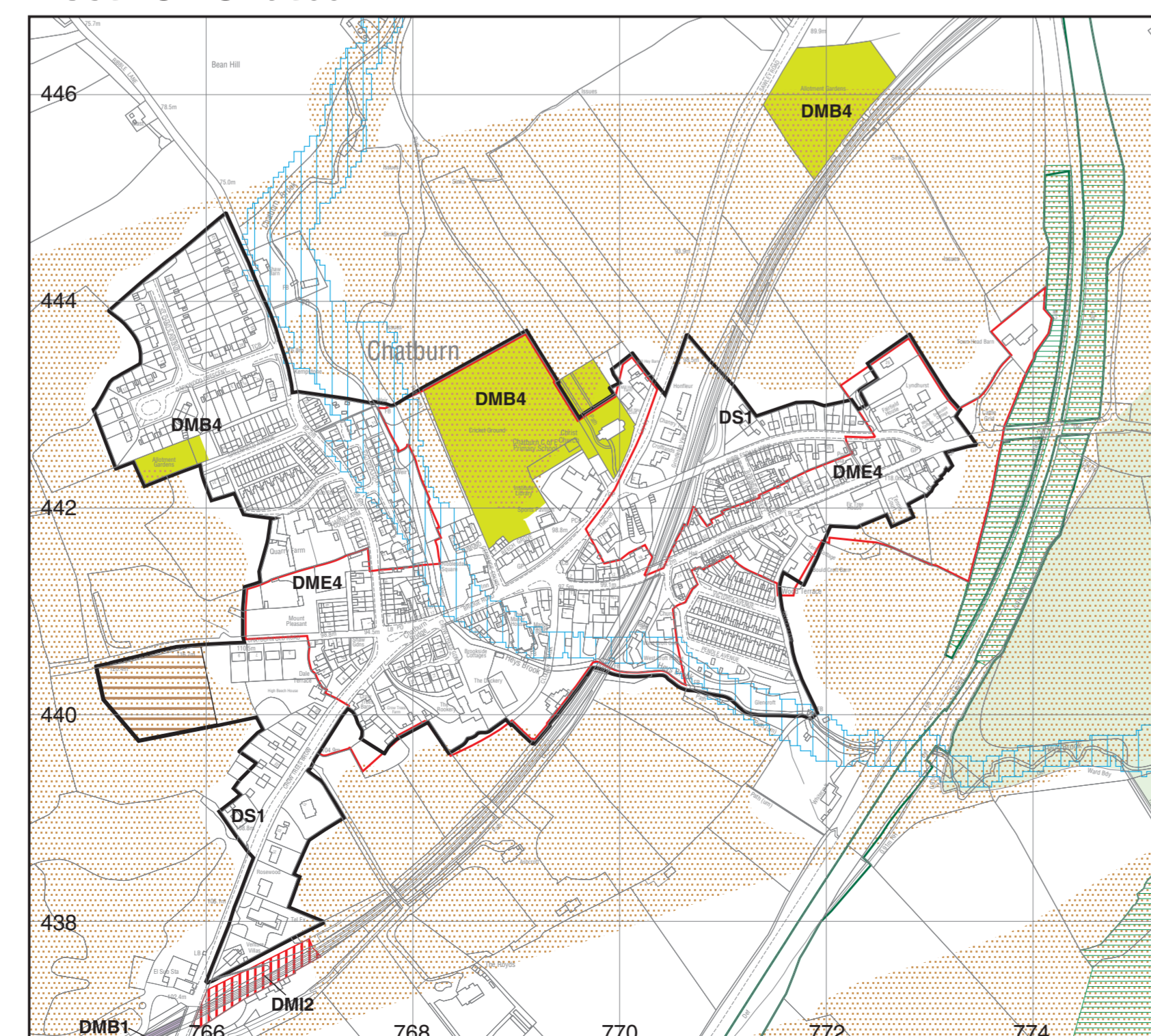
**Inset 9 - Mellor Brook**



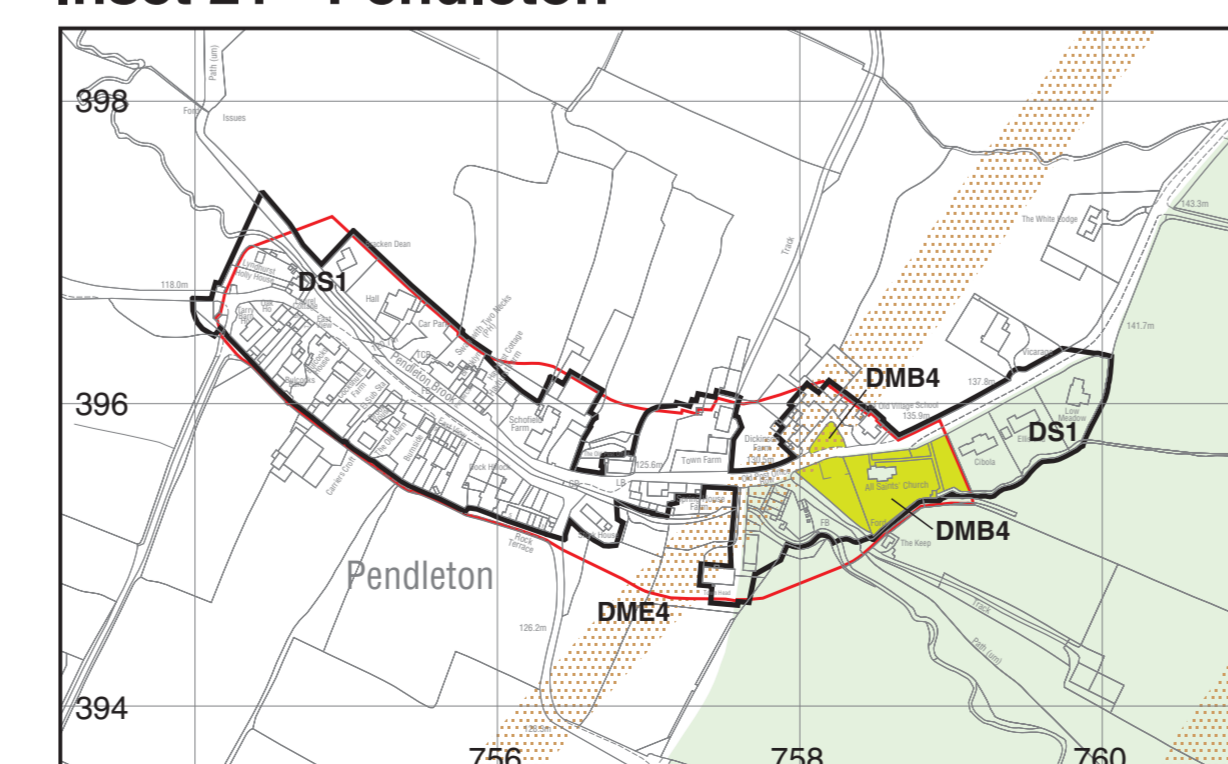
**Inset 29 - Downham**



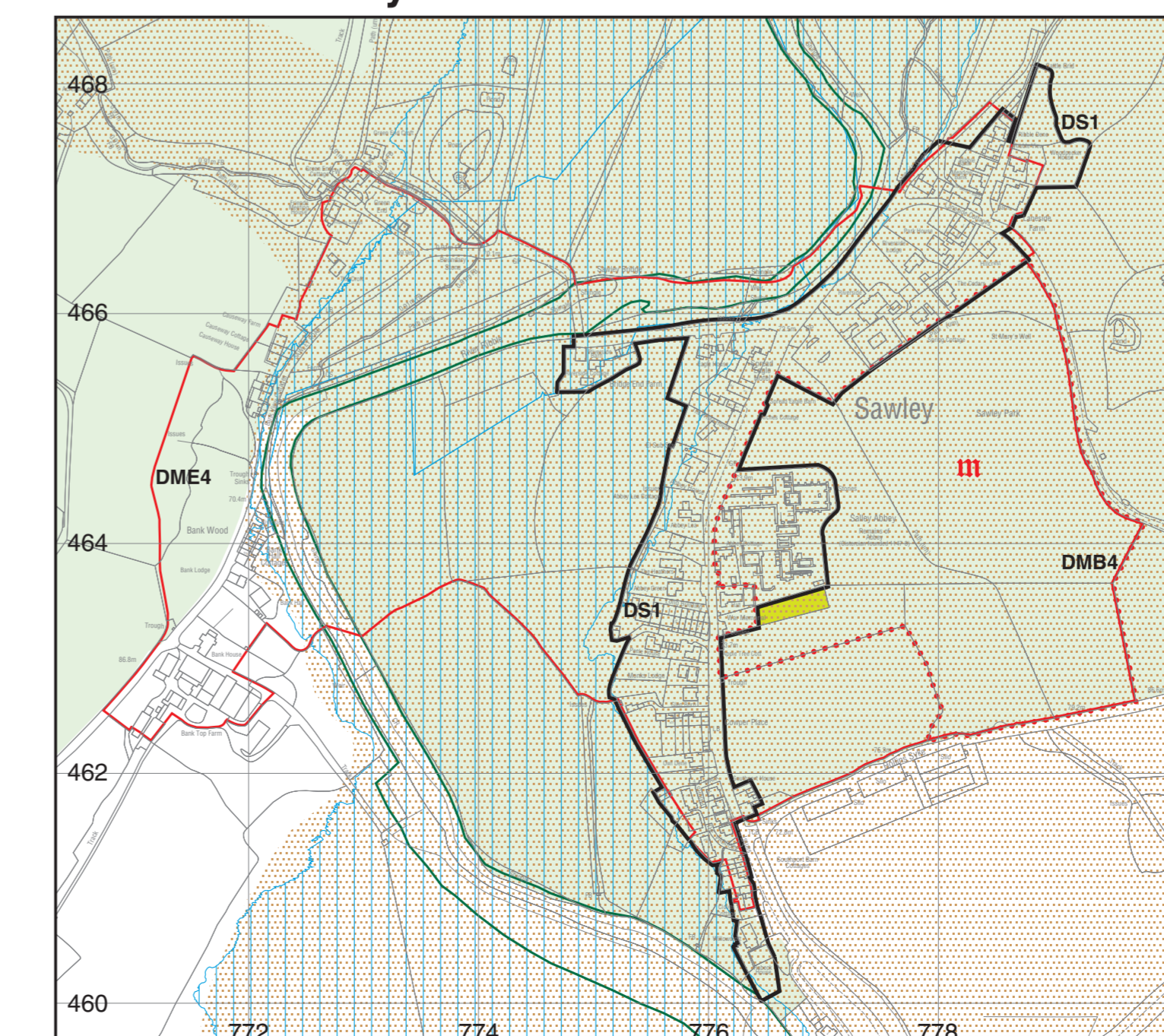
**Inset 28 - Chatburn**



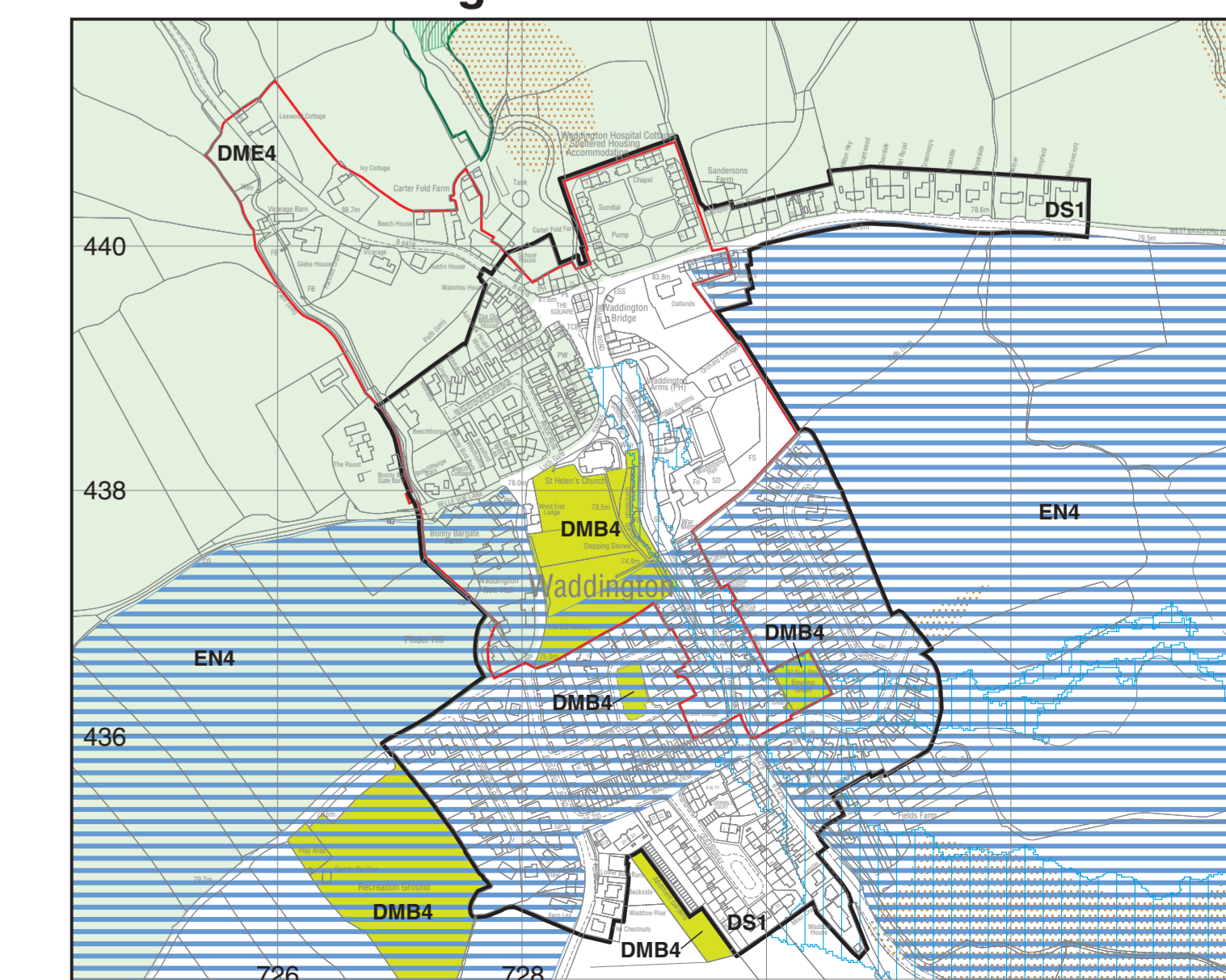
**Inset 21 - Pendleton**



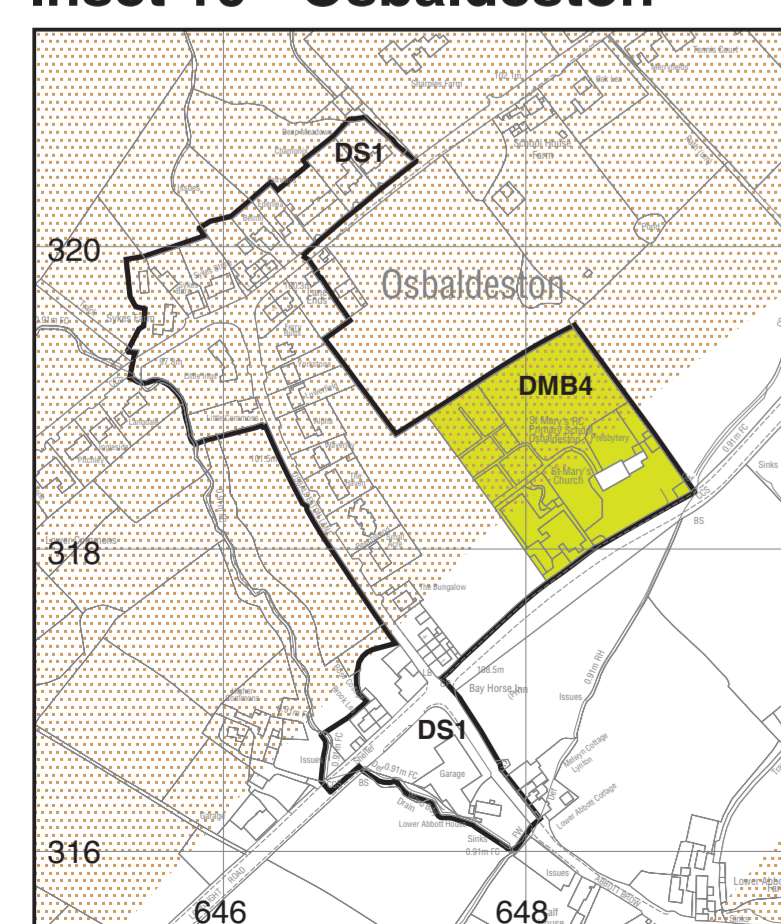
**Inset 30 - Sawley**



**Inset 24 - Waddington**



**Inset 10 - Osbaldeston**



All maps are at **Scale 1 : 5,000**

0 100 200 metres

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Borough Council

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**Ribble Valley  
Borough Council**

# **Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version**





# 4 DEVELOPMENT STRATEGY

## Strategic Spatial Policies

### 4.1 Background

The Core Strategy must be the most appropriate Strategy when considered against reasonable alternatives. To determine the Development Strategy for the Core Strategy, a range of options have been considered through what was the Regulation 25 stage. Two previous consultations have been undertaken in order to develop the council's preferred option. Initially 3 options were formulated having been devised from earlier consultation and engagement work completed under regulation 25, principally as an issues and options consultation in 2007. The initial Core Strategy options for the development strategy were derived from this earlier consultation in terms of the most popular and realistically deliverable options for development across the borough.

In formulating the three potential options three spatial principles were considered that the Council would seek to achieve by the end of the plan period, namely:

- Protect and enhance the wider local environment, both natural, built and historic, in rural and urban areas.
- Ensuring housing supply meets the identified housing need.
- Ensure the Ribble Valley is an area where people want to, and can live, work and relax.

Consultation on these initial 3 options found that further options should be presented for consultation and therefore between June and August 2011, an alternative options document was consulted upon. These options were also formulated to reflect the spatial principles. The outcome of this consultation resulted in a large amount of useful information being submitted, from which the preferred development strategy option set out in this document has been derived.

## 4.2 The Development Strategy

### 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 principal 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 Samesbury Enterprise Zone.

New retail and leisure development will be directed toward the centres of:

- Clitheroe;
- Longridge; and
- Whalley.

In addition to the strategic site at Standen and the borough's principal settlements, development will be focused towards the Tier 1 Villages, which are the more sustainable of the 32 defined settlements:

- Barrow;
- Billington;
- Chatburn;
- Gisburn;
- Langho;
- Mellor;
- Mellor Brook;
- Read & Simonstone;
- Wilpshire.

In the 23 remaining Tier 2 Village settlements, which are the less sustainable of the 32 defined settlements, development will need to meet proven local needs or deliver regeneration benefits. The Tier 2 Village settlements are:

- Bolton-by-Bowland;
- Brockhall;
- Calderstones;
- Chipping;
- Copster Green;
- Downham;
- Dunsop Bridge;
- Grindleton;
- Holden;
- Hurst Green;
- Newton;
- Osbaldeston;
- Pendleton;
- Ribchester;
- Rimington;
- Sabden;
- Sawley;
- Slaidburn;
- Tosside;
- Waddington;
- West Bradford;
- Wiswell;
- Worston.

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.

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 strategy. 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 well-being and development for future generations.

## Is the Preferred Option one of those presented at the previous consultation stages?

- 4.3** No. The preferred option is effectively a hybrid approach of Option B and Option D that were presented at the alternative options consultation stage, taking account of up to date information and consideration of views raised in response to consultation. Option B focused development towards Clitheroe, Longridge and Whalley whilst option D was based on the use of a Strategic Site. Information on these options can be seen in previous documents.
- 4.4** In terms of option D, which saw a large strategic site being proposed towards the south east of Clitheroe on land referred to as Standen Estates, this option was commonly cited as respondents' preferred option when assessed against the other seven potential options during the consultation. That said, this wasn't without opposition and concerns relating to the size of the site and potential infrastructure issues that could result if the site was to be developed were also raised.
- 4.5** The Sustainability Appraisal options report, which assessed each of the eight potential options for their environmental economic and social sustainability highlighted only three 'key weaknesses' for option D which related to the visual impact of such a large site, the potential for additional highway pressure (although it was felt that this could be mitigated through appropriate infrastructure planning and provision at the local level) and finally the uncertainty that results from 50% of the development being spread across the remainder of the borough with no clear indication of how much would go where.
- 4.6** In addressing these concerns, yet still ensuring that the benefits of a strategic site are achievable (in terms of infrastructure delivery), under the preferred option the strategic site has been reduced in terms of the scale of proposed housing. It is considered that a smaller number of houses would have a positive impact on addressing potential visual impact issues (though detailed work on this would still be needed) and also reduce the impact of potential highway concerns (though again, further detailed work on this would still be required as part of the infrastructure delivery plan and also during the Development Management process). By creating a hybrid approach of option D and B, the final SA options report concern is also alleviated as it becomes much clearer as to where the remaining development will be located across the rest of the borough.
- 4.7** The number of units proposed for the strategic site has been reduced to 1040 dwellings over a 20-year period. Phasing of the development will need to be considered and this will be done through the Development Management process including the detailed preparation of associated master plans, together with development and design briefs, working with the landowner and considering the practical implications of, and timing for, the delivery of key infrastructure
- 4.8** As stated, in effect an option 'B' approach is proposed in calculating the levels of the remaining development across the borough. As with option D, the Sustainability Appraisal options analysis, found this to be a sustainable approach to development, with only one 'key weakness' being identified, which related to the need for highways investment in

Longridge being required to accommodate the level of growth option B would result in. The SA options report also highlighted a requirement for cohesive working with Preston City Council, which is already taking place.

- 4.9 In terms of taking forward the hybrid approach, the option B element would see development distributed primarily according to population distribution of the key settlements, reflecting the calls for an equitable and fairer distribution of development raised during the consultation at the Regulation 18 (25) stage of production.
- 4.10 In creating the hybrid approach based on the two options the population distribution approach has been applied to the key service centres. The strategic site has also been factored into the revised calculations and, due to its close proximity to the settlement of Clitheroe, has been considered when calculating the distribution of housing number for Clitheroe, albeit still based upon a population distribution model. This approach also significantly reduces the amount of development proposed for Longridge, thus addressing the ‘key weakness’ raised as part of the SA options analysis.
- 4.11 The impact of this strategy in relation to the strategic pattern of distribution is detailed in Appendix 2 to the Core Strategy. In summary this development strategy means that the following distribution of housing results in:

<b>Location</b>	<b>Residual number of houses required for each settlement</b>
Clitheroe	240
Longridge	633
Whalley	0
Other settlements	145
Standen	1040
<b>Total</b>	<b>2058</b>

## 4.12

Category	Location	Total number of houses required for each settlement over the plan period <sup>17</sup>	Commitments up to March 2014	Residual number of houses required for each settlement <sup>18</sup>
Principal Settlement	Clitheroe	2320	1040	240
Principal Settlement	Longridge	1160	327	633
Principal Settlement	Whalley	520	588	0 (+68)
Strategic site	Standen	1040	0	1040
<b>Other Settlements</b>		<b>1600</b>	<b>1655</b>	<b>145 (-55+200<sup>19</sup>)</b>
<b>TOTAL</b>		<b>5600</b>	<b>3610</b>	<b>2058</b>
<b>Distribution set out below</b>				
Other Settlements: Tier 1 Villages (the 9 most sustainable of the defined settlements)	Barrow	710	710	0
	Wilpshire	66	21	45
	Read & Simonstone	45	27	18
	Billington	76	58	18
	Langho	21	3	18
	Mellor	38	20	18
	Chatburn	27	9	18
	Mellor Brook	23	18	5
	Gisburn	16	11	5
	<b>Total</b>	<b>1022</b>	<b>877</b>	<b>145</b>
Other Settlements: Tier 2 Villages (the 23 less sustainable of the defined settlements)	23 settlements	0 Local Needs Housing/ Regeneration Benefits only	346	0
Housing development not within the 32 defined settlements or the principal Settlements	8 non-defined settlements & outside of these	0 Local Needs Housing/ Regeneration Benefits only	432	0

<sup>17</sup> Figures based upon requirement for 5,600 houses over plan period (280/yr average). Clitheroe figure also includes the 1040 at Standen in this table but is subtracted to calculate the residual.

<sup>18</sup> As at 31<sup>st</sup> March 2014 – all applications that have been approved since will reduce this number.

<sup>19</sup> Figure of 200 units re-apportioned across the 9 Tier 1 settlements from the Longridge adjustment

- 4.13** Whilst Barrow is recognised as a Tier 1 Village settlement and therefore one of the more sustainable defined settlements, the distribution takes account of the large commitment to housing that exists as a result of planning permissions at Barrow and consequently further housing development is not being promoted at this settlement.
- 4.14** In relation to employment land, under the preferred strategy, it will continue to be possible to accommodate the minimum required level of land for economic development (8ha over the remainder of the plan period). It is considered that provision can be included within land at Standen to the south of Clitheroe to generate a mixed development opportunity as well as the opportunity to bring other sites forward to protect choice of locations. The existing site at Barrow Enterprise Park would continue in its role as the borough's principle strategic location for employment. The designation of the Enterprise Zone at Samlesbury, which includes land within both Ribble Valley and South Ribble, offers the potential to support and strengthen the economy. Through specialist investment it provides an opportunity to develop further the economy of the Ribble Valley through service and supply chain growth and is recognised as a strategic site. Under the neighbourhood planning legislation, it would also be possible to bring forward land for economic development where there are demonstrable regeneration benefits and in locations where local communities would like to see development take place.

#### KEY STATEMENT DS2: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in that Framework indicate that development should be restricted.

**4.15** The development strategy and the Core Strategy as a whole seek to deliver sustainable development. In particular this demonstrates the economic, social and environmental roles that planning has in contributing to sustainable development. This reflects the Golden Thread that runs through the National Planning Policy Framework and which underpins both plan making and decision taking by local planning authorities. The Council considers that it is important to emphasise the role of securing sustainable development and that in the light of NPPF a clear position is given by the Council on how it will seek to deliver national planning policy aspirations. This is set out in Key Statement DS2 as a core principle of the Council's approach to achieving sustainable development.



## 6 HOUSING

### Strategic Spatial Policies

- 6.1 The Core Strategy focuses on housing development location, targets, phasing and delivery within a spatial context.
- 6.2 The main aim is to ensure that over the plan period, sufficient housing of the right type will be built in the most suitable locations endeavouring to make the best use of previously developed land where suitable and where possible aiming to address meeting identified local needs.

#### KEY STATEMENT H1: HOUSING PROVISION

Land for residential development will be made available to deliver 5,600 dwellings, estimated at an average annual completion target of at least 280 dwellings per year over the period 2008 to 2028 in accordance with baseline information.

The Council will identify through the relevant “Strategic Housing Land Availability Study” (SHLAA), sites for residential development that are deliverable over a five-year period. By reference to the housing land monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond.

A ‘plan-monitor-manage’ approach will be adopted and a monitoring report will be the key tool in tracking the five-year rolling land supply. The overall housing requirement will be subject to a formal review within five years from the date of adoption of the Core Strategy to ensure it remains the appropriate strategic figure with which to plan.

# 10 DEVELOPMENT MANAGEMENT POLICIES

## Development Management Policies

- 10.1** The purpose of the Development Management Policies is to provide a mechanism to help implement the Core Strategy to attain the vision and objectives that have been identified. Against the context of an identified Development Strategy and themed spatial policies the Development Management policies will guide the principles of development within those themed headings and provide a clear approach for delivering the Core Strategy. They will help inform the decision on planning applications which will be the principle means of ensuring the successful delivery of the strategy.

The Council will develop as appropriate fuller detailed guidance and policies through future Development Plan Documents and Supplementary Planning Documents as required. The Development Management key statements have been formulated to reflect national policy and the LDF evidence base.

**10.2** **WHY ARE WE TAKING THIS APPROACH?**

It is important to have an understanding of how the Council will deliver the Core Strategy. This policy framework provides a clear statement on how the Council will make decisions on proposals to ensure the vision and overall objectives are achieved. The evidence base provides information to underpin the policy statements and when read in conjunction with the strategic policies the Council is seeking to provide a comprehensive approach to how the Council will implement the aspirations expressed in the Core Strategy. The justification to the development management policies cross-references to the key statements to which they are linked.

## Consultation and Sustainability Appraisal

- 10.3** The policy statements have been subject to consultation and ongoing development throughout the process of developing and testing the options for the development strategy. The need for Development Management policies to implement the Core Strategy is evidenced through a wide range of evidence documents with the policies themselves having been

Core Strategy Adoption version

subject to consultation claiming differing stages of their preparation. Separate reports are available relating to the consultation responses and how the Council has sought to address issues raised.

## GENERAL

### POLICY DMG1: GENERAL CONSIDERATIONS

#### 10.4 IN DETERMINING PLANNING APPLICATIONS, ALL DEVELOPMENT MUST:

##### DESIGN

1. BE OF A HIGH STANDARD OF BUILDING DESIGN WHICH CONSIDERS THE 8 BUILDING IN CONTEXT PRINCIPLES (FROM THE CABE/ENGLISH HERITAGE BUILDING ON CONTEXT TOOLKIT).
2. BE SYMPATHETIC TO EXISTING AND PROPOSED LAND USES IN TERMS OF ITS SIZE, INTENSITY AND NATURE AS WELL AS SCALE, MASSING, STYLE, FEATURES AND BUILDING MATERIALS.
3. CONSIDER THE DENSITY, LAYOUT AND RELATIONSHIP BETWEEN BUILDINGS, WHICH IS OF MAJOR IMPORTANCE. PARTICULAR EMPHASIS WILL BE PLACED ON VISUAL APPEARANCE AND THE RELATIONSHIP TO SURROUNDINGS, INCLUDING IMPACT ON LANDSCAPE CHARACTER, AS WELL AS THE EFFECTS OF DEVELOPMENT ON EXISTING AMENITIES.
4. USE SUSTAINABLE CONSTRUCTION TECHNIQUES WHERE POSSIBLE AND PROVIDE EVIDENCE THAT ENERGY EFFICIENCY, AS DESCRIBED WITHIN POLICY DME5, HAS BEEN INCORPORATED INTO SCHEMES WHERE POSSIBLE.
5. THE CODE FOR SUSTAINABLE HOMES AND LIFETIME HOMES, OR ANY SUBSEQUENT NATIONALLY RECOGNISED EQUIVALENT STANDARDS, SHOULD BE INCORPORATED INTO SCHEMES.

##### ACCESS

1. CONSIDER THE POTENTIAL TRAFFIC AND CAR PARKING IMPLICATIONS.
2. ENSURE SAFE ACCESS CAN BE PROVIDED WHICH IS SUITABLE TO ACCOMMODATE THE SCALE AND TYPE OF TRAFFIC LIKELY TO BE GENERATED.

3. CONSIDER THE PROTECTION AND ENHANCEMENT OF PUBLIC RIGHTS OF WAY AND ACCESS.

#### AMENITY

1. NOT ADVERSELY AFFECT THE AMENITIES OF THE SURROUNDING AREA.
2. PROVIDE ADEQUATE DAY LIGHTING AND PRIVACY DISTANCES.
3. HAVE REGARD TO PUBLIC SAFETY AND SECURED BY DESIGN PRINCIPLES.
4. CONSIDER AIR QUALITY AND MITIGATE ADVERSE IMPACTS WHERE POSSIBLE.

#### ENVIRONMENT

1. CONSIDER THE ENVIRONMENTAL IMPLICATIONS SUCH AS SSSIS, COUNTY HERITAGE SITES, LOCAL NATURE RESERVES, BIODIVERSITY ACTION PLAN (BAP) HABITATS AND SPECIES, SPECIAL AREAS OF CONSERVATION AND SPECIAL PROTECTED AREAS, PROTECTED SPECIES, GREEN CORRIDORS AND OTHER SITES OF NATURE CONSERVATION.
2. WITH REGARDS TO POSSIBLE EFFECTS UPON THE NATURAL ENVIRONMENT, THE COUNCIL PROPOSE THAT THE PRINCIPLES OF THE MITIGATION HIERARCHY BE FOLLOWED. THIS GIVES SEQUENTIAL PREFERENCE TO THE FOLLOWING: 1) ENHANCE THE ENVIRONMENT 2) AVOID THE IMPACT 3) MINIMISE THE IMPACT 4) RESTORE THE DAMAGE 5) COMPENSATE FOR THE DAMAGE 6) OFFSET THE DAMAGE.
3. ALL DEVELOPMENT MUST PROTECT AND ENHANCE HERITAGE ASSETS AND THEIR SETTINGS.
4. ALL NEW DEVELOPMENT PROPOSALS WILL BE REQUIRED TO TAKE INTO ACCOUNT THE RISKS ARISING FROM FORMER COAL MINING AND, WHERE NECESSARY, INCORPORATE SUITABLE MITIGATION MEASURES TO ADDRESS THEM.
5. ACHIEVE EFFICIENT LAND USE AND THE REUSE AND REMEDIATION OF PREVIOUSLY DEVELOPED SITES WHERE POSSIBLE. PREVIOUSLY DEVELOPED SITES SHOULD ALWAYS BE USED INSTEAD OF GREENFIELD SITES WHERE POSSIBLE

## INFRASTRUCTURE

1. NOT RESULT IN THE NET LOSS OF IMPORTANT OPEN SPACE, INCLUDING PUBLIC AND PRIVATE PLAYING FIELDS WITHOUT A ROBUST ASSESSMENT THAT THE SITES ARE SURPLUS TO NEED. IN ASSESSING THIS, REGARD MUST BE HAD TO THE LEVEL OF PROVISION AND STANDARD OF PUBLIC OPEN SPACE IN THE AREA, THE IMPORTANCE OF PLAYING FIELDS AND THE NEED TO PROTECT SCHOOL PLAYING FIELDS TO MEET FUTURE NEEDS. REGARD WILL ALSO BE HAD TO THE LANDSCAPE OR TOWNSCAPE OF AN AREA AND THE IMPORTANCE THE OPEN SPACE HAS ON THIS.
2. HAVE REGARD TO THE AVAILABILITY TO KEY INFRASTRUCTURE WITH CAPACITY. WHERE KEY INFRASTRUCTURE WITH CAPACITY IS NOT AVAILABLE IT MAY BE NECESSARY TO PHASE DEVELOPMENT TO ALLOW INFRASTRUCTURE ENHANCEMENTS TO TAKE PLACE.
3. CONSIDER THE POTENTIAL IMPACT ON SOCIAL INFRASTRUCTURE PROVISION.

## OTHER

1. NOT PREJUDICE FUTURE DEVELOPMENT WHICH WOULD PROVIDE SIGNIFICANT ENVIRONMENTAL AND AMENITY IMPROVEMENTS.

This policy helps deliver the vision for the area and gives an overarching series of considerations that the Council will have regard to in achieving quality development.

## **POLICY DMG2: STRATEGIC CONSIDERATIONS**

- 10.5** 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 WELL BEING 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.

WITHIN THE OPEN COUNTRYSIDE DEVELOPMENT WILL BE REQUIRED TO BE IN KEEPING WITH THE CHARACTER OF THE LANDSCAPE AND ACKNOWLEDGE THE SPECIAL QUALITIES OF THE AREA BY VIRTUE OF ITS SIZE, DESIGN, USE OF MATERIALS, LANDSCAPING AND SITING. WHERE POSSIBLE NEW DEVELOPMENT SHOULD BE ACCOMMODATED THROUGH THE RE-USE OF EXISTING BUILDINGS, WHICH IN MOST CASES IS MORE APPROPRIATE THAN NEW BUILD.

IN PROTECTING THE DESIGNATED AREA OF OUTSTANDING NATURAL BEAUTY THE COUNCIL WILL HAVE REGARD TO THE ECONOMIC AND SOCIAL WELL BEING OF THE AREA. HOWEVER THE MOST IMPORTANT CONSIDERATION IN THE ASSESSMENT OF ANY DEVELOPMENT PROPOSALS WILL BE THE PROTECTION, CONSERVATION AND ENHANCEMENT OF THE LANDSCAPE AND CHARACTER OF THE AREA AVOIDING WHERE POSSIBLE HABITAT FRAGMENTATION. WHERE POSSIBLE NEW DEVELOPMENT SHOULD BE ACCOMMODATED THROUGH THE RE-USE OF EXISTING BUILDINGS, WHICH IN MOST CASES IS MORE APPROPRIATE THAN NEW BUILD. DEVELOPMENT WILL BE REQUIRED TO BE IN KEEPING WITH THE CHARACTER OF THE LANDSCAPE AND ACKNOWLEDGE THE SPECIAL QUALITIES OF THE AONB BY VIRTUE OF

ITS SIZE, DESIGN, USE OF MATERIAL, LANDSCAPING AND SITING. THE AONB MANAGEMENT PLAN SHOULD BE CONSIDERED AND WILL BE USED BY THE COUNCIL IN DETERMINING PLANNING APPLICATIONS.

FOR THE PURPOSES OF THIS POLICY THE TERM SETTLEMENT IS DEFINED IN THE GLOSSARY. CURRENT SETTLEMENT BOUNDARIES WILL BE UPDATED IN SUBSEQUENT DPDS.

This policy assists the interpretation of the development strategy and underpins the settlement hierarchy for the purposes of delivering sustainable development. In establishing broad constraints to development the Council will secure the overall vision of the Core Strategy.

### **POLICY DMG3: TRANSPORT AND MOBILITY**

**10.6** IN MAKING DECISIONS ON DEVELOPMENT PROPOSALS THE LOCAL PLANNING AUTHORITY WILL, IN ADDITION TO ASSESSING PROPOSALS WITHIN THE CONTEXT OF THE DEVELOPMENT STRATEGY, ATTACH CONSIDERABLE WEIGHT TO:

THE AVAILABILITY AND ADEQUACY OF PUBLIC TRANSPORT AND ASSOCIATED INFRASTRUCTURE TO SERVE THOSE MOVING TO AND FROM THE DEVELOPMENT -

1. THE RELATIONSHIP OF THE SITE TO THE PRIMARY ROUTE NETWORK AND THE STRATEGIC ROAD NETWORK.
2. THE PROVISION MADE FOR ACCESS TO THE DEVELOPMENT BY PEDESTRIAN, CYCLISTS AND THOSE WITH REDUCED MOBILITY.
3. 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.
4. PROPOSALS WHICH LOCATE MAJOR GENERATORS OF TRAVEL DEMAND IN EXISTING CENTRES WHICH ARE HIGHLY ACCESSIBLE BY MEANS OTHER THAN THE PRIVATE CAR.
5. PROPOSALS WHICH STRENGTHEN EXISTING TOWN AND VILLAGE CENTRES WHICH OFFER A RANGE OF EVERYDAY COMMUNITY SHOPPING AND EMPLOYMENT OPPORTUNITIES BY PROTECTING AND ENHANCING THEIR VITALITY AND VIABILITY.

4. WHERE POSSIBLE SITE SHOULD BE WITHIN A REASONABLE PROXIMITY TO SERVICES.
5. PROPOSALS MUST HAVE GOOD ACCESS AND NOT HAVE AN ADVERSE IMPACT ON HIGHWAY SAFETY.
6. PROPOSALS SHOULD NOT PLACE UNDUE PRESSURE ON LOCAL INFRASTRUCTURE AND SERVICES.
7. PROPOSALS ARE NOT LOCATED IN AREAS AT HIGH RISK OF FLOODING.

The Council considers it important to have in place clear guidance to assist in the delivery of sites for gypsy and traveller accommodation to help address identified needs as shown in the Council's evidence base.

### **POLICY DMH3: DWELLINGS IN THE OPEN COUNTRYSIDE AND AONB**

**10.20** WITHIN AREAS DEFINED AS OPEN COUNTRYSIDE OR AONB ON THE PROPOSALS MAP, RESIDENTIAL DEVELOPMENT WILL BE LIMITED TO:

1. DEVELOPMENT ESSENTIAL FOR THE PURPOSES OF AGRICULTURE OR RESIDENTIAL DEVELOPMENT WHICH MEETS AN IDENTIFIED LOCAL NEED. IN ASSESSING ANY PROPOSAL FOR AN AGRICULTURAL, FORESTRY OR OTHER ESSENTIAL WORKERS DWELLINGS A FUNCTIONAL AND FINANCIAL TEST WILL BE APPLIED.
2. THE APPROPRIATE CONVERSION OF BUILDINGS TO DWELLINGS PROVIDING THEY ARE SUITABLY LOCATED AND THEIR FORM AND GENERAL DESIGN ARE IN KEEPING WITH THEIR SURROUNDINGS. BUILDINGS MUST BE STRUCTURALLY SOUND AND CAPABLE OF CONVERSION WITHOUT THE NEED FOR COMPLETE OR SUBSTANTIAL RECONSTRUCTION.
3. THE REBUILDING OR REPLACEMENT OF EXISTING DWELLINGS SUBJECT TO THE FOLLOWING CRITERIA:
  - THE RESIDENTIAL USE OF THE PROPERTY SHOULD NOT HAVE BEEN ABANDONED.
  - THERE BEING NO ADVERSE IMPACT ON THE LANDSCAPE IN RELATION TO THE NEW DWELLING.
  - THE NEED TO EXTEND AN EXISTING CURTILAGE.



THE CREATION OF A PERMANENT DWELLING BY THE REMOVAL OF ANY CONDITION THAT RESTRICTS THE OCCUPATION OF DWELLINGS TO TOURISM/VISITOR USE OR FOR HOLIDAY USE WILL BE REFUSED ON THE BASIS OF UNSUSTAINABILITY.

The protection of the open countryside and designated landscape areas from sporadic or visually harmful development is seen as a high priority by the Council and is necessary to deliver both sustainable patterns of development and the overarching core strategy vision.

#### **POLICY DMH4: THE CONVERSION OF BARNs AND OTHER BUILDINGS TO DWELLINGS**

**10.21** PLANNING PERMISSION WILL BE GRANTED FOR THE CONVERSION OF BUILDINGS TO DWELLINGS WHERE

1. THE BUILDING IS NOT ISOLATED IN THE LANDSCAPE, I.E. IT IS WITHIN A DEFINED SETTLEMENT OR FORMS PART OF AN ALREADY GROUP OF BUILDINGS, AND
2. THERE NEED BE NO UNNECESSARY EXPENDITURE BY PUBLIC AUTHORITIES AND UTILITIES ON THE PROVISION OF INFRASTRUCTURE, AND
3. THERE WOULD BE NO MATERIALLY DAMAGING EFFECT ON THE LANDSCAPE QUALITIES OF THE AREA OR HARM TO NATURE CONSERVATIONS INTERESTS, AND
4. THERE WOULD BE NO DETRIMENTAL EFFECT ON THE RURAL ECONOMY, AND
5. THE PROPOSALS ARE CONSISTENT WITH THE CONSERVATION OF THE NATURAL BEAUTY OF THE AREA.
6. THAT ANY EXISTING NATURE CONSERVATION ASPECTS OF THE EXISTING STRUCTURE ARE PROPERLY SURVEYED AND WHERE JUDGED TO BE SIGNIFICANT PRESERVED OR, IF THIS IS NOT POSSIBLE, THEN ANY LOSS ADEQUATELY MITIGATED.

THE BUILDING TO BE CONVERTED MUST:

1. BE STRUCTURALLY SOUND AND CAPABLE OF CONVERSION FOR THE PROPOSED USE WITHOUT THE NEED FOR EXTENSIVE BUILDING OR MAJOR ALTERNATION, WHICH WOULD ADVERSELY AFFECT THE CHARACTER OR APPEARANCE OF THE BUILDING. THE COUNCIL WILL REQUIRE A STRUCTURAL SURVEY

## 12 GLOSSARY

**ADDRESSING HOUSING NEED** – Ensuring that measures are in place to meet identified need for affordable housing.

**AFFORDABLE HOUSING** – Housing, irrespective of tenure, ownership or financial arrangements, available to people who cannot afford to occupy homes generally available on the open market.

**ALLOCATION** – The use assigned to a piece of land in a development plan.

**AMENITY** – An element of a location or neighbourhood that helps to make it attractive or enjoyable for residents and visitors. Amenities can include such facilities as Post offices, schools, local shops, open space and play areas and bus stops.

**AMR** – Annual Monitoring Report. This report monitors the LDF using a set of established indicators that can be compared year on year to show how elements of the LDF are performing. Submitted to Government Office North West each December.

**APPROPRIATE ASSESSMENT (AA)** – See Strategic Environmental Assessment below

**AREA OF OUTSTANDING NATURAL BEAUTY (AONB)** – A national designation which carries with it certain obligations on the Local Planning Authority when formulating policy or assessing planning applications

**AVAILABILITY** – For the purpose of this study this relates to whether, on the best information available, there is confidence that there are no legal or ownership problems such as multiple ownerships, ransom strips, tenancies or operational requirements of landowners.

**BASELINE** – see Evidence Base.

**BIOLOGICAL HERITAGE SITE** – A county designation given weight through the NPPF that carries with it certain obligations on the Local Planning Authority when formulating policy or assessing planning applications.

**BROWNFIELD** – Brownfield land is land that has previously had development on it.

**CLG** – The department for Communities and Local Government. A central government department that deals with Planning issues.

**CLITHEROE TOWN CENTRE MASTERPLAN** – (see Section 2 – Understanding the Area).

**CODE FOR SUSTAINABLE HOMES** – The Code for Sustainable Homes (the Code) is an environmental assessment method for rating and certifying the performance of new homes. It is a national standard for use in the design and construction of new homes with a view to encouraging continuous improvement in sustainable home building.

**COMMUNITY FACILITIES** – Facilities which provide for the health and wellbeing, social education, spiritual, recreational, leisure and cultural needs of the community.

**COMMUNITY INFRASTRUCTURE LEVY (CIL)** – An alternative or complement to a Section 106 agreement for planning obligations with a set tariff of financial contributions. The future of this levy is in doubt and has not been adopted by RVBC.

**COMMUNITY SAFETY PARTNERSHIP** – A partnership within the RV Strategic Partnership of RVBC, the Police and the Primary Care Trust aimed at co-ordinating and initiating work on improving public safety.

**CONSERVATION (FOR HERITAGE POLICY)** – The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

**CONSOLIDATION** – Refers to locating new developments so that it adjoins the main built up area of a settlement and where appropriate both the main urban area and an area of sporadic or isolated development.

**CORE STRATEGY** - The Core Strategy is the central document of the Local Development Framework and sets out the development principles for the Ribble Valley.

**CORPORATE PLAN** – The key document outlines the Council's priorities and objectives.

**DC – Development Control.** This is the department of the Council that deals with and determines planning applications and unauthorised developments.

**DEFINED SETTLEMENT –** A defined settlement is one which contains at least 20 dwellings and a shop or public house or place of worship or school or village hall, ie they are of a size and form that justifies treatment as a settlement. 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.

Settlement boundaries will:

- Include all properties physically linked to the main (built) part of the settlement
- Include all undeveloped areas of e
- Existing planning consents relating to the settlement
- Include residential curtilages
- Boundaries do not include properties separated from the main body of the settlement by areas of open land not forming a residential curtilage
- In most cases single depth development (ribbon development) along roads leading out of settlements will be excluded unless they are physically well related to the settlement

**DEVELOPMENT MANAGEMENT POLICIES –** These are the policies that will be used by Ribble Valley Borough Council’s Development Control department to determine planning applications.

**DISTRICTWIDE LOCAL PLAN –** This is the saved development plan for the borough. It is the document against which all planning applications are currently determined. This will eventually be replaced by the LDF.

**DPD - Development Plan Document.** This is a statutory planning document that forms part of the LDF.

**OLDER PERSONS PROVISION –** Generally taken as provision for people aged 55 years or over.

**EMPLOYMENT LAND and RETAIL STUDY –** (see Understanding the Area).

**EVIDENCE BASE** – This is made up of the information and documents that inform the Local Development Framework. For the LDF to be sound it must be based upon a credible, robust and transparent baseline. (see Understanding the Area).

**EXPANSION** – This is limited growth of a settlement generally it should be development which is in scale and keeping with the existing urban area.

**FIVE-YEAR SUPPLY** – Each Local Planning Authority is required to demonstrate a five-year supply of land for housing based upon the appropriate strategic requirement. The five year supply position is monitored on a quarterly basis. If a five-year supply cannot be demonstrated then it becomes difficult to resist applications for residential development, even if they are not suitable.

**FUNCTIONAL and FINANCIAL TEST** – In considering proposals for permanent agricultural, forestry and other essential dwellings, the following criteria will be applied:

- Is there a clearly established existing functional need?
- Does the need relate to a full time worker or one who is primarily employed rather than a part time requirement?
- Have the unit and the agricultural activity concerned been established for at least 3 years, been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so?
- Could the functional need be fulfilled by another existing dwelling on the unit?

**GREEN BELT** – Areas of land where development is particularly tightly controlled with the main objective of maintaining ‘green’ spaces between large conurbations and other settlements. This is a national designation and is infrequently reviewed to ensure land is protected.

**GREENFIELD** – This is land that has not previously had development upon it. It is not the same as Green belt land as it is not necessarily protected from development.

**HERITAGE ASSET** – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

**HISTORIC ENVIRONMENT** – All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

**HISTORIC PARKS AND GARDENS** – see **Registered Historic Parks and Gardens**.

**HLA** – Housing Land Assessment. This is a report that is produced by Ribble Valley Borough Council bi-annually. It presents a collation of data on housing planning permission and completions.

**HMA** – Housing Market Assessment. This is required as part of the baseline for the LDF. It is comprised of the Strategic Housing Market Assessment and the Strategic Housing Land Availability Assessment.

**HOUSING and ECONOMIC NEEDS DPD** – This document is one of the major documents in the LDF. It will eventually contain details of the actual sites ‘allocated’ for housing and employment development.

**HOUSING NEEDS ASSESSMENTS** – (see Understanding the Area).

**HOUSING NEEDS SURVEYS** – surveys carried out in each main settlement to gauge housing need particularly for affordable housing.

**GYPSY and TRAVELLER NEEDS** – (see Understanding the Area).

**KEY SERVICE CENTRES** – These are seen as the largest settlements in the borough. For the purposes of this study this relates to Clitheroe, Longridge and Whalley.

**LANDFILL GAS ZONE** – An area where gas is potentially generated spontaneously from previous land fill operations.

**LCC** – Lancashire County Council. This is a sub-regional organisation.

**LDF** – see Local Development Framework.

**LDS** – Local Development Scheme. This sets out the timetable of production for all the documents that make up the LDF.

**LIFETIME HOMES** – The standard is designed to accommodate the changing needs of occupants of housing throughout their lives. There are 16 standards promoted in the Rowntree Foundation report ‘Meeting Part M and Designing Lifetime Homes’ such as wider doorways, wheelchair access, downstairs toilet and provision for a future stair lift.

**LISTED BUILDINGS** – The Secretary of State for Culture, Media and Sport is responsible for compiling the statutory list of buildings of special architectural or historic interest. English Heritage provides expert advice on which buildings meet the criteria for listing, and administer the process. Buildings are graded to indicate their relative importance.

**LOCAL DEVELOPMENT DOCUMENTS** – These are documents that together make up the LDF.

**LOCAL DEVELOPMENT FRAMEWORK** – This is comprised of a suite of documents, which will replace the current single document Districtwide Local Plan containing the Saved Policies under which most planning decisions are assessed.

**LOCAL INFRASTRUCTURE PLAN (LIP)** – The LIP is an evidence base document that addresses the infrastructure requirements, provision and potential issues relating to development.

**LOCAL NEEDS HOUSING** – Local needs housing is the housing developed to meet the needs of existing and concealed households living within the parish and surrounding parishes which is evidenced by the Housing Needs Survey for the parish, the Housing Waiting List and the Strategic Housing Market Assessment.

**LONGRIDGE ACTION PLAN** – (see Understanding the Area).

**LPA - LOCAL PLANNING AUTHORITY.** In most references in this document this is Ribble Valley Borough Council.

**MAJOR APPLICATION/ PROPOSAL:** Major proposals include large buildings more than 1000m<sup>2</sup> floor space and developments of more than 10 dwellings or more.

**NPPF** – National Planning Policy Framework. This contains the Government’s planning policies for England and must be taken into account in preparing local and neighbourhood plans and is a material consideration in planning decisions. The NPPF was issued in March 2012 and supersedes guidance formerly contained in Planning Policy Statements and Guidance (PPS and PPGs).

**OPEN COUNTRYSIDE** – This is a designation currently defined within the proposals map of the RV Districtwide Plan mainly of land outside Settlement Areas but not designated Greenbelt or AONB

**PDL** – Previously developed land. This is the same as Brownfield land in that it is land that has previously been developed. The definition in Annex B of PPS3 is ‘previously- developed land is that which is or was occupied by a permanent structure, including the curtilage of the development land and any associated fixed surface infrastructure’.

**PENNINE LANCS LOCAL DEVELOPMENT STRATEGY** (see Understanding the Area).

**PLANNING INSPECTORATE – PINS** – The Secretary of State appoints Planning Inspectors who hear planning appeals against planning decisions by LPAs and who carry out Examinations in Public of planning policies and Local Development Documents prepared by LPAs.

**REGISTERED HISTORIC PARKS AND GARDENS** – A park or garden included on the Register of Parks and Gardens of Special Historic Interest in England as determined by English Heritage

**RIBBLE VALLEY ECONOMIC STRATEGY** – Outlines the Council’s economic aims and objectives. (see Understanding the Area).

**RIBBLE VALLEY HOMES** – RVBC transferred ownership of their council homes to Ribble Valley Homes a subsidiary of Vicinity Ltd, a Housing Association and Registered Social Landlord.

**RIBBLE VALLEY SETTLEMENT HIERARCHY** – see Settlement Hierarchy below.

**ROUNDING OFF** – Development which is essentially part of rather than an extension to the built up part of the settlement. It can be defined as the development of land within the settlement boundary (which is not covered by any protected designation) where at least two thirds of the perimeter is already built up with consolidated development.

**SAVED POLICIES** – These are policies from the Districtwide Local Plan that have been saved for a time period during the production of replacement Local Development Documents.

**SEA** – See Strategic Environmental Assessment below.

**SECTION 106 AGREEMENT** – This is an agreement under Section 106 of the Town and Country Planning Act negotiated between a developer and the Council imposing certain planning obligations which must be met before planning permission is granted.

**SECTION 278 AGREEMENT** – similar to Section 106 agreement but concerned with Highway matters.



**SETTING OF A HERITAGE ASSET** – The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

**SETTLEMENT** – see Defined Settlement

**SETTLEMENT AUDIT** – Key statistics about settlements in the Borough such as community facilities, housing and employment figures. (see Understanding the Area).

**SETTLEMENT HIERARCHY** – The hierarchy lists the current level of services in settlements and aids decisions on the sustainability of developments in them. (see Understanding the Area).

**SFRA or FRA** – Flood Risk Assessment or Strategic Flood Risk Assessment. An assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered. (see Understanding the Area).

**SHLAA – Strategic Housing Land Availability Assessment** – This is an evidence base document for the LDF which looks at the potential of land for residential development and makes estimates on when this potential land may come forward. (see Understanding the Area).

**SHMA – Strategic Housing Market Assessment.** – This is an evidence base document for the LDF that looks at the level of affordability in the borough and the types and tenures of housing that are present in the borough. (see Understanding the Area).

**SIGNIFICANCE (FOR HERITAGE POLICY)** – The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

**SOCIAL INFRASTRUCTURE** – Includes provision for: health and social care; education; leisure and pleasure; emergency services; and community facilities which are need to serve communities.

**SSSI – SITE OF SPECIAL SCIENTIFIC INTEREST** – A national designation that carries with it certain obligations on the Local Planning Authority when formulating policy or assessing planning applications.

**STRATEGIC ENVIRONMENTAL ASSESSMENT** – This is an assessment, which must be carried out in accordance with a European Directive where significant environmental effects are expected as a result of a plan. It assesses the anticipated social, economic and environmental effects of a plan and can be combined with the Sustainability Appraisal requirements so that one single document is produced.

**SUSTAINABILITY APPRAISAL** – This is an assessment of the expected social, economic and environmental effects of a plan and involves an assessment to be carried out by a panel of experts from these fields to assess which of the development options are the most sustainable.

**SUSTAINABLE COMMUNITY STRATEGY** – The SCS sets out the communities aspiration, needs and priorities and coordinates the actions of the public, private, voluntary and community sectors in meeting these needs. The LDF is intended to be the spatial interpretation of the SCS.

**SUSTAINABLE DEVELOPMENT** – The most commonly used definition is that of the 1987 World Commission on Environment and Development, the Brundtland Commission: ‘development which meets the needs of the present without compromising the ability of future generations to meet their own needs’.

**TPO** – Tree Preservation Order. These are made by the Local Authority to protect trees.

**VILLAGES** – These are the smaller settlements within the borough and for the purposes of this study, this relates to all settlements in the borough excluding Clitheroe, Longridge, Whalley and Wilpshire.

## 15.2 Residual number of houses required for each main settlement based on main settlement population

Settlement	1 No of houses to be provided <sup>23</sup>	2 No of houses already completed/permissions given <sup>24</sup> for each settlement area (based on the Parish)	3 Unadjusted residual (less no already completed/ permission given)	4 Longridge Adjustment <sup>25</sup>	5 Proposed Strategic site <sup>26</sup>	7 Residual number of houses required for each settlement <sup>27</sup>
Clitheroe	2,320	1040	1280		1040	240
Longridge	1,160	327	833	633		633
Whalley	520	588	0 (-68)			0
<i>Non-defined settlements/areas (8 settlements)<sup>28</sup></i>	0	432	0 (-432)			
<i>Other 'Defined Settlements' (32 settlements)</i>	1,600	1223	377			
	1,600	1655	-55	145		145
Standen						1040
Total	5,600	3610	2058		1040	2058

<sup>23</sup> For the 3 main settlements, total number of dwellings is 4000. Number of houses is calculated from settlement population as a % of total main settlement population – Clitheroe 58%, Longridge 29% and Whalley 13%.

<sup>24</sup> Does not include sites that are awaiting completion of section 106 agreements at 31<sup>st</sup> March 2014.

<sup>25</sup> This allowance reflects development allowed at appeal of 200 units in Preston Borough at Whittingham Lane- 200 units are therefore reapportioned to the most sustainable settlements within the defined settlements.

<sup>26</sup> Proposed strategic site – 1040 dwellings proposed at Standen. 1040 taken from Clitheroe requirement.

<sup>27</sup> As at 31<sup>st</sup> March 2014 – applications have been approved since.

<sup>28</sup> Whilst there are 40 villages in the Ribble Valley, only 32 of these are categorised as 'defined settlements'- these are the settlements where development is to be allocated. Whilst some development has taken place outside of these settlements (in the remaining 8 villages), the Core Strategy development Strategy, once adopted, should prevent further development taking place in these locations.