

RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** is at **6.30pm** on **THURSDAY, 28 NOVEMBER 2019** at the **TOWN HALL, CHURCH STREET, CLITHEROE**

I do hope you can be there.

Yours sincerely

CHIEF EXECUTIVE

To: Committee Members (copy for information to all other Members of the Council)
Directors
Press
Parish Councils (copy for information)

AGENDA

Part I – items of business to be discussed in public

1. Apologies for absence.
- ✓ 2. To approve the minutes of the meetings held on 31 October 2019 – copy enclosed.
3. Declarations of Pecuniary and Non-Pecuniary Interests (if any).
4. Public Participation (if any).

DECISION ITEMS

- ✓ 5. Planning Applications – report of Director of Economic Development and Planning – copy enclosed.
- ✓ 6. Housing Land Availability – report of Director of Economic Development and Planning – copy enclosed.

- ✓ 7. Housing Requirement – report of Director of Economic Development and Planning – copy enclosed.
- ✓ 8. Update on Local Development Plan – report of Director of Economic Development and Planning – copy enclosed.
- ✓ 9. Application Update Housing Proposal at Land at Wiswell Lane, Whalley 3/2019/0448 – report of Director of Economic Development and Planning – copy enclosed.

INFORMATION ITEMS

- ✓ 10. Local Development Plan Examination in Public Costs – report of Director of Economic Development and Planning – copy enclosed.
- ✓ 11. Appeals
 - a) 3/2019/0117 – Demolition and erection of a replacement two storey dwelling – ‘prior to commencement to development samples of all external facing and roofing materials shall be submitted and approved by the Local Planning Authority’ at Susie Cottage, Rimington Lane, Rimington – appeal allowed.
 - b) Costs application in relation to Susie Cottage, Rimington Lane, Rimington – refused.
 - c) 3/2019/0241 and 0242 – Domestic first floor extension above existing garage to provide bedroom accommodation at 23 Church Street, Clitheroe – appeal dismissed.
- 12. Report from Representatives on Outside Bodies (if any).

Part II - items of business **not** to be discussed in public

DECISION ITEMS

None.

INFORMATION ITEMS

None.

<u>INDEX OF APPLICATIONS BEING CONSIDERED</u>						
<u>MEETING DATE: 28 NOVEMBER 2019</u>						
<u>Application No:</u>	<u>Page:</u>		<u>Officer:</u>	<u>Recommendation:</u>	<u>Site:</u>	
A	APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:					
				NONE		
B	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:					
	3/2019/0666	1	AB	AC	Land south of Lower Road Hothersall	
C	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:					
				NONE		
D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED					
				NONE		
E	APPLICATIONS IN 'OTHER' CATEGORIES:					
				NONE		

LEGEND

AC Approved Conditionally
R Refused
M/A Minded to Approve

AB Adam Birkett
AD Adrian Dowd
HM Harriet McCartney

JM John Macholc
RB Rebecca Bowers
SK Stephen Kilmartin

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 5

meeting date: THURSDAY, 28 NOVEMBER 2019
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

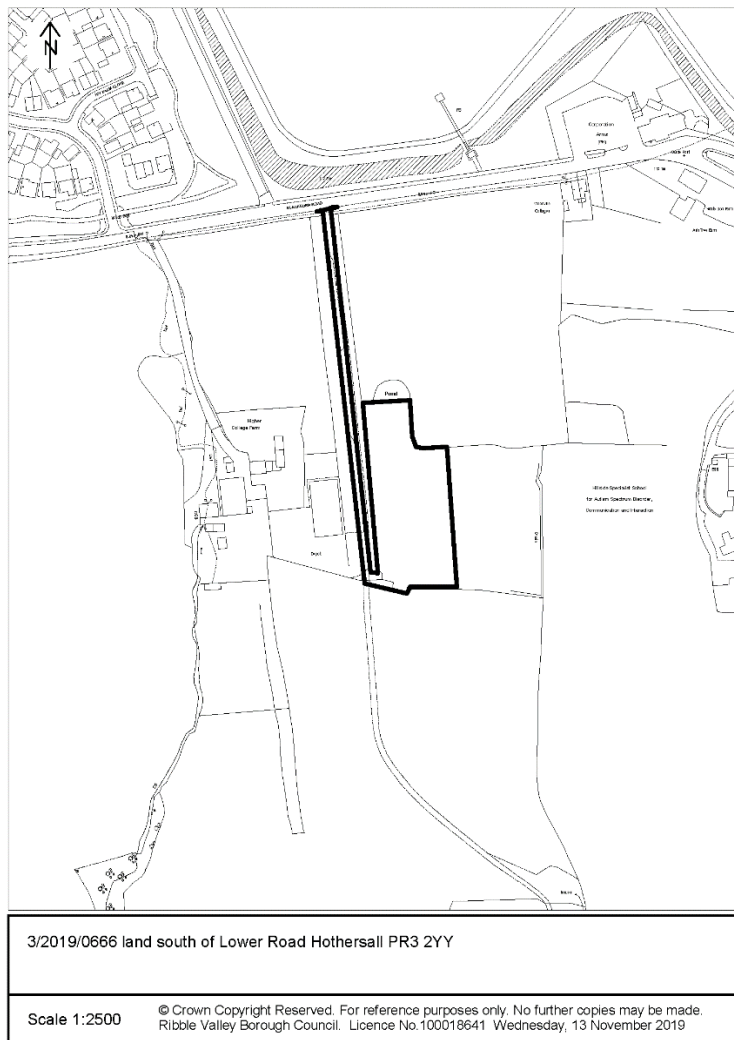
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2019/0666

GRID REF: SD 361564 437093

DEVELOPMENT DESCRIPTION:

ERECTION OF BUSINESS UNITS (USE CLASS B1) COMPRISING THREE NEW BUILDINGS WITH ACCESS, PARKING AND PROVISION OF SECURE COMPOUNDS AT LAND SOUTH OF LOWER ROAD, HOTHERSALL, PR3 2YY



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Hothersall Parish Council

Planning permission was granted on a neighbouring larger site. We were told it was 'essential' to develop this land to offer local businesses premises but to date nothing has happened. Evidence must be provided to show there is demand for such development.

The concern is that, if approved, it will open the floodgates for further applications on neighbouring land. The ecology statement is false and appears to be rewarding the farm for bad land management in the past. Hothersall Parish Council is against the development.

Attention is also drawn to the plans to amend the junction at the Corporation Arms. This is already a dangerous junction and plans submitted to Highways reduce sightlines further. Is it fair that planning is treated this way with applicants playing the system to get permission 'by the back door'.

ADDITIONAL REPRESENTATIONS:

Thirteen objection letters have been received and raise the following:

- Site is unsuitable for the scale of development.
- Land available elsewhere on more suitable sites.
- Road congestion concerns around Longridge and Ribchester.
- Occupants would be mainly reliant on private motor vehicles to access the site.
- Site is adjacent to a wildlife pond.
- No demand for commercial units in this area.
- Existing and additional traffic result in noise for local residents.
- Suitability of the existing access for HGVs.
- Proximity to Hillside School for autistic children.
- The area is an important feeding habitat for curlews which nest nearby.
- No proper drainage from the site.
- Gross intrusion into the open countryside.
- Approval of the application would set a precedent.

1. Site Description and Surrounding Area

- 1.1 The site lies within the open countryside close to the settlement of Longridge and comprises approximately 0.5 hectares of agricultural land to the east of an existing group of buildings at Higher College Farm which includes commercial buildings used by Clegg's Chilled Food Service and Anderton's Ribble Butchers for food processing, packaging and distribution along with external parking and servicing areas. The existing businesses are accessed via a roadway extending from the south side of Lower Lane.

2. Proposed Development for which consent is sought

- 2.1 Consent is sought in outline for the erection of circa 800 square metres of employment falling within use class B1 (business) at Land south of Lower Road, Hothersall. The application seeks outline consent with all matters reserved except for access.

2.2 The application proposes to develop the land to the east of the roadway with access from Lower Lane via the existing track. The application site is relatively flat with no distinct landscape features although there are a number of boundary trees and hedges at the site's periphery. The proposals are to development the land to provide units of a smaller size for use by new start-ups and existing small businesses.

3. **Relevant Planning History**

3/2017/0317 - Application for Outline planning permission for industrial units (use classes B1, B2, B8) and associated access, parking, landscaping and services infrastructure with all matters reserved except access. Change of use of farmhouse to office (B1). Approved.

3/2012/0399 - Creation of a private swimming pool for teaching purposes. The pool will only be open for pre-booked lessons. Approved.

3/2006/0329 - Outline application for the erection of rural workshop units. Refused.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 - Development Strategy

Key Statement DS2 - Sustainable Development

Key Statement EN2 - Landscape

Key Statement EN3 - Sustainable Development and Climate Change

Key Statement EN4 - Biodiversity and Geodiversity

Key Statement EC1 - Business and Employment Development

Key Statement DMI1 - Planning Obligations

Key Statement DMI2 - Transport Considerations

Policy DMG1 - General Considerations

Policy DMG2 - Strategic Considerations

Policy DMG3 - Transport and Mobility

Policy DME1 - Protecting Trees and Woodlands

Policy DME2 - Landscape and Townscape Protection

Policy DME3 - Site and Species Protection and Conservation

Policy DME6 - Water Management

Policy DMB1 – Supporting Business Growth and the Local Economy

Other Material Considerations:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Regulation 14 Longridge Neighbourhood Plan

5. **Assessment of Proposed Development**

5.1 The application seeks outline consent with all matters reserved except for access. The main considerations are the principle of the development and highway safety/traffic/public footpath issues. However, the matters of visual amenity, residential amenity and tree/ecological impacts do have to be given some consideration.

5.2 **Principle of Development:**

5.2.1 In determining this application it is important to note that major employment development schemes have been improved on adjacent agricultural land. Planning

application 3/2017/0317P for up to 8,000 square meters of mixed use employment floor space was approved in October 2017 on land immediately adjoining the application site. On the opposite side of the roadway used by Clegg's Chilled Food Service and Anderton's Ribble Butchers and to the north of Higher College Farm farmhouse development comprising around 3,000 square meters of mixed use employment was approved under planning application 3/2017/0602. The latter site is also designated in the Council's Housing and Economic DPD (adopted October 15th 2019) as an employment land allocation.

- 5.2.2 It is acknowledged that the site lies in the open countryside and must therefore meet one of six considerations in Policy DMG2 of the Core Strategy to be considered acceptable in this location. This includes development that is considered "essential to the local economy". The approved employment development on adjacent land has not yet been commenced and there remains a requirement for the Council to facilitate the delivery of employment land in order to boost the local economy in accordance with strategic objectives, one of which is to reduce the level of daily out commuting to access employment opportunities.
- 5.2.3 The Council is seeking to address an objective of the provision of employment land and sites to serve Longridge are a particular concern to be delivered as identified in the Employment Land Study Refresh 2013. It should be noted that the employment land requirement of 8 hectares contained in Core Strategy Key Statement EC1 is not expressed as a maximum – it is the minimum requirement to meet the economic needs of the borough to the end of the plan period.
- 5.2.4 The Council's Planning Policy section consider that the proposed scheme would broadly accord with the policies relevant to the consideration of the application including Key Statement EC1 which seeks to direct employment related development towards the three Principal Settlements and Policy DMB1 'Supporting Business Growth' which offers general support for business growth.
- 5.2.5 Considering the site's location, whilst it is not closely related to the main built-up area of Longridge, as required by Policy DMG2, it is in relatively close proximity to the settlement boundary and future occupiers of the site would be within reasonable distance of a range of services and facilities located in Longridge including a newsagents, public house, hot food takeaway and post office amongst others. In determining recent planning applications on adjacent land for both commercial and residential development, it was considered that future occupants would be able to travel by foot, bike or public transport to facilities within Longridge and as such the site's location is judged to be reasonably sustainable.
- 5.2.6 Taking into account the above, it is considered that in principle the development proposal is compliant with the relevant policies of the Core Strategy insofar that they would contribute to the provision of employment land in Longridge, a Principal Settlement, and would potentially result in the creation of up to 20 full-time jobs in a reasonably sustainable location close to the services and facilities in Longridge town centre. The principle of developing this site for employment generating purposes is thus acceptable subject to the other development management criteria being considered.

5.3 Impact on Visual Amenity and Landscape Character

- 5.3.1 This is an outline application and the issues of appearance, landscaping, layout and scale would be considered in detail at reserved matters stage. However, the design approach to the site should be considered at this stage. The intention is to provide three buildings of a flexible nature. The development would be visible from the public highway and also from public footpaths, one of which passes close to the west of the site. Long-distance elevated views would also be available from public footpaths to the north on the north side of Space Mill Reservoirs.
- 5.3.2 The proposed development would be closely related to the existing cluster of commercial buildings at Higher College Farm and subject to a sympathetic design approach which takes into account the maximum overall size and scale of the existing adjacent structures, appropriate external materials and landscaping it is not considered that the proposals would unduly impact on the visual appearance and character of the surrounding landscape.

5.4 Residential amenity of existing and future residents

- 5.4.1 Policy DMG1 of the Core Strategy states that development must not adversely affect the amenities of the surrounding area. The nearest noise sensitive receptor to the application site is Higher College Farm farmhouse 60 metres to the west. However, the farmhouse is situated directly adjacent to buildings used for food processing, packaging and distribution. It is considered that the combination of existing noise generating activities, intervening buildings and the separation distance between the application site and the farmhouse would ensure that occupiers of the farmhouse would not be significantly adversely affected by the development particular given that it does not propose heavy industrial uses.
- 5.4.2 The next closest noise sensitive receptors are around 200 metres from the site. This includes new residential development the north of Lower Road, Woodville Cottages and Hillside Specialist school. The use of the proposed development is for B1 (Business) use and therefore the units could be used for office, research and development or light industrial purposes none of which cause detriment to the amenity of the area as specified in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 5.4.3 It is noted that planning conditions to control noise were imposed on the consent (3/2017/0317P) for up to 8,000 sqm of employment floorspace on land immediately joining the application site however there are fundamental differences to note. The adjacent approved development was on a significantly larger scale, was closer to noise sensitive receptors and proposed a mix of office, industrial and storage and distribution uses which have the potential to generate higher noise levels. It is not considered necessary to impose the same planning conditions on this development should it be approved and each application must be dealt with on its own merits.
- 5.4.4 Having regard to the above, it is recommended that a noise assessment should accompany the reserved matters application(s) in order to identify whether any noise mitigation measures would be required to ensure that noise sensitive receptors are not impacted by the development proposals. However, it is considered that any noise potentially generated by the proposed development

would not result in noise level or disturbance to warrant the submission of a noise assessment at this stage given the nature of the proposed use.

- 5.4.5 In addition it is proposed to impose planning conditions which would further control noise such as restrictions to working hours and deliveries to and from the site

5.5 Impact on ecology and trees

5.5.1 The main body of the site comprises agricultural land with no defining landscape features. The Arboricultural and Ecology Statement submitted with the application states that there are no individual trees or woodland which might be affected by the proposed works. To the north of the site a single Oak tree stands in the field boundary and there are field boundary hedgerows present. It is stated within the document that the proposed building work would be offset sufficiently from all trees and hedges to ensure they are not negatively impacted.

5.5.2 The grassland at the site is improved grassland of low ecological significance. It is noted that specific concerns have been raised by objectors about curlews. Curlews are identified as a Species of Principal Importance for conservation in England (section 41 Natural Environment and Rural Communities (NERC) Act 2006). Whilst this categorisation identifies the importance of specific habitats and species it affords them no legal protection. However, there is a requirement for decision-makers such as public bodies to have regard to the conservation of biodiversity and CS Policy DME3 also requires that development should not adversely affect priority species.

5.5.3 The application site possesses no features of ecological importance that would differentiate from surrounding agricultural land of the same character type. Subject to an appropriate landscaping scheme which includes the retention and protection of existing trees and hedges, submission of a lighting scheme that would avoid excessive light spill which might affect bats foraging/commuting in nearby habitat and the provision of bat and bird roosting features within the proposed buildings to provide biodiversity enhancement it is considered that the development would not result in any adverse harm to biodiversity and would accord with Core Strategy Policy DME3.

5.6 Highway Safety

5.6.1 Consideration must be given at this stage to the detailed design of the access to the application site as proposed and whether the site has suitable capacity to provide suitable parking and manoeuvring facilities. The existing access point onto Lower Lane is already used by the businesses that operate from the adjacent commercial buildings. The applicant has stated that, as the proposed units are designed to cater for new start-ups or small established businesses, the type of vehicle accessing the site is likely to be small/medium size vans.

5.6.2 The County Surveyor has raised no objection to the proposals but expressed concern initially that the proposed units may intensify the existing use of the access. The applicant has provided additional information including swept path analysis to demonstrate that all but the largest vehicles can enter and leave the junction with Lower Lane. Whilst large vehicles (12m rigid and an articulated HGV with a circa 12m container) are able to manoeuvre in and out of the access there is some encroachment onto the opposite side of Blackburn Road. However, there

are no accidents recorded associated with the existing access which is already used for HGV deliveries by Clegg's Chilled Food Service and it is considered that the proposed development would not result in an unacceptable impact on highway safety.

- 5.6.3 The size of the units proposed would be limited by planning condition to no more than 300 square metres to ensure that they remain suitable for small to medium sized businesses and are therefore not likely to attract HGV traffic with the all the generated traffic typically being either cars or LGV's. It is understood that as part of the land owner's lease to the unit tenants that they will not be permitted to have deliveries made by HGV's however the Council is unable to control the details of any lease and this cannot be relied upon.
- 5.6.4 Based on the fact that the units are small-scale light industrial units and deliveries would be predominantly by LGVs and that the existing access has and continues to be used for a limited number of HGV deliveries already, it is considered that the small number of HGV movements generated by the proposed development would not adversely impact on highway safety warrant refusal of the application and the Highways Officer's original concerns have been fully satisfied.
- 5.6.5 The County Surveyor has provided details of some of the information that would be required when considering the site layout at reserved matters stage including a scaled plan showing parking and associated manoeuvring spaces including swept path analysis for vehicles entering and exiting main body of the site.

5.7 Other Matters Raised

- 5.7.1 With regard to foul water, a non-mains drainage system is proposed. For a non-mains method of foul sewage disposal, estimated flow from the development should be below the threshold of 5m³ per day requiring an Environmental Permit under the Environmental Permitting Regulations 2016 to discharge to surface water or groundwater. If on re-calculation foul flows exceed 5m³ per day, an Environmental Permit will be required and the capacity and suitability of the proposed receiving watercourse should be taken into account and a continuous flow will be required to provide adequate dilution for any discharge of secondary treated effluent.

6. Conclusion

- 6.1 In conclusion, the proposed development would result in the creation of additional local employment opportunities and would support the strategic objectives of the Council in accordance with the Employment Land Study Refresh 2013 and Core Strategy Key Statements DS1 and EC1 and Policies DMG2 and DMB1. The economic and public benefits that would arise from the proposed development would outweigh the environmental impacts of the proposals.
- 6.2 It is considered that the proposed development would not result in an unacceptable level of harm to the appearance and character of the surrounding landscape subject to the provision of appropriate landscaping details at reserved matters stage. Taking into account the above, it is recommended that the application be approved subject to appropriate conditions.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

Timing of Commencement

1. Application(s) for approval of all of the outstanding reserved matters related to the consent hereby approved must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Plans

2. The permission shall relate to the development as shown on Location Plan 1 (scale 1:1500).

REASON: To clarify which plans are relevant to the consent.

Details

3. Detailed plans indicating the layout, scale and appearance of the buildings, facing materials, landscaping and boundary treatment and parking and manoeuvring arrangements for vehicles (called the "reserved matters") shall be submitted to and approved by the Local Planning Authority before development commences.

REASON: In order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline planning permission.

4. Applications for the approval of reserved matters shall be accompanied by details of the construction and design of external refuse recycling/bin stores. The duly approved facilities shall be made available for use before the development hereby approved is first occupied and retained thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and in the interest of visual amenity.

Visual Appearance

5. No goods, plant or materials shall be deposited or stored on the site other than in the buildings/compounds approved as part of any reserved matters application and no goods or materials stacked, stored or deposited shall exceed a height above ground level of 3 metres.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity.

6. No goods, plant or material shall be displayed for sale in the open on the site.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity.

Permitted Development

7. The use of the units hereby permitted shall be used for uses falling within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision, including permitted changes, equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

REASON: Other uses may have an unacceptable impact on neighbour amenity and/or the character and appearance of the area.

8. No single unit of B1 accommodation hereby approved shall have a ground floor area of more than 300m² and, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking or re-enacting that Order, no internal alterations involving the removal of walls between these individual units shall be carried out which would enlarge them so that any single unit has a ground floor area of more than 300m².

REASON: To prevent a proliferation of over large units in this area and to ensure that the access provided to the site can accommodate the traffic generated by the development.

Residential Amenity

9. The working hours within the premises shall be restricted to the period between 07:00-19:00 Monday to Saturday inclusive and not at all on Sunday and bank Holidays.

REASON: In the interests of the amenities of nearby residents.

10. No externally sited fixed plant, machinery or equipment (including ventilation and extraction equipment); or internally sited fixed plant, machinery and equipment (including ventilation and extraction equipment) which communicates directly to the exterior of a building used in connection with the development shall be fitted without first obtaining planning permission from the Local Planning Authority.

REASON: In the interests of the amenity of the surrounding area due to noise from such equipment.

11. Applications for the approval of reserved matters shall be accompanied by a noise assessment to ensure that the rating level of noise emitted from the site shall not have an impact on noise-sensitive premises.

The development shall be designed so that the Rating Levels for cumulative noise from all plant and machinery associated with the development shall not exceed the existing background noise level (LA90) at the external façade of the nearest noise sensitive premises, as assessed in accordance with British Standard 4142 (2014) or any subsequent replacement national standards. Alternative levels and monitoring locations may be used subject to the prior written approval of the Local Planning Authority.

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the unit.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance.

12. There shall not at any time whatsoever be any working outside of the buildings, or any noise generating work inside the buildings with the doors open.

REASON: In the interest of safeguarding residential amenity.

13. There shall be no deliveries or collections to/from the new units hereby approved other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.

REASON: In order to protect the amenity of the surrounding area.

14. There shall be no movements of HGV's or forklift trucks, used in connection with the new units hereby approved, within the open areas of the site other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.

REASON: In order to prevent nuisance arising.

Ecology

15. No part of the development hereby granted consent shall be commenced until details of all artificial lighting has been submitted, the details of which shall include the location, intensity of lighting, type of application and direction.

The details shall include the light mitigation measures designed to reduce the impact of artificial lighting on protected species and species of conservation concern.

The external lighting shall be installed precisely in accordance with the approved details and thereby retained as such.

REASON: In order to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of a protected species and species of conservation concern and to minimise the possibility of inconvenience to nearby residents.

16. Any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive] unless preceded by a pre-clearance check by a licensed ecologist on the day of removal.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds.

17. No above ground level works shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a bird/bat species site plan and include the exact locations of the artificial bird nesting boxes and artificial bat roosting boxes, as well as the type/design of boxes to be installed.

The artificial bird/bat boxes shall be installed and made available for use before the buildings/use of the site (whichever is sooner) hereby permitted becomes operative and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected.

Drainage

18. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

19. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

Trees & Landscaping

20. As part of any reserved matters application and prior to the commencement of any site works including delivery of building materials and excavations for foundations or services, a detailed arboricultural assessment/tree constraints plan shall indicate how the existing trees have informed the detailed layout that has been submitted for reserved matters approval.

During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse effects of development.

21. Applications for the approval of reserved matters shall be accompanied by full details of the landscaping of the site, including the retention of existing trees. The scheme shall reflect the landscape character of the area and therefore indicate on a detailed planting schedule appropriate species, types and density as well as their distribution on site.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity and the appearance of the locality.

Highway Safety

22. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

23. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- 24.
- a) The parking of vehicles of site operatives and visitors
 - b) The loading and unloading of plant and materials
 - c) The storage of plant and materials used in constructing the development
 - d) The erection and maintenance of security hoarding
 - e) Details of working hours
 - f) HGV delivery times and routeing to/from the site
 - g) Contact details for the site manager

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway during the construction phase of the development.

25. Applications for the approval of reserved matters shall be accompanied by plans and particulars showing the provision to be made for the parking, turning, loading and unloading of vehicles. Such details as may be agreed shall be laid out and made ready in all respects prior to the building(s) to which they relate first coming into use and thereafter shall be retained for this purpose.

REASON: In order that the Council may be satisfied with the details of the proposal to accommodate motor vehicles.

26. Cycling and motorbike parking facilities shall be provided in accordance with a scheme to be approved by the Local Planning Authority before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0666

APPLICATIONS WITHDRAWN

App No	Proposal	Location
3/2019/0775	Change of use of agricultural field to form camp site with the siting of four glamping huts, redevelopment of outbuildings to manager's accommodation, replacement of septic tank and marking out of associated parking for five cars.	Whitcher Well Fish Hatchery Whitendale Road Dunsop Bridge BB7 3BL
3/2019/0818	Discharge of condition 3 (construction management plan) from planning permission 3/2018/1065.	Johnson Matthey Pimlico Industrial Area West Bradford Road Clitheroe BB7 4QB
3/2019/0860	Lean to garage to be attached to the rear gable end of the property	15 Coplow View Clitheroe BB7 4SG
3/2019/0863	Crown reduce cypress T1 by one third	East View, Hallgate Hill Newton in Bowland BB7 3DY
3/2019/0874	Variation of conditions 1 (time constraint) and 2 (approved plans) from planning permission 3/2019/0310 for retention of unauthorised decking area and bin store	Asturian House Asturian Gate Ribchester PR3 3XQ
3/2019/0948	Proposed amendment to planning permission 3/2013/0513 including revised floor layouts and roof line and minor relocation of plot 2.	8 Hammond Drive Read BB12 7RE

APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2018/0474 R of pp	09/07/2019	Great Mitton Hall Mitton Road Mitton BB7 9PQ	WR			Awaiting Decision
3/2018/0468 R of LBC	09/07/2019	Great Mitton Hall Mitton Road Mitton BB7 9PQ	WR			Awaiting Decision
3/2018/0582 R of permission in principle	21/05/2019	Land to the south Chatburn Old Rd Chatburn	Changed to Hearing Procedure		8/10/19 10.00am Cttee Rm 1	Awaiting Decision
3/2018/1076 R of pp	16/07/2019	Sabden House Wesley Street Sabden	WR			Awaiting Decision
3/2018/1006 R of LBC	16/07/2019	Sabden House Wesley Street Sabden	WR			Awaiting Decision
3/2019/0117 R to discharge condition	29/07/2019	Susie Cottage Rimington Lane Rimington	WR			Appeal Allowed 24/10/2019

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2019/0241 R of pp	16/07/2019	23 Church Street Clitheroe	WR			Appeal Dismissed 07/11/2019
3/2019/0242 R of LBC	16/07/2019	23 Church Street Clitheroe	WR			Appeal Dismissed 07/11/2019
3/2018/0507 R of outline PP	24/09/2019	Land adj John Smith Playing Field Chaigley Road Longridge	Hearing		10/12/2019 meeting room on level D	Awaiting Hearing
3/2018/0685 R of pp	17/09/2019	Land off Whalley Rd Hurst Green (Adj Reed Deep)	WR			Awaiting Decision
3/2019/0497 R of pp	29/10/2019	DJP Domestic Appliances Ltd 1-3 King Lane Clitheroe	CAS			Awaiting Decision
3/2019/0040 R of PIP	26/09/2019	Land at Kingsmill Avenue Whalley	WR			Awaiting Decision
3/2019/0390 R of Prior Approval	26/09/2019	Dutton Manor Mill Clitheroe Road Dutton	WR			Awaiting Decision
3/2019/0479 R	Awaiting start date from PINS	1 Willow Avenue Whalley	WR (to be confirmed by PINS)			
3/2019/0554 R	11/11/2019	Three Millstones Waddington Rd West Bradford	WR			Statement due 16/12/2019
3/2019/0698 R	Awaiting start date from PINS	Wilkinsons Farmhouse Simonstone lane Simonstone BB12 7NX	WR (to be confirmed by PINS)			

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO ECONOMIC DEVELOPMENT COMMITTEE

Agenda Item No. 6

meeting date: 28th NOVEMBER 2019
title: HOUSING LAND MONITORING
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: RACHEL HORTON, SENIOR PLANNING OFFICER

1 PURPOSE

- 1.1 To provide Members with key information that has informed the calculation of the most recent Housing Land Availability Survey, which has a base date of 30th September 2019.
- 1.2 To request that members endorse the amended methodology used to calculate the small sites allowance following the Appeal Decision on Land at Henthorn Road, Clitheroe (Appeal Decision APP/T2350/W/19/3221189)¹.
- 1.3 Relevance to the Council's ambitions and priorities
 - Community Objectives – The information in this report relates to the delivery of housing which is a key theme of the adopted Core Strategy.
 - Corporate Priorities – This information is relevant to the adopted Core Strategy which is a spatial expression of corporate priorities.
 - Other Considerations – Councils have a duty to update housing supply annually.

2 BACKGROUND

- 2.1 The Council has a duty to ensure a five year supply of deliverable housing land. Local Government expects that Local Planning Authorities should have an identified five-year housing supply at all points during the plan period. The issue of five year supply continues to be a key matter in the determination of planning applications and appeals.
- 2.2 Members may recall that in July 2018 the National Planning Policy Framework was amended with regards to the 'deliverability' of sites. Subsequently in July 2019 further Planning Policy Practice Guidance was published to accompany the changes within the Framework.
- 2.3 This latest guidance emphasises once again that authorities need to demonstrate that there is a reasonable prospect that housing sites are 'developable' and 'deliverable' within the next five years using robust and up to date evidence (para. 007 & 020 of PPG Housing supply and delivery July 19). In response, extensive work has been undertaken to provide the clear evidence required by the Framework and updated PPG guidance by putting together the 'Five Year Supply Evidence of Delivery September 2019'.

¹Available to view at https://www.ribblevalley.gov.uk/planx_downloads/Appeal_Decision_3221189.pdf

- 2.4 In response to the Henthorn Road, Clitheroe planning inquiry in June 2019 (Appeal Ref: APP/T2350/W/19/3221189) the previous method by which the Authority calculated the windfall allowance has been updated and replaced by an assessment of actual completions on small sites (under 0.4 hectares / under 10 dwellings) over the previous five years which is consistent with current guidance and reflects the Inspectors decision. Thus the 'windfall allowance' added to the five year supply previously has been replaced with a 'small sites allowance' of 292 dwellings.
- 2.5 The work undertaken in establishing the delivery of sites and actual completions, together with the replacement of the 'windfall' allowance with a 'small sites allowance' means that the Authority is now in a position to demonstrate a 6.6 year housing land supply.

Housing Land Supply

- 2.6 Housing land surveys are typically conducted on a six monthly basis however the Council was instructed by the Inspector holding the EIP into the HED DPD not to publish further evidence updates pending his conclusion of the examination. This survey updates the survey which was undertaken at 30th September 2018 and consists of three core documents:
- The 'Housing Land Availability Schedule (HLAS) September 2019' which provides a detailed list of all sites within the supply and completions on the sites.
 - The 'Five Year Supply Evidence of Delivery September 2019' which provides evidence of delivery in the form of signed agreements and correspondence from developers/landowners/agents
 - The 'Five Year Supply Statement September 2019' which outlines the five year supply calculation.

Each of the reports can be accessed via the Councils website at the following link:

https://www.ribblevalley.gov.uk/downloads/download/7171/housing_land_availability_surveys_and_reports

- 2.7 The HLAS provides information on: dwelling completions, and sites with planning permission and their development status. It enables the Council to create a picture of local construction trends and activity rates together with base line evidence on the amount of land that is available to be brought forward, from which, the latest housing land supply position in relation to the current strategic requirement is calculated.
- 2.8 The Council currently applies the 'Sedgefield' approach to front load provision of housing backlog within the first five years of the plan.
- 2.9 The supply position is made up of the following net additions:
- Units with full planning permission – 817 dwellings
 - Sites with outline planning permission – 1126 dwellings
 - Sites on which development has commenced – 1491 dwellings
 - Conversions to dwellings (not started) – 65 dwellings
 - Conversions to dwellings (commenced) – 68 dwellings

The total number of dwellings in the supply is 3567

2.10 The following is then taken out of the supply:

- Less number of dwellings deliverable beyond the five year period on large sites
- Less sites not currently active and unlikely to complete in the next five years
- Less sites with Outline consent in which no evidence is available to demonstrate delivery

2.11 The relevant strategic housing requirement is set out in H1 of the adopted Core Strategy. This requires a minimum of 5600 dwellings for the plan period 2008 to 2028, equivalent to an annual average completion target of at least 280 per year. The figure of 280 is used for monitoring purposes.

Buffer

2.12 In the latest monitoring period (1st April 2019 – 30th September 2019) 313 dwellings were built and completions per year since the adoption of the plan in 2008 is outlined below:

COMPLETIONS	NEW BUILD	CONVERSIONS CHANGE OF USE	TOTAL COMPLETIONS
1 April 2008 – 31 March 2009	58	17	75
1 April 2009 – 31 March 2010	57	32	89
1 April 2010 – 31 March 2011	36	33	69
1 April 2011 – 31 March 2012	116	31	147
1 April 2012 – 31 March 2013	121	51	172
1 April 2013 – 31 March 2014	155	28	183
1 April 2014 – 31 March 2015	316	29	345
1 April 2015 – 31 March 2016	268	32	300
1 April 2016 – 31 March 2017	376	14	390
1 April 2017 – 31 March 2018	371	29	400
1 April 2018 – 31 March 2019	370	42	412
1 April 2019 – 30 th September 2019	296	17	313

2.13 As the Authority has met the 280 per year requirement over the past five years and following the publication of the Housing Delivery Test for 2018, a 5% buffer should be applied to reflect national policy.

Windfall / Small Sites Allowance

2.14 Paragraph 70. of the NPPF states that local planning authorities may make an allowance for windfall sites in the five year supply if there is compelling evidence that such sites have consistently become available in the local area and that they will continue to provide a reliable source of supply.

2.15 Previously the Authority included a windfall allowance within the five year supply based upon an assessment of past delivery on small sites over a ten year period and also included all small sites permitted but have yet to be completed within the five year supply, following previous established practice.

2.16 In response to the Henthorn Road, Clitheroe planning inquiry in June 2019 (Appeal Ref: APP/T2350/W/19/3221189) the previous method by which the Authority calculated the windfall allowance has been updated and replaced by an assessment of actual completions on small sites (under 0.4 hectares / under 10 dwellings) over the previous five years which is consistent with current guidance and reflects the Inspectors decision.

- 2.17 Table 2 at Appendix B of the 'Five Year Supply Statement September 2019' outlines the number of completions on small sites over the last five years (292 dwellings from 2014 – 2019). In line with the Inspectors approach as set out within the Appeal Decision on land at Henthorn Road, Clitheroe, the Council considers that the delivery of 292 dwellings over the next five years is a realistic and achievable number. On this basis, 292 dwellings have been added to the supply instead of including all permissions on small sites.
- 2.18 The small sites contribution will continue to be monitored at the point of publishing each subsequent Housing Land Availability Schedule.

Five Year Position at 30th September 2019

- 2.19 Pages 5 – 8 of the 'Five Year Supply Statement September 2019' sets out the expected rate of delivery for each site within the supply over the next five years. The table on page 2 of the report shows a five year requirement for 1811 dwellings (equivalent to 362 per year). The identified five year supply is 2405 dwellings. On this basis the Council can demonstrate a 6.6 year supply. It should be noted that this represents a position at a specific point in time; the situation changes constantly as permissions are implemented, new permissions are granted and schemes amended.

3 RECOMMENDED THAT COMMITTEE

- 3.1 Endorse the amended methodology of using a 'small sites allowance' instead of a 'windfall' allowance and that the calculation of housing land supply at 6.6 years of supply is adopted for the purposes of monitoring and decision making.
- 3.2 Agree that the monitoring documents referred to in this report are included as part of the Council's evidence base.

RACHEL HORTON
SENIOR PLANNING OFFICER

NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

BACKGROUND PAPERS

Housing Land Availability Schedule (HLAS) September 2019

Five Year Supply Evidence of Delivery September 2019

Five Year Supply Statement September 2019

(all available on the Councils website via the following link:

https://www.ribblevalley.gov.uk/downloads/download/7171/housing_land_availability_surveys_and_reports

For further information please ask for Rachel Horton, extension 3200.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No. 7

meeting date: THURSDAY, 28 NOVEMBER 2019
title: HOUSING REQUIREMENT
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: COLIN HIRST, HEAD OF REGENERATION AND HOUSING

1 PURPOSE

1.1 To receive information on the outcome of the consultation on the Strategic Housing and Economic Needs Assessment (SHENA) and to consider the Council's position with regard to future housing requirements.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives – To deliver a coordinated approach to planning through up to date planning policies and to meet the housing needs of all sections of the community.
- Corporate Priorities - To protect and enhance the existing environmental quality of the area and to match the supply of homes in our area with the identified housing needs.
- Other Considerations – None.

2 BACKGROUND

2.1 Recent Government legislation requires that all Local Plans and their underlying evidence base need to be reviewed every five years. In addition the current Core Strategy already contains within it a commitment to review its overall boroughwide housing requirement figure within five years of its adoption. The Core Strategy will be five years old in December and therefore the Council has commissioned from independent consultants a detailed review of the housing need for the borough.

2.2 Members considered a report at the meeting of this Committee on 1 August 2019 (Minute 161 refers). In that report the details of the need to undertake a SHENA was set out as a requirement for the Housing Evidence Base. In particular the importance of progressing this work to inform the review and update of the Local Plan, providing an up to date housing requirement beyond the five year anniversary date of the Core Strategy (14 December 2019).

2.3 Members considered a further report at the meeting of this Committee on 3 October 2019 (Minute 296 refers) where it was resolved to undertake a six week period of consultation on the findings of the report.

2.4 The report was published on the Council's website with hard copies placed for reference at the Council Offices, local libraries and the Station Buildings, Longridge. Letters were sent to 477 organisations including all Parish Councils and relevant representatives of the housebuilding industry, together with other statutory consultees informing them of how to access the information and inviting them to respond. All comments received have been

passed on to the Council's consultants for their detailed response, and redacted copies are available for reference at the Council Offices, Level B Reception.

- 2.5 As part of the consultation, the consultants gave a presentation and hosted a question and answer session on their findings at the Ribble Valley Housing Forum held in the Council Chamber. The consultants have also held a meeting to review the findings of the report with the Development Plan Working Group to discuss the SHENA in further detail. A total of 40 responses have been submitted.

3 THE SHENA

- 3.1 The full report can be viewed on the Council's website using the following link https://www.ribbonvalley.gov.uk/info/200364/planning_policy/1732/evidence_updates_2019_onwards. A summary of the key issues from the report are included at Appendix A to this report for information. The consultants have provided a briefing and response note on relevant technical aspects of the representations received. A summary of their considerations is included at Appendix B. Any further updates on representations received will be given at the meeting verbally.
- 3.2 As Members will be aware, the fact that the Council's adopted Core Strategy is reaching its five year anniversary has a key consequence in relation to the identified housing requirement established in the Core Strategy following changes in National policy and the introduction of the Standard Methodology for establishing housing requirements. The introduction of the new standard methodology requires Local Planning Authorities to use the standard methodology to establish their housing requirements once their adopted Plan becomes five years old.
- 3.3 The consultant's report establishes that applying the standard methodology will give a minimum housing requirement of 148 dwellings when adjusted for affordability. This will be the default position at the point the housing requirement in the adopted Core Strategy reaches its five year anniversary. This will be the initial starting point in determining five year supply and in dealing with planning appeals. However, as the consultants report sets out, there are wider determinates for housing requirements which the Council is required to take into account for the purposes of plan making, which are set out in National policy. Applying these factors the consultants have identified through their modelling that a requirement of up to 248 dwellings would be required to support an unadjusted baseline employment forecast and to support growth in the economy by 0.2% per year.
- 3.4 The consultants have further developed through their evidence and consideration of relevant information that a housing requirement of 280 dwellings per annum reflecting the current adopted requirement would further boost capacity of the labour force, reflect existing delivery and help avoid risks to investment in the area going forward.
- 3.5 The minimum figure generated by the standard methodology is clearly well below the current requirements, albeit this will be the default position. However, it is also clear from the evidence that a higher requirement should be planned for if economic considerations and affordability are to be addressed. Members will need to consider the most appropriate level of housing to adopt going forward in order to inform the plan making process around the update of the Local Plan.

- 3.6 Going forward the update of the Local Plan will need to be formulated around a sound, robust and defensible figure if challenges through appeal and the relevant plan preparation stages are to be dealt with. Ignoring the requirement to take account of the wider determinants of housing, will leave the Council vulnerable at future stages and it can be anticipated that arguments around the appropriate level of supply, taking account of factors beyond the standard methodology will have to be dealt with. By undertaking the SHENA and addressing the issues raised places the Council in a stronger position. However, the plan making process itself is an iterative process which in any event will be subject to any future changes to the standard methodology. Members also need to be aware that as new household population projections come forward (envisaged every two years by the ONS) Local Planning Authorities are expected to review their requirements in any event.
- 3.7 The housing requirement figure is clearly going to be of significant interest and will be scrutinised in some detail. However, at this stage, Members may wish to initially adopt, for planning purposes the lower, constrained figure of 248 dwellings per annum as a basis to further test the Council's economic assumptions and the wider review of housing development strategies that will form part of the Local Plan update.
- 3.8 The figure would remain as the key target for planning purposes pending any further consideration of the housing requirement by Members as the plan making process develops. Should Members choose to reflect the existing housing requirement as the preferred approach, this would be consistent with the current plan and would provide the least opportunity for challenge.
- 3.9 It is clear from our consultation that there are ongoing concerns regarding the scale of development being reflected in the borough and it is appropriate that this issue should be examined more fully through the development plan process. Opting for a mid range figure of 248 will provide the Council with a basis for testing scenarios whilst establishing a reasonable figure to plan for. It should be acknowledged however that this level of housing requirement will be subject to the need to revisit going forward and may change, and will be subject to challenge.
- 3.10 Members will recall, the consultants issued a draft report for the purposes of consultation. Following the consideration of the consultation responses, the consultants will be asked to issue a final report taking account of the representations and this report will be published as the final report for the purposes of the Council's Local Plan evidence base.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications
- Resources – There are no direct consequences as a result of this report, however testing the figure through both appeal and the Local Plan process may well be subject to additional resource requirements.
 - Technical, Environmental and Legal – The Council is required to address the standard methodology by virtue of the Core Strategy reaching its five year anniversary. The Council has been proactive in producing the SHENA to inform its position and provide a basis for ongoing work.

- Political – Housing matters have a high public profile.
- Reputation – The actions set out in this report demonstrate that the Council is well managed and is proactive in taking steps to ensure it can plan appropriately for housing in the borough in line with National policy.
- Equality & Diversity – No issues.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Note the responses to the consultation and agree an initial housing requirement for the purposes of progressing the Local Plan be established at 248 dwellings per annum.

COLIN HIRST
HEAD OF REGENERATION AND HOUSING

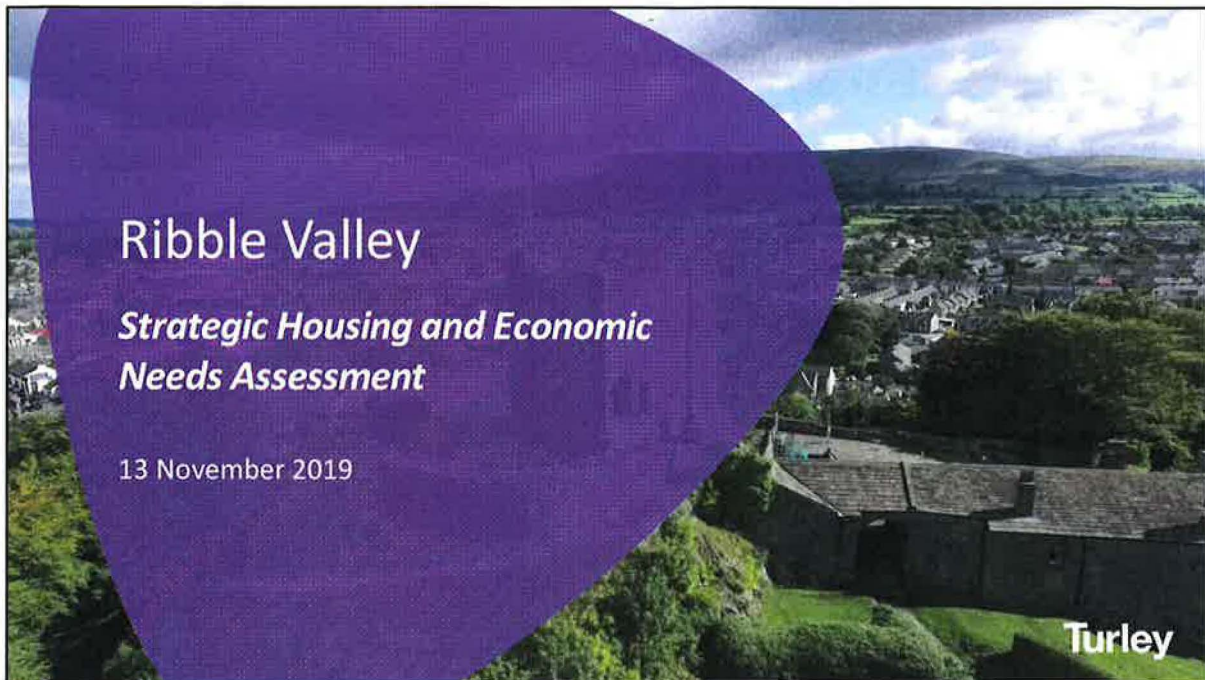
NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

BACKGROUND PAPERS

Strategic Housing and Economic Needs Assessment – September 2019 – Turley

Consultation responses

For further information please ask for Colin Hirst, extension 4503.



Introducing the study

- **Strategic Housing and Economic Needs Assessment (SHENA) commissioned by the Council to inform review of the Local Plan**
- Produced in context of relevant national policy and guidance
 - Important changes since Core Strategy adopted in December 2014
 - Revised National Planning Policy Framework (NPPF)
 - Updates to Planning Practice Guidance (PPG)
- *'Relevant and up-to-date evidence'* needed to justify preparation of all planning policies

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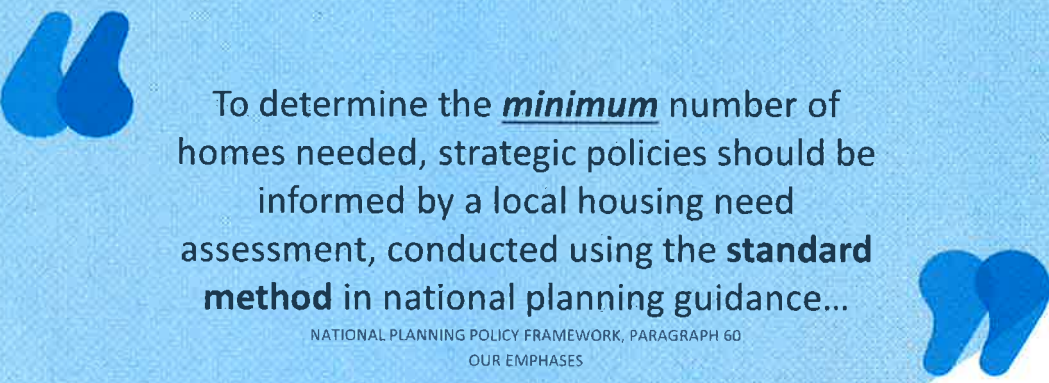
Introducing the study



Turley

Overall housing need

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To determine the ***minimum*** number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the **standard method** in national planning guidance...


NATIONAL PLANNING POLICY FRAMEWORK, PARAGRAPH 60
OUR EMPHASES

Turley


Outcome of the standard method

<p>126 Demographic baseline drawn from official 2014-based household projections</p>	<p>+17.5%</p>	<p>148 Adjusted to reflect affordability of housing in Ribble Valley '6.80 years' earnings</p>	<p>(392) Cap 40% above adopted requirement (280dpa) <i>Not applicable</i></p>
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Turley



There will be circumstances where it is appropriate to consider **whether actual housing need is higher than the standard method indicates**. This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated



PLANNING PRACTICE GUIDANCE
OUR EMPHASIS

Turley

Prospect of higher housing need in Ribble Valley

- Is the input **demographic baseline** reliable?
- Has **past delivery** been significantly higher?
- Has a **previous assessment** evidenced a significantly greater need?
- Could housing act as a barrier to **investment and economic growth**?

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Testing the demographic baseline

Demographic baseline underpinned by projections which show:

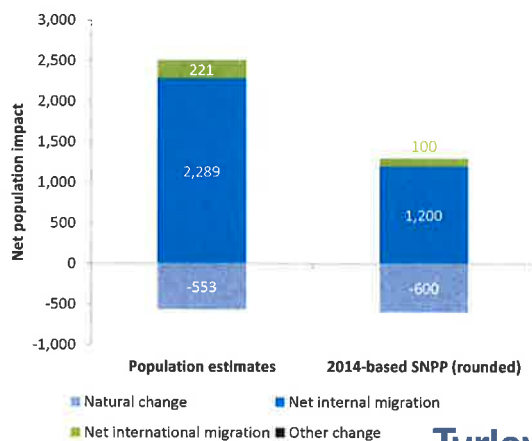
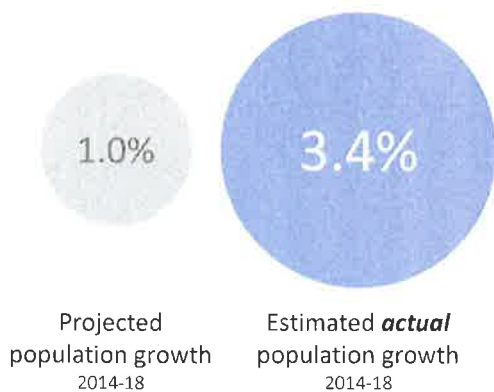
“...the number of households there would be...if a set of assumptions based on previous demographic trends in population – births, deaths and migration...were to be realised in practice”

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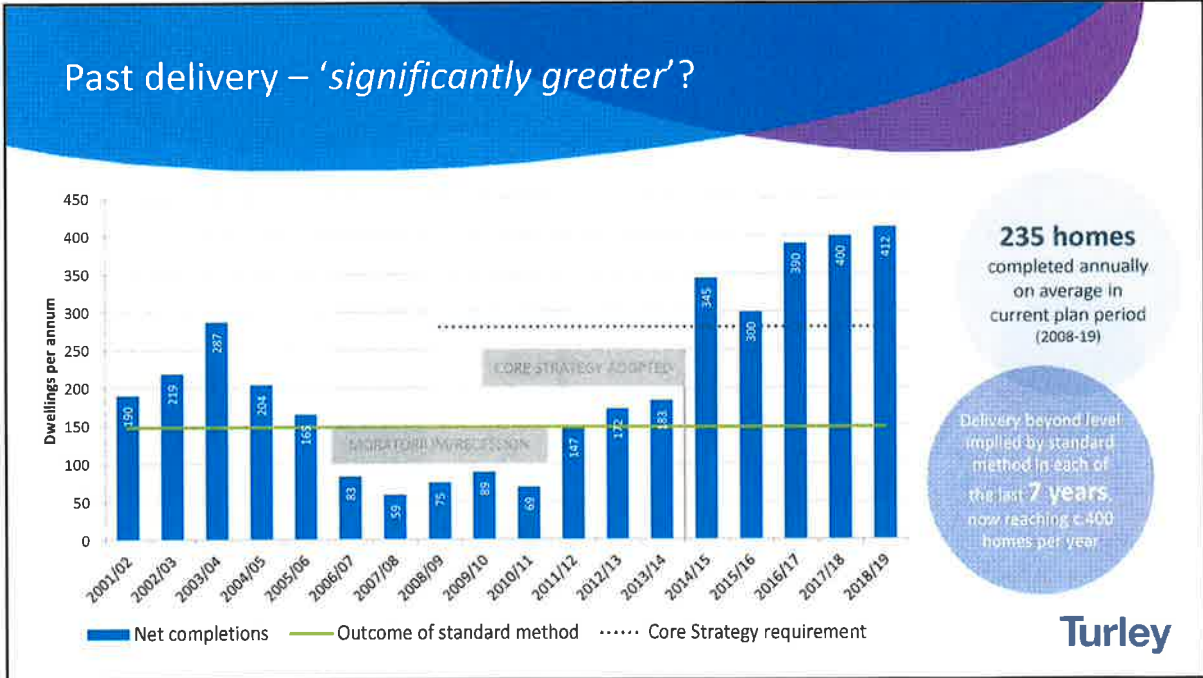
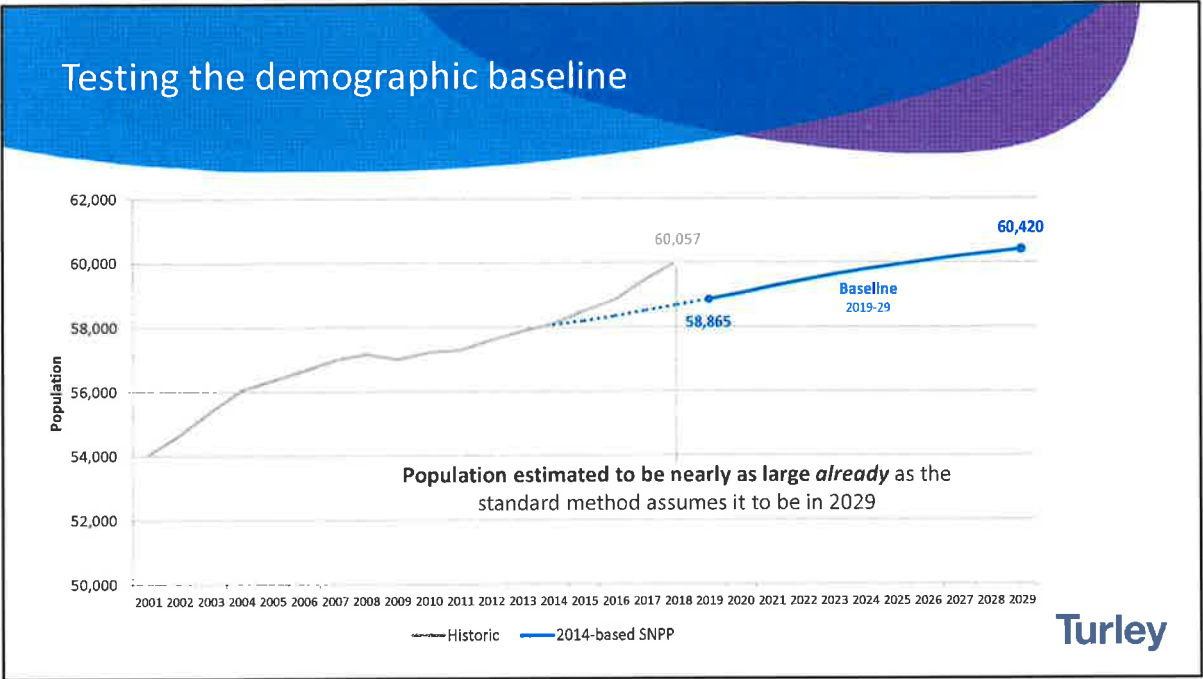
- Projections are **2014**-based...
 - Take account of population change to that point
 - Make assumptions based on trends in preceding five years (2009-14)
- ...but the population continues to be officially estimated up to **2018**
 - Allows comparison with growth assumed to date
 - Testing reliability and suitability of assumptions

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Testing the demographic baseline



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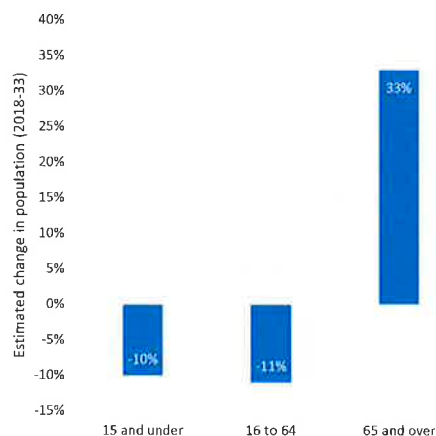
Previous assessments of need

- Authorities '*need to take...into account*' whether previous assessments suggest a '*significantly greater*' need than implied by the standard method (PPG)
- Inspector examining the adopted Core Strategy concluded that **280 dwellings per annum** were needed in Ribble Valley
 - Drew upon, but departed from conclusions of, Housing Requirement Update study (May 2013)
 - Allowed for natural ageing of population while seeking to support creation of 100 jobs per annum through net in-migration
- Almost **double** the need implied by the standard method (148dpa)
 - Minimum need takes no account of economic considerations, unlike previous PPG
 - **But** continued support for '*ambitious authorities*', and expectation that policies '*create the conditions in which businesses can invest, expand and adapt*' by addressing '*barriers to investment such as...housing*' (NPPF/PPG)

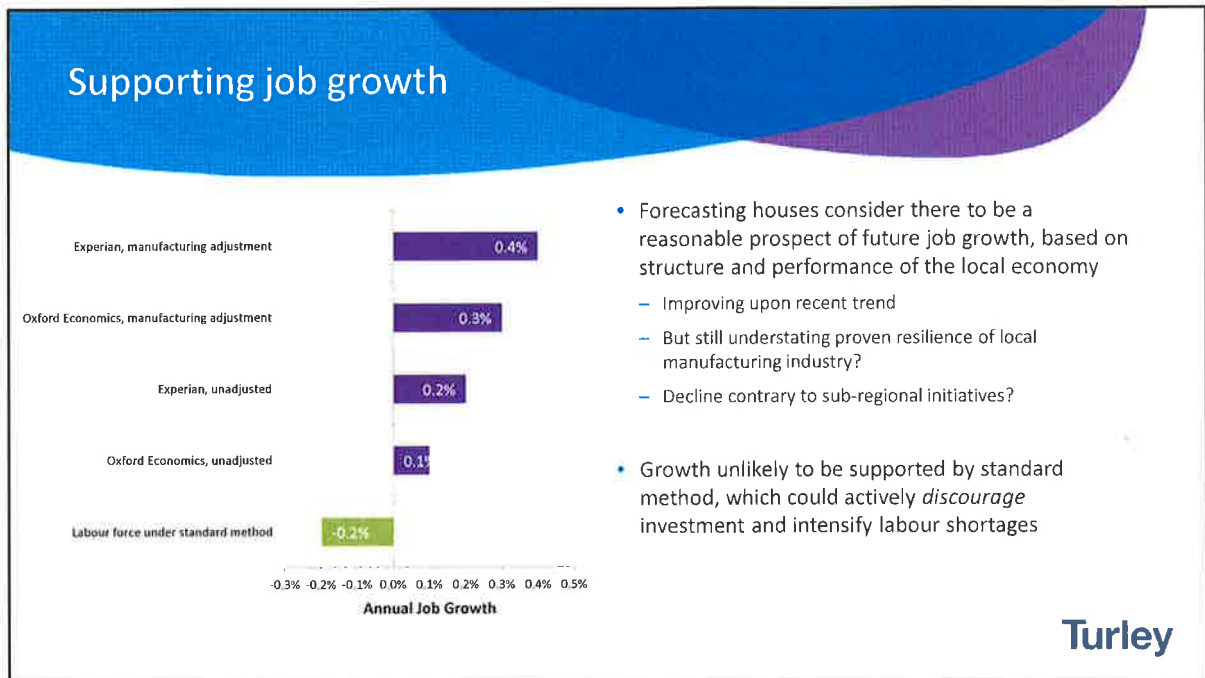
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Supporting job growth

- **Provision in line with the '*minimum*' need implied by the standard method unlikely to support job growth in Ribble Valley**
- Modelling developed by Edge Analytics
- Implied slowdown from recent delivery would constrain future population growth, and lead to significant ageing
- Labour force likely to shrink in this scenario when applying reasonable future assumptions on:
 - Economic activity
 - Unemployment
 - Commuting
 - People holding more than one job



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Supporting job growth

68%

of recruiting
businesses have
faced difficulties

RIBBLE VALLEY BUSINESS
SURVEY, 2018

A lack of young and skilled people will...result in businesses finding it increasingly difficult to attract and/or retain the right calibre of staff...

ECONOMIC EVIDENCE BASE – BASELINE REPORT, 2018

*Businesses are developing but are likely to be hindered by such issues as the availability of premises, **ready availability of workforce to support their growth and competition from other areas who are also seeking skilled staff***

ECONOMIC PLAN 2019-2022 DISCUSSION DRAFT

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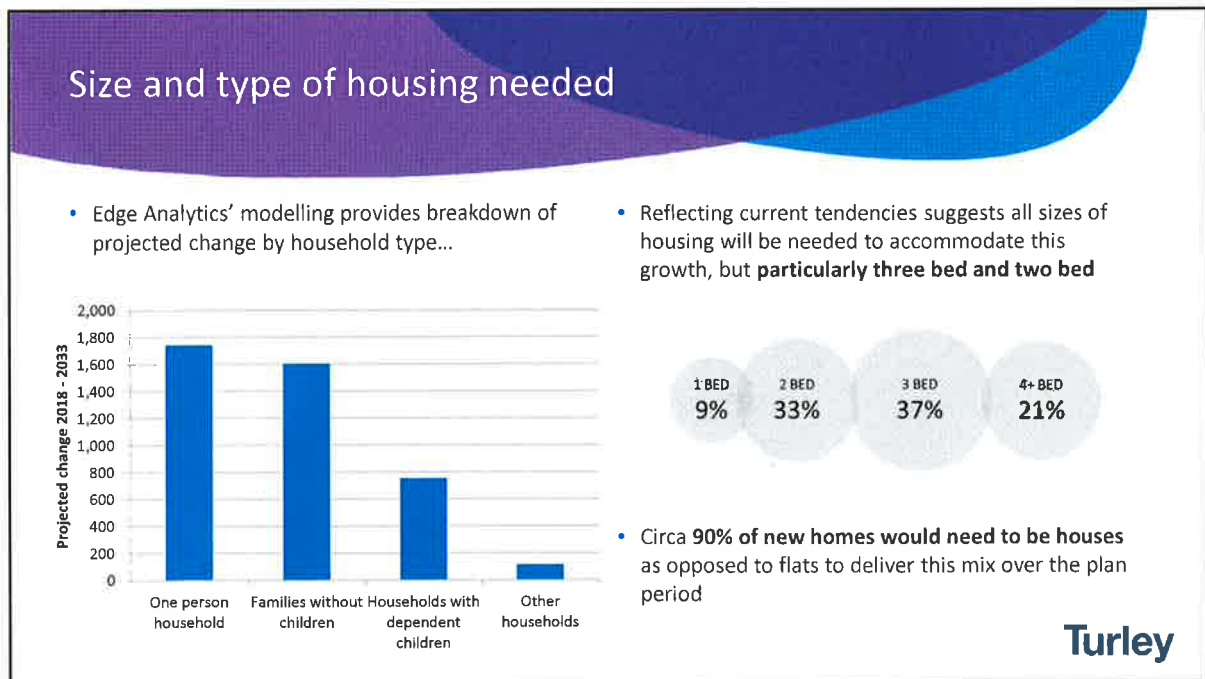
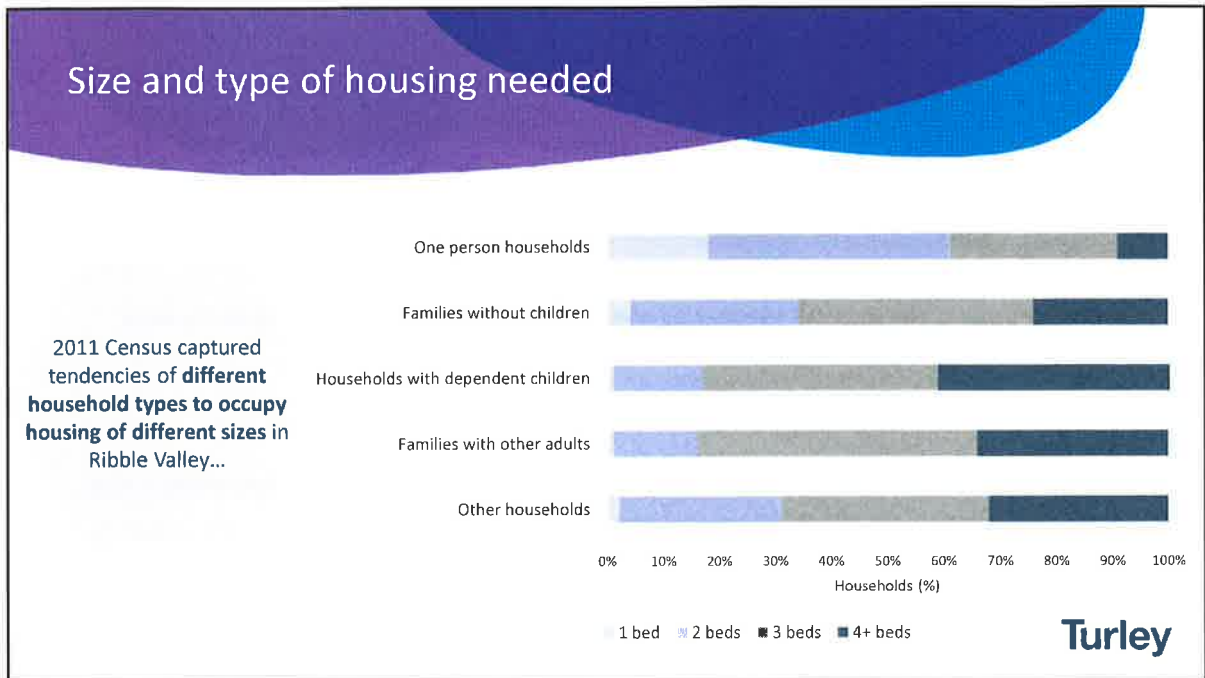
Drawing the evidence together

- Establishing need beyond '*minimum*' requires judgement, particularly at this stage of plan-making process
 - Conclusions need to be kept under review and considered in context of employment land and economic strategy
- Modelling suggests that **up to 248 dwellings per annum** could be needed to support unadjusted baseline employment forecasts, and grow economy by 0.2% each year
 - *But* assumes decline in manufacturing employment
 - Working age population (aged 16-64) would continue to shrink over plan period to 2033
- Aligning with existing requirement for **280 dwellings per annum** would further boost capacity of labour force
 - Maximise resilience of local economy, and reduce prospect of labour shortages
 - Midway between standard method (148dpa) and current delivery (c.400dpa)

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Size and type of housing needed

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Affordable housing need

- **Separate and well-established methodology through which affordable housing needs can be estimated**
- Draws upon secondary information and data held by the Council, including:
 - Housing Register
 - Lettings
 - Supply pipeline

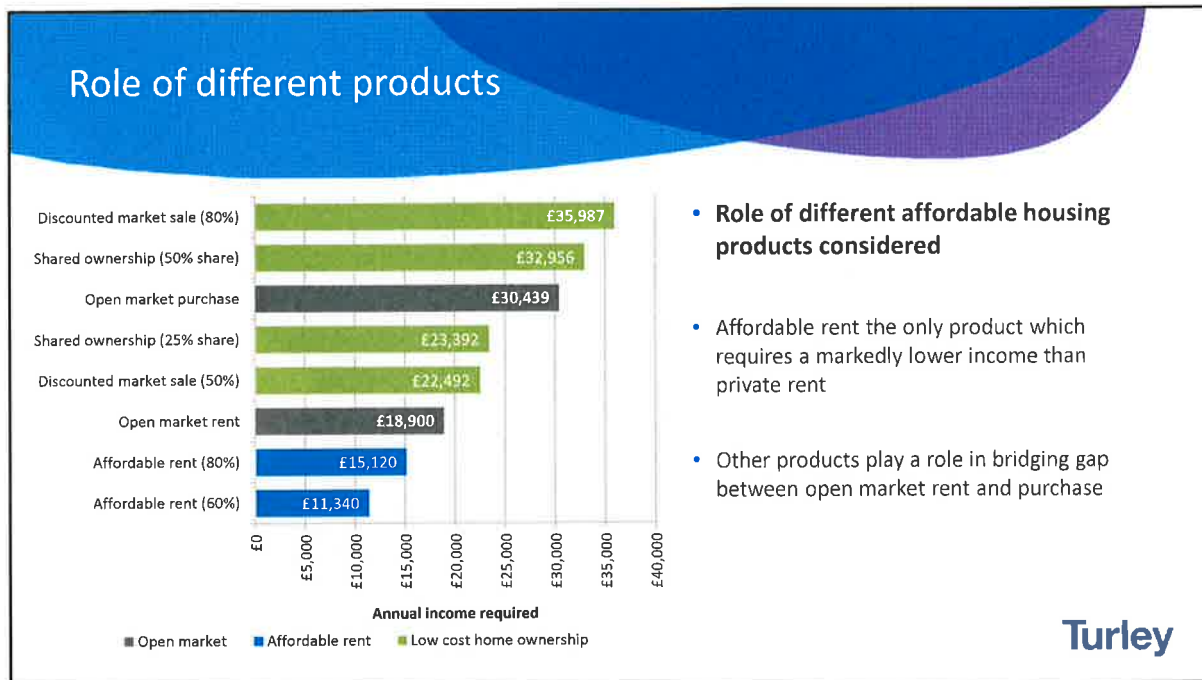
802 households in priority bands on Housing Register
 741 affordable homes becoming available (inc. pipeline)
61 affordable homes short currently


235 newly forming or existing households in need annually
 152 affordable homes become available annually
83 affordable homes needed annually

61 + (83 x 14 yrs) = 1,228 affordable homes needed, or 88 per year (2019-33)

▼
c.292 dwellings per annum potentially required to meet need in full,
 assuming policy compliance (30% affordable housing)


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Plan-making authorities should set out clear policies to **address the housing needs of groups with particular needs** such as older and disabled people

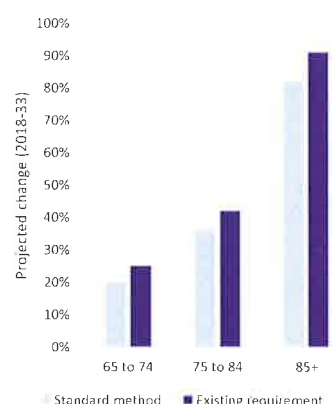
PLANNING PRACTICE GUIDANCE
OUR EMPHASIS



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Older people

- Strong representation of older people currently in Ribble Valley
- Likely to grow over plan period where housing provision aligns either with standard method or existing requirement
- Generates demand for specialist and institutional accommodation, estimated through modelling and industry toolkits
 - c.36-41 sheltered, enhanced sheltered or extra care units per year
 - c.21-24 bedspaces in care or nursing homes per year, separate from and additional to the need for private dwellings



Age Group	Standard method (%)	Existing requirement (%)
65 to 74	~20%	~25%
75 to 84	~35%	~45%
85+	~80%	~95%

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People with disabilities

- Census indicates that relatively few residents are limited in their daily activities (17%)
- Majority of those with disabilities live in private dwellings, rather than residential institutions
 - Living at home or with relatives, friends or carers
- Importance of **adapted and accessible homes** in this context
 - 73 Disabled Facilities Grants in 2018/19
 - Trebled from previous year, linked to Better Caré Fund

Turley

Other groups

Families tend to own large housing, are well-represented in Ribble Valley and would likely grow in number where provision continues to be made for 280 dwellings per annum

12

households have expressed a desire to **self-build or custom build** a home in Ribble Valley

28%

of residents are **key workers** in public administration, education and health. Such workers tend to be homeowners

The need for **Gypsy, Traveller and Showperson accommodation** has not been reassessed, though a need for at least two pitches (2023-28) has previously been evidenced

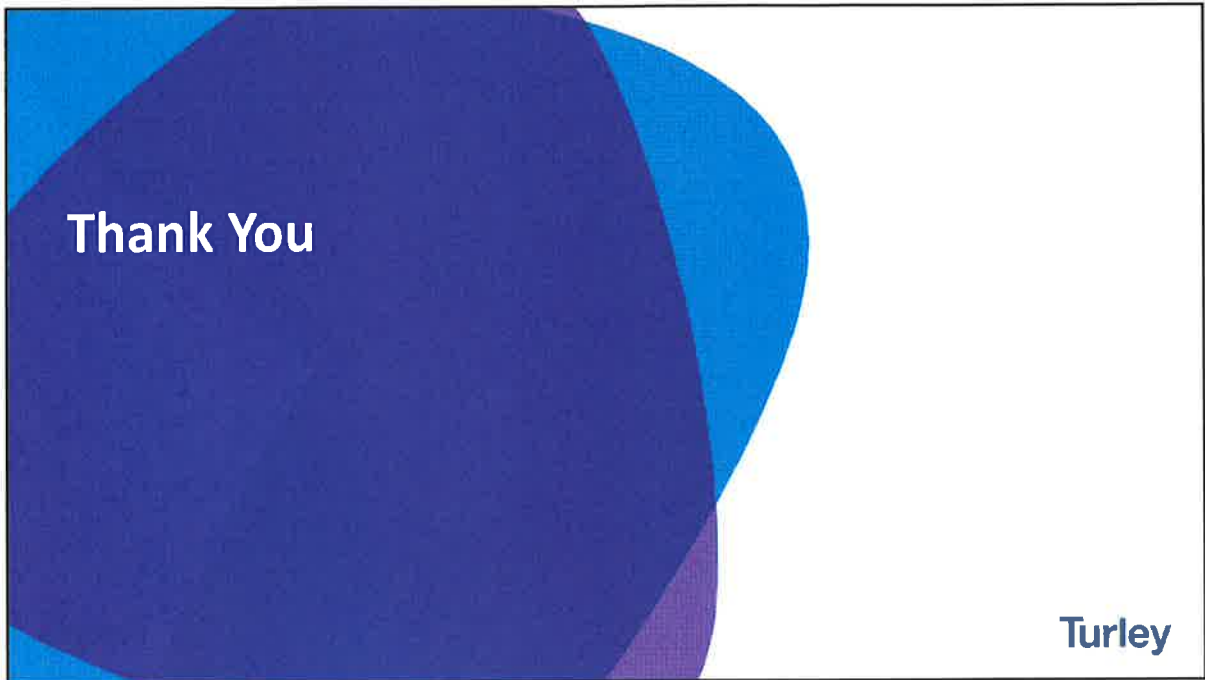
Turley



Summary

- SHENA produced to comply with national policy and guidance, which has been updated since Core Strategy was adopted
- Concluded that there is a greater need for housing in Ribble Valley than implied by the standard method, remaining broadly in line with existing requirement for **280 dwellings per annum**
 - Must be kept under review given early stage of plan-making
- Greatest need for two/three bedroom homes, and predominantly houses (c.90%)
- Circa **88 affordable homes** needed annually, based on separate calculation
- Evidenced needs of different groups should be reflected in planning policies

Turley



Ribble Valley Strategic Housing and Economic Needs Assessment

November 2019

Interim view of comments to the consultation on the SHENA

1. This note provides an initial review of comments sent by the Council by close of consultation on 18th November 2019, in the context of its consultation on the draft Strategic Housing and Economic Needs Assessment (SHENA).
2. In reviewing the comments, we have limited our review to those which directly comment on the technical aspects of the SHENA. We have not summarised issues which relate to the interpretation of evidence into policy, a process which the Council will be progressing in its review of the Local Plan. Other issues that we consider the Council better placed to review and respond on have not been identified in this note¹.

Table 1: Common technical themes raised and the consultant's response

Theme / Point of technical concern	Representor	Draft response
The SHENA is focussed on evidence at a borough level and does not differentiate, or disaggregate, needs to reflect the diverse communities therein	Responses 13,3,17	The brief for the SHENA required borough level analysis. A breakdown to a lower spatial level falls outside of the scope of this commission.
The evidence used is outdated and a new housing survey should be completed	Responses 3,16,40	The SHENA has drawn upon the latest datasets available which are considered to be robust and appropriate for undertaking an assessment in accordance with the PPG, which does not necessitate a primary survey. The SHENA has not drawn upon or relied on any primary surveys which have been undertaken for individual parishes / neighbourhoods.
Question validity of the forecast presented in Figure 3.3, with a further suggestion that population decline is	Responses 3,16,28	Figure 3.3 represents a projection modelled by Edge Analytics using the POPGROUP software which is a hypothetical scenario whereby the planned future provision of

¹ By way of example this includes issues such as a perception of a conflict of interest in the commissioning of Turley and comments made with regards the process of consultation or the Council's discussions with other adjacent authorities.

unlikely because <i>'new houses equals increased population'</i>		<p>new homes is constrained to the outcome of the standard method (currently 148 homes per annum) over a defined plan period. It is presented by way of illustration of the potential impact of such a scenario.</p> <p>More broadly, population growth will not always result from new housing supply because a need is generated by existing residents as they live longer and their household circumstances change (e.g. young adults moving from the family home; separation of couples)</p>
Section 2 (Housing Stock) should include analysis of the ability of existing stock to be adapted to meet needs	Responses 9,11	<p>A reference could be included, albeit it is considered better placed in section 7, where information is provided by the Council / LCC. We are not aware of a robust local data source which is publicly available to facilitate such analysis.</p>
The analysis in Section 7 should include a clearer presentation as to the need for adaptable homes in relation to older people.	Responses 9,11	<p>It is noted that the SHENA includes analysis around adaptations with regards the specific group 'People with disabilities'.</p> <p>Reference will be added to the role that adaptable homes can play in enabling older person households to reside within their homes for longer, with any supporting evidence related to national or local research as to this being a preference of households in this age group.</p>
Further evidence should be presented on additional specialist housing supply needs	Responses 9,11	<p>The issues raised with regards mapping additional specialist housing supply needs, with reference to temporary supported housing for young people and people fleeing domestic abuse, are noted.</p> <p>The SHENA presents information on the needs of specific groups in accordance with the PPG. It is understood that the Council's housing team collects more detailed qualitative data and information which provides a greater level of understanding on these sections of the housing market. Where the Council has specific information it sees value in referencing related to these points these could be added in to complement the existing analysis.</p>
The SHENA does not consider or take account of the fact that	Responses	<p>The model configured by Edge Analytics integrates an evidence-based assumption</p>

49% of Ribble Valley residents commute out of the borough on a daily basis.	5,10,2,21,39	<p>around future commuting flows into and out of Ribble Valley. This is referenced at paragraph 3.26 of the draft report with further detail included in Appendix 1. The model assumes that the ratio recorded by the 2011 Census² (a net in-commute into Ribble Valley, with more people travelling in than out on a daily basis) remains constant over the plan period. As the population grows, this assumes that the absolute flows in and out increase in size with the number of people assumed to commute in on a net basis increasing slightly. The consideration of flows in both directions is important in understanding the link between a local change in jobs and a changing population and by inference a housing need. It is not appropriate to only consider the outflow of residents in this context.</p> <p>The ability of the Council to change commuting flows through policy will need to be carefully considered and the resultant impact on other authorities from which labour is currently sourced, or is the destination for commuters out of Ribble Valley, would need to be considered between the plan-making authorities in the context of national policy. This falls outwith the scope of the technical evidence in the SHENA.</p>
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Tourism underpins about 3,000 jobs in Ribble Valley and these jobs are put at threat by the building of new homes	Responses 5,10,8,2	<p>The impact of house building on the economy falls outside of the SHENA analysis. The forecasts of employment growth used within the analysis are provided by reputable forecasting houses and are considered in the context of other baseline evidence published by the Council. These are intended to provide a range of potential scenarios of employment growth to inform the understanding of the potential impact on housing need.</p>
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² While it is recognised that commuting patterns may have changed since 2011, the Census remains the most recent comprehensive survey of such movements and is considered to remain the most appropriate basis for the modelling assumptions

No account is given to the relationships with adjacent authorities	Responses 8,29	<p>The SHENA uses official population projection datasets produced by ONS and a recognised demographic cohort model (POPGROUP). The ONS datasets represent a national model with projections around migration, for example, therefore building in assumptions around future flows of people which are based on historic trends (themselves influenced by house-building).</p> <p>The SHENA evidence focuses on the housing market in Ribble Valley in accordance with the project brief and the requirement for it to be part of the informing evidence base for the Local Plan which is also based on this administrative area.</p> <p>It is understood that the Council will maintain discussions with neighbouring authorities with regards the Local Plan Review policies for housing provision and how these relate to the emerging policies of other adjacent authorities. This will take account of the SHENA as well as future updates and the evidence base published / or being prepared by other neighbouring authorities.</p>
No account is given to environmental impact or environmental improvement in the SHENA	Response 8	<p>The PPG confirms that the assessment of housing need should be undertaken separately from a consideration of constraints or land availability³. In establishing the housing requirement, the Council will need to take account of a range of factors including environmental considerations.</p>
The housing requirement should take account of over-provision in recent years	Responses 6,24	<p>The SHENA analysis includes consideration of historic rates of delivery. It is clear to set the recent levels of higher than planned provision in the context of longer-term trends, such that the average rate of provision since the start of the current plan period (235dpa; 2008-19) actually falls below the adopted housing requirement. As a result, there is no “over-provision” against the adopted requirement in policy terms.</p>

³ PPG Reference ID 2a-001-20190220

<p>There is no solid forecast or evidence to support a sizeable job loss in manufacturing</p>	<p>Response 6</p>	<p>The report recognises that local information and strategy would challenge the cited forecasts' assumption that manufacturing employment will fall in Ribble Valley. To illustrate the impact of such a loss of jobs in the sector not occurring a number of adjusted scenarios are presented (Figure 4.6).</p>
<p>It is not clear how potential job growth is derived, and in what sectors. The assessment uses national figures to promote job growth then refuses to accept national figures that show sizeable job losses in industries like manufacturing</p>	<p>Response 24</p>	<p>A breakdown of employment growth by sector could be made available, but was beyond the defined scope of the SHENA which is not intended to represent or replace more comprehensive economic evidence.</p> <p>The more optimistic assumption on manufacturing was considered to be justified by sub-regional strategies and local evidence of a resilient sector, which is not always fully reflected in nationally produced forecasting models.</p> <p>The SHENA is clear to recognise that it has drawn upon economic evidence available at the time of drafting. This reflects the early stage of the plan-making process. The SHENA recommends that this is kept under review, specifically where it is used by the Council to determine the housing requirement, with the absence of a full update to the employment land evidence and associated update an important consideration in the Council's interpretation as to the recommended level of need associated with supporting job growth (paragraph 4.57).</p>
<p>The basis for preferring employment forecasts which are higher than suggested by Experian and Oxford Economics is not robust. Detailed up-to-date employment land and economic development studies are needed for a robust and reliable assessment of Ribble Valley's future housing needs.</p>	<p>Response 29</p>	<p>The SHENA identifies a potential concern, in the context of other available evidence based reports and strategies, that the scale of manufacturing employment change in the baseline forecasts obtained from Oxford Economics and Experian are not reflective of local circumstances evidenced in the Economic Baseline report.</p> <p>It is considered reasonable to apply a sensitivity test in this regard and to understand the potential implications of a different future for this sector on housing need.</p>

		In the context of the response above the implications for the housing requirement are set alongside a recommendation that the Council continue to review and update its evidence base with specific reference to an employment land assessment which was not included within the scope of the SHENA.
The SHENA should assess the specific need for “rent to buy” products, as an affordable route to homeownership	Response 19	The report provides a high-level consideration of the cost of initially accessing various products, relative to the open market. While not explicitly described as such within the report, the cost of initially accessing “rent to buy” is understood to be comparable to the rental products presented at Table 6.9 (i.e. 80% market rent). This could be clarified, with a description of this specific product added, within the final report as necessary.
The SHENA understates the extent to which an older population will drive economic growth and create jobs	Response 16	The employment forecasts cited in the report allow for jobs supported through the specific requirements and spending of an ageing population. While the report frequently refers to the traditionally defined “working age population” (16-64), its modelling of the changing labour force (Table 3.4) accounts for the economic participation of those aged 16 to 89. This is based on forecasts produced by the Office for Budget Responsibility which allow for changes in the state pension age and other societal factors, as referenced at paragraph 3.26.
The analysis of older persons’ housing needs in section 7 could be enhanced through reference to published strategies; nationally recognised design standards; a broadening to include people aged 55+; and an aggregation of annual need to reflect likely delivery of schemes (typically 60+ bedspaces) over a plan period	Response 30	Noted, and reference can be made to additional documentation within the final version of the SHENA.

Reference should be made to the County Council’s Housing with Care and Support Strategy, and its underlying needs analysis	Response 30	Noted, and reference can be made to additional documentation within the final version of the SHENA.
Specific reference should be made to the needs of young people aged 16+ including the context of move-on to independence	Response 30	This could be reflected within the final report as deemed necessary by the Council.
The SHENA should assess the need for bungalow provision ⁴ to inform development management policies and/or site allocations	Response 34	High-level consideration can be given to the prospective role of bungalows in delivering the mix of housing needed in Ribble Valley. This would be included alongside the existing analysis of the need for different types and sizes of housing.
There is inconsistency in the number of households reported to be on the Council’s self-build register	Response 37	This could be attributable to the point in time at which the snapshot was taken, though can be further explored with the Council prior to finalising the SHENA.
The SHENA provides no evidence for its statement that traveller/gypsy sites will be needed between 2023 and 2028	Response 24	The SHENA confirms that such needs have not been reassessed as part of its scope, but were previously considered in the separate Gypsy, Traveller and Showperson Accommodation Assessment in 2013. Its conclusions are referenced in the SHENA and have not been subject to review as part of the brief for the SHENA.
The SHENA should not depart from the need for 148 dwellings per annum calculated through the standard method, and the “exceptional circumstances” required to do so have not been proven	Responses 28,29	Paragraph 60 of the NPPF states that the standard method calculates only the ‘ <i>minimum</i> ’ need. The PPG ⁵ is clear that local authorities are required to consider as part of their assessment of housing needs whether there are circumstances which suggest that housing need is higher than the output of the standard method indicates. Such a departure is considered to be justified in Ribble Valley, and does not necessitate the demonstration of exceptional circumstances. It is important to note that the SHENA presents an evidence-based assessment of

⁴ As age-restricted general market properties for private sale to households aged 55 and over

⁵ TB Planning draw a distinction between text in the PPG and the NPPF, claiming that omission from the latter is in some way significant. However, this belies the fact that the two documents are expected to be read together, with the PPG providing essential further detail on how the NPPF is to be applied in practice

		potential housing need, following the PPG. It will be for the Council to arrive at what it judges to be an appropriate housing requirement taking into account the evidence of need and other factors as set out in the NPPF/ PPG.
Unclear why the need for affordable homes should increase the annual housing requirement, and such a suggestion is not justified	Responses 28,29	Affordable housing need is calculated through a separate methodology which accounts for the needs of existing households. National guidance continues to require the outcome of this calculation to be considered in the context of its likely delivery as a proportion of mixed tenure developments. This is set out in the PPG as separate from the adjustment made in the standard method to reflect the comparative scale of affordability issues.
Detailed up-to-date employment land and economic development studies are needed for a robust and reliable assessment of Ribble Valley's future housing needs	Response 29	It is clearly accepted within the SHENA that a full update to the employment land evidence is not currently available (paragraph 4.57). The SHENA is clear to state that its recommendations with regards the likely implications of supporting employment growth on housing need should be kept under review pending the further development of the economic evidence base by the Council
The SHENA should consider the appropriateness of planning for a higher level of need, taking account of the impact for maintaining a 5 year housing land supply	Response 29	This is beyond the scope of the SHENA, which is required to assess the prospect of a higher need ' <i>prior to, and separate from, considering how much of the overall need can be accommodated</i> ' ⁶ . Housing need must be based on an ' <i>unconstrained assessment</i> ' ⁷ .
SHENA appears to be comprehensive and in line with current Government policy and guidance	Response 38	Noted
Conclusions on overall housing need supported, with one response suggesting that the recommended figure of 280	Responses 34,36,37,27,23	Noted

⁶ PPG Reference ID 2a-010-20190220

⁷ PPG Reference ID 2a-001-20190220

dwellings per annum may
 need to be uplifted further

19 November 2019

RIBP3002

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.8

meeting date: THURSDAY, 28 NOVEMBER 2019
title: UPDATE ON LOCAL DEVELOPMENT PLAN
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: COLIN HIRST, HEAD OF REGENERATION AND HOUSING

1 PURPOSE

1.1 To consider the review of the Local Plan.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives – To deliver a coordinated approach to planning through up to date planning policies.
- Corporate Priorities – To protect and enhance the existing environmental qualities of the area to match the supply of homes in our area through the identified housing needs.
- Other Considerations – To take actions that demonstrate the Council is a well run authority.

2 BACKGROUND

2.1 Members will be familiar with the Council's statutory duties to have in place up to date Local Plan coverage that reflects both National legislation and National planning policy. The planning system is based upon a plan led system to ensure that the most sustainable forms of development possible are delivered and infrastructure can be planned for in the most effective way. Up to date Development Plans ensure that development and investment decisions are delivered effectively and development is directed to the most suitable locations and that the wider environment is protected with any effects of development mitigated as far as possible.

2.2 Local Plan policies are intended to assist in determining planning applications and to provide the opportunity for Local Planning Authorities (LPAs) to plan for the development of the area. It is not a function of the Local Plan to stop development rather it is the role of the plan to facilitate the National policy for delivering sustainable development.

2.3 The Local Development Framework (LDF) for the borough currently comprises the Core Strategy (adopted December 2014), the recently adopted Housing and Economic Development Plan Document (HEDDPD) which sits alongside the Core Strategy and the Longridge Neighbourhood Plan (adopted May 2019). Both the Core Strategy and the HEDDPD were produced using the relevant legislation of the time and both under the policy background of the 2012 National Planning Policy Framework (NPPF). The Core Strategy is approaching its five year anniversary. There is a commitment to review the housing requirements set out in the Core Strategy within five years of adoption but good practice would promote a plan review every five years. Recent changes to National Policy

now place a requirement upon the LPA to undertake a review within five years of adoption and to determine what action it may need to take.

- 2.4 On that basis given that the Core Strategy was adopted in December 2014, it needs to be reviewed in line with that statutory duty. Notwithstanding this, there are a number of new areas of policy which have emerged since the Core Strategy was prepared which mean there are some policy gaps in the adopted Core Strategy that warrant an update to address these in any event. Operationally the Council has also been using the plan for five years and it is good practice to review how this has been successful in practice.
- 2.5 Updating the Local Plan coverage for the borough is a complex project. It is also important to recognise that there are two discreet parts to addressing the review duty. Firstly is the 'process of review' and then the need to follow a process of carrying out any updates and revisions as a consequence. The update and revisions element needs to follow the relevant statutory stages of the plan making process from developing the evidence base, identifying issues and options (Regulation 18), the preparation of the Council's propose replacement policies (Regulation 19) and the Submission, Examination and Adoption stage. What is important to remember is that simply because aspects of the plan may need to be refreshed and require updating, it does not mean that the existing adopted plan is automatically out of date and no longer relevant. The extent to which weight is given in making decisions to differing elements of the plan will depend upon the issue at hand, any conflict with national policy and any other material considerations. For decision making, the situation will remain that the adopted plan is the starting point, with a judgement applied to the relevant weight to be given in applying the policy and the extent to which NPPF needs to be applied.
- 2.6 Consideration will also need to be given to the overall approach to how the plan policies are updated and reviewed. Whilst recent changes to NPPF gave the opportunity to replace elements of the plan rather than put in place a wholly new replacement plan, it is important to consider how in practice the Local Plan is brought together. As indicated the current LDF reflects the older style approach of a Core Strategy (or strategic series of policies), more detailed policies for determining planning applications and the associated DPD comprising allocations and detailing constraints by way of the proposals maps. Whilst the intent was that the Core Strategy and Allocations Plan would be merged into a single Local Plan, there is now the opportunity to undertake a partial review if appropriate but this brings with it a number of challenges, such as elements of the plan becoming out of step, the potential for further review stages leading to the lack of a simplified comprehensive plan.
- 2.7 Going forward the opportunity to take forward a single plan drawing all elements together has the most advantages. This is in terms of the ease with which the plan can be used and the timing of delivery. A coordinated approach to policy change, evidence base and process would be more effective in my view. It also allows a plan that is written and collated in a comprehensive manner which can reflect recent policy changes, operational needs and will present efficiencies in its production.
- 2.8 More detail on the outcome of the review itself is set out in the later stages of this report, however, it is anticipated that much of the policy content in the existing plans will be capable of being rolled forward into a new plan albeit with some amendments. This will help reduce the burden of the plan making process. Whilst they will still remain subject to the challenges of the statutory process, in essence where they remain sound and national planning policy compliant, there is no benefit in not carrying these policies forward.

Similarly given the recent adoption of the HEDPD, it is expected that the majority of that plan content will be capable of rolling forward into a single Local Plan. As Members will recognise the content of that plan has been recently examined, found sound and the timeframe of plan coverage is still relevant.

- 2.9 Other elements of the LDF, where the Council is also required to undertake a five year review, include the adopted Statement of Community Involvement. Essentially this document establishes how the LPA proposes to ensure that the local community is engaged in the plan making process. This document will need updating to emphasise the wider use of electronic communications and publishing and will be the subject of a future report.

3 EVIDENCE BASE

- 3.1 A key element of the plan making process is the ability to draw a robust evidence base upon which to form decisions. The Council has an extensive evidence base that has been established in the preparation of the Core Strategy and subsequently applied and updated where relevant to inform the HEDDPD. Some elements of the evidence base have been refreshed, others have not, dependent upon the issues dealt with. Critical elements of the evidence base include five year land availability and supply statements, specific pieces of work on the economic baseline, town centres and currently in progress the review of housing requirements for the borough. Most of the evidence base is in need of update which will be a key element of the plan making process in its first year. This is set out in the recently considered Local Development Scheme (LDS) which was considered by this Committee at its meeting of the 3 October 2019 (Minute 297 refers). In the past the evidence base work has been delivered through a combination of in-house capacity (where appropriate) or by the use of consultancy either due to capacity to undertake the work or the need for specialist input. Other agencies have also supported the Council in delivering its evidence base.

- 3.2 The LPA also has to produce an Authority Monitoring Report (link to AMR: https://www.ribblevalley.gov.uk/downloads/file/12430/2019_authority_monitoring_report) which is published by the Council and this provides an ongoing mechanism to monitor performance of the existing Core Strategy and progress with the HEDDPD. Other documents that will form part of the evidence base include Council plans and strategies such as the recently adopted Corporate Plan (link to Corporate Plan: https://www.ribblevalley.gov.uk/info/200396/performance_and_statistics/301/ribble_valley_borough_council_corporate_strategy).

4 REVIEW OF THE CORE STRATEGY

- 4.1 As indicated there is now a statutory requirement to undertake a review of adopted plans by their fifth anniversary. Given that the Core Strategy was adopted in December 2014, this part of the LDF needs to be reviewed. Work has been undertaken to review the adopted plan initially against a number of key issues which are set out in the National Policy guidance. These include the Authority Monitoring Report (AMR), Appeal decisions, housing land supply (and delivery) together with simply the need to update plan content to address changes in circumstances.
- 4.2 A review of appeal decisions since the plan was adopted has not identified any issues of conflict with National Policy but there are areas where further guidance to assist

interpretation are considered to be helpful. This may be achieved by progressing detailed Supplementary Planning Documents or by revising wording and tightening definitions. Similarly, there are some aspects of policy which have proven difficult to readily and consistently apply at a finer grain indicating that there is a need to consider consolidating some policies where there is potential for overlap or the risk of a lack of clarity.

- 4.3 The AMR has not identified any issues of significance in terms of policy monitoring although the monitoring framework itself, which is part of the plan, is difficult to apply at the detail indicated. Whilst overall the AMR has not identified any significant issues with the plan, the operation of the monitoring system, does need revisiting.
- 4.4 Progress on delivery in the first five years has seen a significant increase in housing delivery as measured by the Housing Land Supply Position Statements produced by the Council. The Council has met the Government's previous Housing Delivery Test requirements and has maintained a supply of deliverable sites. Affordable housing has also been delivered through new development in line with the Council's requirements. The recently adopted HEDDPD has made provision for land to address requirements of the Core Strategy which was a key element considered at the recent Examination. Whilst the Council can demonstrate a five year supply and has made provision to bring sites forward, land supply itself remains very much a market driven factor. The most recent supply position at September 2019 is identified as 6.6 years. In order to maintain supply over the medium to long term however, the position will rely not just on ensuring that sites are developed out but also that a steady supply of new sites continues to come forward over the longer term.
- 4.5 Over time it is anticipated that the Council will continue to see pressure for development and it is important to ensure that the plan can continue to provide a framework to guide decisions. In this regard and given changes that have occurred in relation to services and public transport for example, the basis of the settlement strategy as a basis for sustainable development, does need to be revisited to ensure sustainable development continues to be attained. In parallel the intended scale of growth identified in the Core Strategy has been delivered and is reaching a point where original considerations of growth are now being met. Therefore, continued growth in these locations on the existing distribution strategy may not be appropriate and as an issue needs to be revisited to ensure it offers the most sustainable and deliverable pattern of growth for the borough going forward.
- 4.6 The Council has commissioned work to review the housing requirement for the borough in the light of the government's change to an approach based on the Standard Methodology. The consultant's advice is subject of a separate report, however the published findings indicate a range of requirements to be considered, which will need to be reflected in the settlement strategy. Dependent upon the figure adopted it is likely that the distribution model to deliver that level of projected housing, needs to be revised as indicated in paragraph 4.5 above to ensure the Council can achieve the most sustainable patterns of growth going forward. It is also considered important to take into account the growth that has already been delivered where some areas are experiencing higher levels of growth than originally planned for, consequently there may be a need to rebalance the pattern of development.
- 4.7 As with housing, the area has seen an increase in economic activity with workspace being brought forward in line with the plan. Projections for growth and the need for employment land were originally based in the Core Strategy on a 10 year evidence baseline, this being

considered the most suitable timeframe against which these matters could be reliably addressed. The Council has recently adopted its new Economic Plan for the area together with the Council's Corporate Plan which seeks to deliver sustainable economic growth. Whilst the HEDDPD makes allocations for sites, much of this is now committed and is being built out, whilst other sites continue to remain challenging to bring forward. It is incumbent on the Council to review these committed sites in order to update its employment land base and ensure that the economic needs of the area are suitably addressed and not hindered by a lack of readily available land. The employment land elements of the Core Strategy are therefore a key area where review is important.

- 4.8 A key driver for review is that the Core Strategy had its basis of preparation against the originally published 2012 version of the NPPF, similarly the recently adopted Housing and Economic Development DPD was also prepared and tested at Examination against the 2012 NPPF. There are a number of areas where there is a need to align policies with the most recently published NPPF. Issues include determining housing requirements (against the standard methodology approach), a need to provide greater policy coverage in relation to planning for health and wellbeing and dealing in greater detail for example with aspects of the new NPPF in relation to matters such as self-build and custom house building. Other issues identified relate to market housing in rural areas, isolated dwellings and policies around holiday accommodation which have emerged as areas needing review. As previously mentioned in this report, whilst there have been no matters of conflict with NPPF identified through recent appeals, there are clearly areas where the Local Plan needs to be reviewed to reflect the most recent guidance and to provide clearer policy on a number of issues as highlighted above. This will ensure that the local interpretation and application of national policy is more effective and assists the Council in determining planning applications consistently and efficiently.
- 4.9 In conclusion, having considered the adopted Core Strategy in the context of the broad issues and aspects set out above, it is important to progress a review of the Core Strategy to update the plan and ensure that national policy can be clearly and consistently implemented. The Core Strategy has been successful in facilitating development that reflects its strategy and it is important to ensure that going forward the Council can put in place robust planning policies that are up to date and reflect changing circumstances. Similarly, although the HEDDPD has only recently been adopted, it is predicated against the Core Strategy and it is therefore in itself sensible to merge these two components of the Council's LDF through the delivery of a new Local Plan. Consequently, it is recommended that the Council moves forward with the production of a single Local Plan that updates policy where necessary whilst rolling forward those policies that remain appropriate. By delivering the Local Plan in this way, it will allow a comprehensive plan to be generated and taken through the plan making process in a coordinated way, aligning the key elements of the LDF and ensuring that the Council has in place the most up to date and relevant planning policies for the borough. This will avoid an update taking place initially of the Core Strategy which then has to be followed with an update of the HEDDPD with the consequence of having to meet the statutory process, further Examination and the costs that this is likely to incur. The process of preparing a single Local Plan also means the use of a single evidence base

5 THE PLAN MAKING PROCESS

5.1 The initial programme for the delivery of a new Local Plan is set out in the Council's published Local Development Scheme (LDS) which is available to view on the Council's website using the following link:

https://www.ribblevalley.gov.uk/info/200400/local_development_framework/1460/local_development_scheme_lds.

This was considered by Members at the meeting of the Planning and Development Committee on 3 October 2019 (Minute 297 refers). The initial LDS has identified the following broad timeframe in relation to the key stages of the process:

1. Regulation 18 - Evidence production and issues and options (Regulation 18) by September 2020.
2. Regulation 19 - Publication stage by February 2021
3. Regulation 22 - Submission stage by May 2021
4. Regulation 22 - Examination in Public by summer 2021
5. Anticipated receipt of Inspector's report – February 2022
6. Adoption June 2022

5.2 These steps will need to be kept under regular review as experience has shown timeframes can readily be influenced by many factors including changing national policy, additional time to consider and respond to representations, or new evidence to be taken into account. Often these elements are outside the control of the Council. In general whilst the early stages can be programmed to reflect the timeframe, beyond Regulation 18 stage the process is more reactionary to the issues raised which may lead to additional work and expenditure.

5.3 To produce the plan the Council will need to ensure its evidence base is up to date. At present, the Council has undertaken work to establish its economic baseline, has undertaken town centre health checks and is currently progressing the Strategic Housing and Economic Needs study to establish a housing requirement. Evidence in relation to housing delivery has also been published and monitoring is undertaken on a regular basis. The preparation of an up to date and published evidence base is an ongoing process and whilst the wider evidence base will continue to be refreshed, a number of key areas will be focused upon to help inform the Regulation 18 issues and options stage as a starting point. The table below sets out those key areas of evidence to be produced together with the anticipated approach in terms of in-house or consultancy delivery.

Table 1 – Preparation of Key Evidence Base

In-house resource	<ul style="list-style-type: none"> • Employment land review and requirements • Strategic Housing and Employment Land Assessment (including call for sites) • Public open space • Housing Land Availability • Transport issues • Infrastructure Delivery Plan
Consultancy	<ul style="list-style-type: none"> • Sustainability Appraisal/SEA/HRA • Retail base data and requirements • Strategic Flood Risk Assessments • Landscape – visual impact assessments • Whole plan viability • Leisure Economy including Accommodation Needs

- 5.4 These key pieces of the evidence base will be used to identify the broad issues and options to inform the plan review. Additional work in relation to specific topics will also need to be covered as information from the evidence base is translated into identifying the issues and relevant options to deal with them. The ability to deliver in-house will be governed by capacity and broader expertise, however seeking to undertake as much work as possible in-house will help keep overall costs of the process down. Some areas of the work however will require more specialist knowledge and with this in mind the proposed outsourcing of some key elements of the evidence base is identified. Other areas of work may come forward as the process moves on and gaps in information are identified.
- 5.5 In addition to the production of the evidence base there are pre-determined stages and requirements as part of the process itself that the Council would need to fund. These relate broadly to the consultation stages, including mailing, advertising and distribution of material, publicity, document production. Room hire and support costs to deliver these functions will also need to be addressed together with any additional consultancy identified as the process moves on. The budget requirement is the subject of ongoing work to establish the cost base. A specific report on this issue will be brought back to this Committee as part of the Council's budget planning process.

6 RISK ASSESSMENT

6.1 The approval of this report may have the following implications

- Resources – The Council has a duty to put in place up to date local planning policies. It is also required to review its Local Plan within five years of adoption and where it is identified that an update is required to put in place the measures to update its plans and policies as effectively and efficiently as possible. There is currently no budget provision to carry out the update identified in this report. This will be considered as part of the Council's budget setting process.
- Technical, Environmental and Legal – The Council is required to review and keep up to date its planning policies. Where policies are out of date decisions on planning applications will be made in accord with the NPPF, thereby reducing the opportunity for the Council to influence planning decisions.
- Political – There is great public interest in planning issues.
- Reputation – None.
- Equality & Diversity – None.

7 RECOMMENDED THAT COMMITTEE

- 7.1 Note the comments set out in section 4 of this report regarding the review of the Core Strategy and endorse the findings of the review that there is a need to undertake an update of the Core Strategy.
- 7.2 Support the approach proposed to provide a comprehensive framework for the borough by way of a single Local Plan.

- 7.3 Ask the Development Plan Working group to consider the detailed budget implications necessary to progress the Local Plan update and that a further detailed report on the budget implications be submitted to the Budget Working Group and also brought back to this Committee as part of the budgeting process.

COLIN HIRST
HEAD OF REGENERATION AND HOUSING

NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

BACKGROUND PAPERS

For further information please ask for Colin Hirst, extension 4503.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No. 9

meeting date: 28 NOVEMBER 2019
 title: APPLICATION UPDATE HOUSING PROPOSAL LAND AT WISWELL LANE
 WHALLEY 3/2019/0448
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
 principal author: JOHN MACHOLC, HEAD OF PLANNING SERVICES

1 PURPOSE

1.1 To advise and update Committee in relation to the recently refused planning proposal for up to 125 dwellings, associated infrastructure and new access at Wiswell Lane, Whalley which was refused by Committee on the 9 September 2019.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives - To ensure the Council is a well managed and efficient authority.
- Corporate Priorities - To enable the delivery of effective and efficient services.
- Other Considerations – None

2 BACKGROUND

2.1 On 17 May 2019 an outline planning application for up to 125 houses with matters reserved with the exception of access details was submitted to the Council. Following consultation with key statutory consultees including LCC Highways authority the application was refused on 9 September 2019 with the 4 reasons below:

1. *The proposal is considered contrary to Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation new residential dwellings in the defined open countryside, located outside of a defined settlement boundary, without sufficient justification insofar that it has not been adequately demonstrated that the proposal is for that of local needs housing that meets a current identified and evidenced outstanding need.*
2. *The proposal is considered contrary to Key Statement DS1 and Policy DMG2 of the Ribble Valley Core Strategy insofar that it does not represent the consolidation, expansion or rounding off of development so that it closely relates to the main built of area of the settlement of Whalley.*
3. *The proposal is considered contrary to Policies DMG1 and DMG2 of the Ribble Valley Core Strategy by virtue of the density of the proposed developable parcels, cumulative overall density, the quantum of development proposed and its location, which would result in an anomalous and discordant pattern of development that fails to respond positively to the inherent pattern and density of adjacent built-form and fails to be well-related to the main built up area of the settlement of Whalley, being of detriment to the character and visual amenities of the area.*

4. *The proposed vehicular access on to the A671 would be of detriment to the safe operation of the immediate highways network by virtue of the requirement to construct a new vehicular access point onto a high speed road of strategic importance which will add an unnecessary delay to through traffic and compromise the safety of existing and future road users, and as such is considered contrary to Policy DMG3 of the Ribble Valley Core Strategy and Paragraphs 108 and 109 of the National Planning Policy Framework.*
- 2.2 During consideration of the application additional details were sent to LCC Highways and RVBC for consideration. Initially the documents were sent on the 24 August and again on the 6 September prior to the determination of the application. At the time of determination the Highways department was of the opinion that the additional information which included technical details and a traffic survey count did not alter the recommendation.
- 2.3 Prior to submitting any planning appeal it is good practice in accordance with national advice that the applicant should seek to redress any concerns or reasons for refusal. This is to reduce the issues that are considered at any subsequent planning appeal. The resolved issues can be incorporated in a Statement of Common Ground at any Planning Appeal. On that basis the applicant has sought further confirmation from the Highway Authority and it is now clear that a highway refusal can no longer be supported (Letter dated 7/11/19 attached to this report).
- 3 ISSUES
- 3.1 Members will be aware that it is essential that any reason for refusal needs to be robust and take account of any technical information. In the process of a planning appeal it is possible for either the appellant or the Council to apply for a costs award.
- 3.2 The aim of the costs regime is to:
 - encourage all those involved in the appeal process to behave in a reasonable way and follow good practice, both in terms of timeliness and in the presentation of full and detailed evidence to support their case
 - encourage Local Planning Authorities to properly exercise their development management responsibilities, to rely only on reasons for refusal which stand up to scrutiny on the planning merits of the case, not to add to development costs through avoidable delay,
 - discourage unnecessary appeals by encouraging all parties to consider a revised planning application which meets reasonable local objections.
- 3.3 It is evident that the developer is in the process of submitting a planning appeal and has sought further advice from the Highways Authority to clarify the highway reason for refusal and whether or not measures could be put in place to overcome the reason. On the basis of the most up to date response it is clearly the case that currently the Council is unlikely to be in a position to produce sufficient evidence to support a reason for refusal on a highway matter which could lead to a costs award from the Planning Inspector should an appeal be submitted.

3.4 It is recommended that given the revised stance of LCC Highways authority that the Council no longer defend the highway reason for refusal (reason 4) in any subsequent appeal.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – No impact on existing resources
- Technical, Environmental and Legal – No direct implications
- Political – No direct implications
- Reputation – The actions set out in this report demonstrate that the council has regard to changing circumstances and procedural advice.
- Equality & Diversity – No issues identified in relation to this report

5 RECOMMENDED THAT COMMITTEE

5.1 Agree that should an appeal be submitted that the Council no longer defend the highway reason for refusal of 3/2019/0448.

JOHN MACHOLC
HEAD OF PLANNING SERVICES

NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

BACKGROUND PAPERS

Appendix 1 LCC letter dated 7/11/19

For further information please ask for John Macholc, extension 4502.

Ribble Valley Borough Council
Development Control

Tel 0300 123 6780
Email developeras@lancashire.gov.uk

Your ref 3/2019/0488
Our ref
Date 7th November 2019

Dear Sir / Madam

Application no: 3/2019/0488
Address: Wiswell Lane Whalley
Proposal: Outline Residential development up to 125 units

The comments below are in reference to the technical notes received on the 6th September 2019 from DTTC in respect of the above planning application. Two documents were received, Technical Note TN1 and Technical Note TN2.

The document referenced TN2 deals with the accessibility of the proposed site. Whilst I initially raised some concerns regarding the remote nature of the site from the nearby settlement of Whalley the accessibility/sustainability of the site did not constitute a reason for the subsequent reason of planning permission. On that basis I do not propose to respond to this document in this letter, however I would add that a Framework Travel plan has been submitted with the application documentation and pedestrian and cycle improvements for the purpose of increasing connectivity to the site have been discussed and agreed in principle.

Document TN1 considers in detail the highway concerns raised by the highway authority in respect of the formation of a vehicle access onto the A671 Whalley Easterly Bypass. Dealing with each of the issues raised in the order they are dealt with in the Technical Note.

Visibility Splay There are no concerns regarding the ability to achieve the visibility ('y' distance requirements) splays onto the A671 appropriate for the recorded 85th mile speeds. The main area of concern is whether or not the 'x' distance required is 2.4m or 4.5m as requested by the highway authority. The Technical Note acknowledges that there is no upto date guidance on the 'x' distance requirements. It is perhaps mutually acknowledged that the guidance contained in Manual for Streets is not appropriate in this situation on account of the non urban nature of the site and the prevailing speeds

Phil Durnell

Director of Highways and Transport
Lancashire County Council
Cuerden Mill • Cuerden Way • Bamber Bridge • Preston • PR5 6BS

on the A671. The only available guidance is contained within TD42/95 which refers to a relaxation from 9m to 4.5m for lightly trafficked simple junctions and 2.4m in 'exceptionally difficult circumstances'. The traffic note also quotes from MFS2 and the Welsh Government's Technical Advisory Note 18 which provide the basis for an argument against a 4.5m 'x' distance. Taking into consideration the prevailing road conditions in respect of rural nature of the environment, and limited pedestrian / cycle activity there are no factors which would suggest that the use of a 4.5m 'x' distance would create a road safety hazard.

Formation of the site access ghost island and provision of a central refuge to prevent overtaking on the approach to the junction is shown on drawing number J983 access fig 2. These are acceptable along with the 3.5m running lanes and central right turning lane.

The provision of a diverging entry lane and a 7m initial entry width tapering to 5.5m within the site are expressed preferences for the formation of the site access. The desire is to maintain an uninterrupted northbound traffic flow on the A671 by minimising manoeuvring delays caused by traffic turning left into the site. This would be particularly relevant to larger vehicles such as refuse collection / parcel delivery vehicles etc. Whilst the above specification would be preferred, it is acknowledged that the junction will go through a detailed design process that will include safety auditing processes throughout the various stages, should the preferred design be considered to be a cause for concern during the auditing process then changes to the junction design parameters would be considered.

Concern has been expressed regarding the visibility splays being compromised by overgrown vegetation and the limitations of the verge maintenance regime. The extent of the visibility splay will increase the maintenance responsibilities in this respect and we would seek a means of reducing these liabilities. I would seek further dialogue in this respect regarding the surface treatment preferred and this would be conditioned and take account of the LPA preferences. A possible solution would be for the additional areas to be maintained by a landscape maintenance company. It is assumed that the estate will have some privately managed public open space areas.

The pedestrian and cycle access pathways into the site have previously been considered and the proposals as shown on various submitted plans (J983 access fig2 and 3) are acceptable in principle , subject to detailed design and safety audit considerations.

The existing observed queue during the course of a site visit and referenced on the fig 3 access plan (26 vehicles) are not replicated within the modelling results. The modelling parameters were re-evaluated utilising artificially reduced entry capacities for the A671 Arm. This showed comparable traffic queues but also that the A671 approach was generating some concern in the am and pm peaks. With RFC values approaching theoretical capacity. Although it is not something that has previously been considered, there is the option of carrying out improvements to the A671 approach to the A59 roundabout by allowing a 2 lane approach and circulation for traffic towards Clitheroe. This will require a change to the through lane priority currently in place for the northbound approach from Langho.

It is appreciated that this has come somewhat late in the day and will require further modelling and safety auditing to determine if it would be a benefit and there would be a cost implication to the development on the form of a s278 agreement but it will reduce the uncertainty relating to the extent of queueing on the A671 and benefit the development proposed.

There is no doubt that an acceptable junction design can be achieved for the formation of the site access, however the concern has always been the requirement for an additional junction onto the strategic network. The information contained in the Technical Note dealing with this aspect highlights that the Highways Agency would consider the formation of new junctions where the impact on the wider highway network does not result in either a detriment to highway safety or capacity. Taking this position and applying it to the development proposed it is apparent that the highway authorities previously held position would be difficult to defend at an appeal, consequently subject to the design considerations highlighted above and the mitigation measure along the A671 and A59 roundabout improvement measures I would wish to withdraw my highway objection to the proposal.

Yours faithfully

Dave Bloomer
Highways & Transport
Lancashire County Council

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No. 10

meeting date: THURSDAY, 28 NOVEMBER 2019
title: LOCAL DEVELOPMENT PLAN EXAMINATION IN PUBLIC COSTS
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: COLIN HIRST, HEAD OF REGENERATION AND HOUSING

1 PURPOSE

1.1 To inform Members of a report recently considered by Policy and Finance Committee in relation to the Inspector's fees for the Examination in Public for the Housing and Economic Development DPD.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives – To deliver a coordinated approach to planning through up to date planning policies.
- Corporate Priorities – To protect and enhance the existing environmental qualities of the area to match the supply of homes in our area through the identified housing needs.
- Other Considerations – None.

2 INFORMATION

2.1 Following the receipt of the Inspector's report as a result of the Examination of the Housing and Economic Development DPD, the Planning Inspectorate had advised the Council of the fees to be invoiced with regard to their work. This was significantly higher than the levels of fee anticipated and as a consequence a report was taken to Policy and Finance Committee to provide information and request additional financial provision.

2.2 The matter is due to be considered by Policy and Finance Committee at its meeting to be held on Tuesday, 19 November 2019 and an update on the outcome of their consideration of the item will be reported verbally at Planning and Development Committee.

2.3 To keep Members informed, a copy of the report is attached for information.

COLIN HIRST
HEAD OF REGENERATION AND HOUSING

NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

For further information please ask for Colin Hirst, extension 4503

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO POLICY & FINANCE COMMITTEE

DECISION

Agenda Item No. 12

meeting date: TUESDAY, 19 NOVEMBER 2019
 title: LOCAL DEVELOPMENT PLAN EXAMINATION IN PUBLIC COSTS
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
 principal author: COLIN HIRST, HEAD OF REGENERATION AND HOUSING

1 PURPOSE

1.1 To inform Members of the costs advised by the Planning Institute following the close of the Examination which are significantly greater than the fees anticipated. To consider an increase in the budget provision to fund the Housing and Economic Development Plan Document Inspector's fees.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives – To deliver a coordinated approach to planning through up to date planning policies.
- Corporate Priorities – To protect and enhance the existing environmental quality of the area and to match the supply of homes in our area through the identified housing needs.
- Other Considerations – None.

2 BACKGROUND

2.1 Members are familiar with the recent work in connection with the delivery of the Council's Housing and Economic Development DPD. The plan was recently adopted at Full Council on 15 October 2019 following receipt of the Inspector's report and a positive outcome to the Examination in Public.

2.2 Having issued the Inspector's report, the Council has now been advised by the Planning Inspector of the fees payable which were given as £79,465.30. This was based upon the following charging split advised by the Inspectorate.

43 days preparation - £42,699
 6 days hearings - £5,958
 Half a day Inspections - £496.50
 Travelling 3.5 days - £3,475.50
 26 days reporting - £25,818

In addition travel and subsistence costs of £1,018.30.

The daily fee is fixed in legislation through statutory instrument and is £993 per day.

Following clarifications with PINS around the actual number of hearing days and confirmation that additional days for refreshing as a result of the Inspector's return to work after his illness were not included, the Council has been advised that the charges have been reduced by 6 days giving a fee of £73,507.

2.5 As Members will be aware, the original number of days scheduled for the Examination was 2 with a limited number of issues having been identified by the Inspector from a relatively low number of respondents. This was not unrealistic given the very limited

number of allocations proposed and the overall extent of the submitted plan. The initial budget provision included for the Examination Inspector's costs was estimated at £20,000 which leaves a substantial shortfall against the fees now being invoiced. Whilst there is some capacity within the revenue budget for the preparation of the plan due to some costs savings, additional funding will be required to meet the invoice.

3 THE EXAMINATION

- 3.1 Following the appointment of the Inspector and the pre-Examination work, the original hearings were due to take place in December 2017 and January 2018. Unfortunately, the Inspector was taken ill, however the Council were advised that a different Inspector would be unlikely to be available before the summer and of course that Inspector would have to review the plan and may well determine differing issues or evidence requirements. As the Inspector was due to return to work by April 2018, the decision was taken to retain the appointed Inspector.
- 3.2 The Inspector returned to work in May with a view to holding the hearings in June and July, however during his period of absence, matters had moved on such that these had to be taken into account and in particular the revised circumstances around the Council's Local Plan evidence base, which warranted further consideration by the Inspector.
- 3.3 As Members will recall a number of critical factors relating to housing land supply emerged following a planning appeal in Longridge and a need to revisit the Council's evidence on housing land supply including the proposal of additional site allocations to avoid the risk of being found unsound at the Examination which was a significant change in circumstances. Hearing dates were consequently put back to December 2018, however in the light of the additional evidence that was published ahead of the hearings and concerns from participants that they would not have time to adequately prepare for the Examination, the hearings were further postponed to January with the addition of further hearing days as the Inspector felt the housing evidence warranted closer examination as it went to the heart of a number of issues he had identified.
- 3.4 These factors have been identified by the Planning Inspectorate as the basis why the extent of additional work was required. It has to be acknowledged that additional issues did arise as a consequence of the Council having to produce further evidence which would have required additional work by the Inspector. However there remains the concern that overall the amount of additional work and resulting days for report writing are excessive given the nature of the plan overall. This issue has been reiterated with the Inspectorate and any further response will be reported at Committee.
- 3.5 The issue remains however that the only known factor is the fixed daily charge and the programme sitting days. There is no comparative for individual Inspectors and related workloads or report writing time. This has long been a concern as it makes it impossible to budget accurately for the process. Each plan is different and Examinations are individual to the plans themselves. Comparisons with other local authorities are not recognised by the Inspectorate as being relevant, as there can be so many variables. However, it is clear that cost comparisons across two neighbouring authorities who have recently completed full Local Plan Examinations have varied significantly from one authority who had costs of £37,000 and another authority that had costs of £75,000. By comparison our own circumstances in relation to the Core Strategy Examination gave rise to a fee of £52,000. Each of these examples however including our own Core Strategy relate to full and extensive Core Strategy or Local Plan Examinations.
- 3.6 Pending any further response from the Inspectorate there is a need to meet the Inspector's costs. In addition to the £20,000 budget allocated, savings in the Local Plan budget against other areas of expenditure mean that the sum of £30,000 remains

available within that budget to meet the costs requiring an additional £43,507 to meet the costs of the Inspector.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – The Council is required to meet the costs of the Examination and the fees of the Secretary of State’s appointed Inspector as advised by Planning Inspectorate. An additional allocation of £43,507 is currently required to meet the costs being charged to the Council. It is suggested that the additional cost is financed from general fund balances as there are no earmarked reserves for this purpose subject to Members’ agreement.
- Technical, Environmental and Legal – The Council is obliged to meet the costs of the Inspector for the Examination.
- Political – There are no direct political implications.
- Reputation – None.
- Equality & Diversity – None.

5 **RECOMMENDED THAT COMMITTEE**

5.1 Note the total cost of £73,507 for the Inspector’s fees for the HEDDPD Examination and that given the issues identified regarding the fee process, asks the Chief Executive to write to the Secretary of State to express Members’ strong concerns about the system for fee charging and the inability to plan expenditure.

5.2 Agree the additional budget of £43,507 is met from general fund balances.

COLIN HIRST
HEAD OF REGENERATION AND HOUSING

NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

For further information please ask for Colin Hirst, extension 4503.



Appeal Decision

Site visit made on 24 September 2019

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2019

Appeal Ref: APP/T2350/W/19/3229136

Susie Cottage, Rimmington Lane, Rimmington BB7 4DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approve details required by a condition of a planning permission.
 - The appeal is made by Mr Ian Procter against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2019/0117, dated 8 February 2019, sought approval of details pursuant to condition No 3 of a planning permission Ref 3/2018/0745, granted on 9 November 2018.
 - The application was refused by notice dated 27 March 2019.
 - The development proposed is the demolition and erection of a replacement two-storey dwelling.
 - The details for which approval is sought are: 'Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved'.
- Reason: To ensure that the materials used are visually appropriate to the locality.
-

Decision

1. The appeal is allowed, and the details submitted pursuant to condition No. 3 attached to planning permission Ref 3/2018/0745 granted on 9 November 2018 in accordance with application 3/2019/0117 dated 8 February 2019 are approved.

Procedural Matters

2. The application form lists Condition No 3 of application 3/2018/1125 with a decision date of 5 February 2019. However, the appeal statement confirms that this was an earlier application to discharge numerous conditions that was itself discharged by the Council. The correct details are confirmed by the appellant as those listed in the banner, which correspond with the original decision notice submitted with this appeal. I have dealt with the appeal on this basis.
3. With regard to the Council's decision notice, I note that no Development Plan Policies have been cited. I have therefore had regard to those listed in the Officer Report and the general provisions of the National Planning Policy Framework (the Framework) on this matter, as appropriate.

Application for costs

4. An application for costs was made by Mr Ian Procter against Ribble Valley Borough Council. This application is the subject of a separate Decision.

Background and Main Issue

5. This appeal follows the refusal by the Council to approve details required by condition attached to a planning permission.
6. Consequently, I consider that the main issue in this case is whether the details submitted in respect of the roof material of the development meets the requirements of condition No 3 with regard to the character and appearance of the appeal site and surrounding area.

Reasons

7. This appeal relates to a replacement dwelling on Rimmington Lane that was granted permission¹ in 2018 (the original application), which has already been implemented as details to discharge conditions on the original application² was approved earlier this year. The appeal site now comprises a modern vernacular dwelling with contemporary design cues, not the subject of any statutory designations.
8. The details submitted pursuant to this condition comprise various documents³ from Aggregate Industries surrounding 'Bradstone Old Quarried Slates'. I note the assertion from the appellant that they have always desired the material subject of this appeal for their new dwelling, and only supplied a different roof material on the previous submission in order to allow them to commence construction works. A sample panel was displayed at the site with the proposed roof material attached to it. The slates were embossed with 'Bradstone Old Quarried' on the top edge, which left no doubt that they were the material subject of this appeal.
9. On my site visit, I noted that Rimmington is an attractive settlement with a variety of dwelling types, mainly in the form of ribbon development along Rimmington Lane, which includes a number of more recent developments. On these properties, it was evident that a range of roofing materials was present in the locality, which included artificial tiles, as well as natural roof coverings, such as slate. It was also noticeable that the more recent developments used modern materials in their construction. This makes for a distinctive feature of the street scene, as the modern materials are in a location and of sufficient number to have a material effect on the character of the road on which the appeal property is located.
10. Therefore, I attach significant weight to the properties that already have artificial materials covering their roof slopes, as they are prominent in the street scene, forming part of its prevailing character. Additionally, I find that due to the topography of the road and the proximity of the dwelling to the road, its roof would not be clearly visible to passers-by. Furthermore, I viewed the site from a nearby Public Right of Way between Stoops Lane/Newby Lane and Rimmington Lane. However, due to the overall distance from the site, the views were somewhat limited.
11. The appellant has referenced various properties⁴ with similar roof materials in support of their submission. However, in all instances, relatively little detail has

¹ 3/2018/0745

² 3/2018/1125

³ Bradstone Roofing – technical data; Bradstone – Reconstituted stone roofing portfolio and a fact sheet

⁴ Higher Gazegill Farm; Howgill Barn; Manor House and the former De Tabley Arms

been provided regarding the particular planning backgrounds to these schemes. Consequently, I cannot be sure that these are entirely representative of the circumstances in the appeal before me. In any event all appeals are judged on their own individual merits. Accordingly, that is how I have assessed this appeal scheme.

12. For the reasons above, I conclude that the submitted details would not have a significantly detrimental impact on the character and appearance of the appeal site or surrounding area and hence that it would accord with the design, character and appearance aims of Policies DMG1, DME2, DMH5 of the Ribble Valley Borough Council Core Strategy 2008-2028, a Local Plan for Ribble Valley 2014 (LP), and the Framework.
13. LP Key Statement EN5 and LP Policies DME4 and DMG3 have been referenced by the Council in the Officer Report. However, these policies and key statement appear to relate to heritage assets and transport and mobility and therefore I find they are not directly applicable to the case before me.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be allowed.

W Johnson

INSPECTOR



Costs Decision

Site visit made on 24 September 2019

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2019

Costs application in relation to Appeal Ref: APP/T2350/W/19/3229136 Susie Cottage, Rimmington Lane, Rimmington BB7 4DT

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Ian Procter for a full award of costs against Ribble Valley Borough Council.
 - The appeal was against the refusal to approve details required by a condition of a planning permission for the demolition and erection of a replacement two-storey dwelling.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. Paragraph 049 of the PPG states that local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal. Examples include: preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations; failures to produce evidence to substantiate each reason for refusal on appeal; and vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
4. The applicant considers that the proposed material presented to discharge Condition No.3 is in keeping with the surrounding area and is not dissimilar to the approved scheme or the existing tiles. Furthermore, it is asserted by the applicant that no evidence has been provided to substantiate the Council's position, and the reasons to refuse to discharge the condition are vague, providing generalised assertions over the proposal's impact and the surrounding context.
5. However, on balance, I find the decision is one of a matter of judgement. The Council's reason for refusal set out in the decision notice is complete, specific and relevant to the application. Additionally, I consider that the wording of the reason for refusal not to represent unreasonable behaviour. The Council further supported their reason for refusal with an Officer Report and a Statement of Case. These documents expanded on the reason for refusal, identified the

issues and described the reasons why the Council considered the proposed material would be unsuitable.

6. Whilst I do not agree with the conclusion that the Council reached in refusing the application to discharge the proposed roof material, I cannot agree that the Council has acted unreasonably in this case. As such there can be no question that the applicant was put to unnecessary or wasted expense.

Conclusion

7. On the basis of the evidence before me, I conclude that it has not been demonstrated that the Council's behaviour caused unnecessary or wasted expense in so far as an award of costs could be justified. I therefore determine that the costs application should fail and no award is made.

W Johnson

INSPECTOR



Appeal Decisions

Site visit made on 29 October 2019

by **John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 November 2019

Appeal Ref: **APP/T2350/W/19/3229833**

23 Church Street, Clitheroe BB7 2DD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr N Starkie against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2019/0241, dated 13 March 2019, was refused by notice dated 3 May 2019
 - The development proposed is a domestic first floor extension above an existing garage to provide bedroom accommodation.
-

Appeal Ref: **APP/T2350/Y/19/3229831**

23 Church Street, Clitheroe BB7 2DD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr N Starkie against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2019/0242, dated 13 March 2019, was refused by notice dated 3 May 2019.
 - The works proposed are a domestic first floor extension above an existing garage to provide bedroom accommodation.
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Decisions

1. The appeals are dismissed.

Reasons

2. 23 Church Street is a two storey dwelling and is a Grade II listed building. It is attached to 21 Church Street, also a Grade II listed building with an east elevation onto Church Street, which is in commercial use. In front of the listed buildings, with access off Church Street through an ungated opening in a high stone boundary wall, is a parking area through which there is access to a garage at no. 23. To the north of the parking area, beyond a high stone boundary wall, is the churchyard of the Parish Church of St Mary Magdalene, a Grade I listed building. The listed buildings are located within the Clitheroe Conservation Area.

The main issues

3. The main issues are the effect of the proposed domestic first floor extension on; first, the architectural and historic interest of 23 Church Street; and second, the setting of the Parish Church of St Mary Magdalene and the character and appearance of the Clitheroe Conservation Area.

The first issue – the architectural and historic interest of 23 Church Street

4. 23 Church Street was first listed in 1950 and was, at that time, a two storey rear wing of 21 Church Street. Documentary evidence indicates that the listed building was extended some time after 1977 by the addition of a two storey wing and an attached garage. The wing is sympathetic in design and materials to the building as listed though it is slightly lower in height and lesser in scale. The garage also has a hipped slate roof.

5. The proposed extension would be above the garage, which would itself be slightly extended, and would extend first floor accommodation in the wing. The extension would match the wing in design, form and materials and, despite discrepancies between the east elevation and the roof plan as proposed on the application drawing, would have an appropriate roof form. The proposed extension is minor in scale and would extend a late 20th extension of the building as it was originally listed. The proposed development would not thus have any adverse effect on the architectural and historic interest of the listed building.

The second issue – the Church and the Conservation Area

6. There are glimpses of the wing and garage of 23 Church Street through the entrance off the street into the parking area. In these views the proposed extension, which would be set well back from the street, would not be prominent and, given its sympathetic design, would not be incongruous.

7. The Church is a prominent and distinctive feature of the Clitheroe Conservation Area. It makes a positive contribution to the character and appearance of the area, as does its surrounding churchyard, which is its immediate setting. The main entrance off Church Street into the churchyard is at the north-east corner of the parking area associated with nos. 21 and 23. A path leads from this entrance to a door into the church, in its south elevation, and then extends alongside this elevation. From this path there are views over the stone boundary wall of the churchyard of the north frontages of nos. 21 and 23.

8. The original elements of the listed buildings are set well back from the boundary wall and are not imposing. The later wing of no. 23 is closer to the boundary wall but it is only about 4.7 metres wide and lower than the original elements, so it is also not imposing. The garage does not rise above the boundary wall and cannot be seen from the churchyard. The proposed extension above the garage would be about 6.9 metres wide and would rise above the boundary wall by, up to eaves level, about two metres. Its north elevation would be blank and, given its length and proximity to the boundary wall, it would be a prominent and visually intrusive feature in views southwards from the path alongside the Church. The proposed extension would be a visually intrusive feature in, and would have an adverse effect on, the setting of the Church. The development would also harm, for this reason, the character and appearance of the Conservation Area.

Conclusion

9. The proposed development would not have any adverse effect on the architectural and historic interest 23 Church Street. However, the proposed extension would have an adverse effect on the setting of the Parish Church of St Mary Magdalene and would also harm the character and appearance of the Clitheroe Conservation Area. The harm caused would be less than significant but, with regard to paragraph 196 of the National Planning Policy Framework, there are no public benefits to weigh against the harm that would be caused. The proposed

extension conflicts with Key Statement EN5 and policies DME4 and DMG1 of the Ribble Valley Core Strategy. Planning permission must therefore be withheld for a domestic first floor extension above an existing garage to provide bedroom accommodation at 23 Church Street, Clitheroe.

John Braithwaite

Inspector